

'I KNOW MY RIGHTS BUT THEY'RE BEING DENIED'

The struggle of Travellers
in North Cork for their
human rights to adequate
housing



This research was carried out by the Travellers of North Cork (TNC) project's Accommodation Research Group: Catriona Dooley, Bridget O'Brien, Anita Toner, Margarita O'Driscoll, Leanne McDonagh, Margaret Meehan, Jessica O'Donnell, Margarita O'Reilly, Noreen O'Brien and Leanne O'Driscoll. The report was written by Bec Fahy, TNC's Project Coordinator. Seán Brady, Paige Jennings and Gavin Boyd Participation and Practice of Rights (PPR) gave support.

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Introduction	4
Travellers of North Cork Project	5
1. Context	6
International context	6
Irish Policy: mandating sedentarism	8
Comparison with Policies and Practices of the UK	9
Lessons for the State	12
2. TNC Survey Results against targets set by the group	13
Change against the targets	14
Target 1: An increase in the percentage of Travellers on the social housing waiting list who have received formal offers of accommodation	14
Target 2: A decrease in the percentage of Travellers who say their accommodation is unsuitable	15
Target 3: A decrease in the percentage of Travellers who are dissatisfied with their landlord's or the council's response to reported problems	17
Target 4: An increase in the number of Travellers who know their rights	18
3. Conclusions and recommendations	20

Introduction

Traveller accommodation in the Republic of Ireland is an area that is complex and mired in controversy. Central and local government attitudes towards Travellers have been reflected in policy relating to Traveller accommodation. This has ranged from assimilationist, identifying Travellers as in need of ‘settlement’ and integration into the settled community, to exclusionary, marginalising Travellers and confining them to life on the ‘outside’ of society. Such policy approaches -- informed by attitudes which are at best lacking in awareness and at worst openly racist – do not take into account the culturally diverse nature of Travellers and their variety of needs; state duty bearers oriented by them have, repeatedly and over the course of decades, patently failed in their duty to enable Travellers to access their right to adequate housing.

Traveller accommodation has been an ongoing concern for nongovernmental organisations and others representing the Traveller community. The October 2015 ‘Carrickmines Halting Site tragedy,’ in which ten members of the Traveller community, including five children, died in a fire at a cabin and caravan on an overcrowded halting site in Carrickmines, south Dublin, focused wider public attention on the issue. The extended family had been living at the ‘temporary’ site for eight years while awaiting a permanent site elsewhere¹.

This event and its aftermath highlighted the complexity of the issues around Traveller accommodation as well as the need to consider and evaluate the impact of State policies and practices. After the fire, the local authority suggested using a nearby greenfield site as a temporary emergency halting site for the fifteen surviving, bereaved members of the family, so that the remaining children could remain in their community and at their school while a six-month project of work on an already-identified permanent site was underway. On hearing of the proposal, however, some settled people living in the cul de sac adjacent to the field objected, even blocking access to the site with their cars. One of them, explaining their objections to the press, cited “a difference of cultures” between the Travellers and settled people².

Local officials bowed to this pressure and moved the Traveller families to another, less suitable site on a council-owned car park. This in effect legitimised anti -Traveller attitudes amongst some of the local population and reinforced the alienation and segregation of the already bereaved Traveller families.

This incident spotlights key issues facing Traveller accommodation in Ireland today. Mandatory targets for Traveller accommodation introduced 18 years ago have never been met; even worse, over successive four-year periods they have been missed by ever-increasing margins. Meanwhile, the existing stock of accommodation has been deteriorating markedly³. Planning procedures in Ireland require consultation with local residents and councillors on planning applications; according to

¹ Will Carrickmines be a turning point in treatment of Travellers?, 17 October 2015 at <https://www.irishtimes.com/news/social-affairs/will-carrickmines-be-a-turning-point-in-treatment-of-travellers-1.2394836>

² ‘We are going to fight this to the death’ say residents opposed to temporary halting site for fire survivors, 20 Oct 2015 at <https://www.herald.ie/news/we-are-going-to-fight-this-to-the-death-say-residents-opposed-to-temporary-halting-site-for-fire-survivors-34125172.html>; Pervasive Racism: How public and political responses to a recent tragedy in Ireland’s Traveller Community were shaped by Anti-Traveller hostility, 9 Nov 2015 at <http://www.internationalhatestudies.com/pervasive-racism-public-political-responses-recent-tragedy-irelands-traveller-community-shaped-anti-traveller-hostility/>.

³ See *inter alia* Traveller housing targets have not been met in 18 years, 14 Sep 2017 at <https://www.irishtimes.com/news/social-affairs/traveller-housing-targets-have-not-been-met-in-18-years-1.3220044>; Will Carrickmines be a turning point in treatment of Travellers?, 17 October 2015 at <https://www.irishtimes.com/news/social-affairs/will-carrickmines-be-a-turning-point-in-treatment-of-travellers-1.2394836>.

national Traveller organisations, objections are lodged against most applications for Traveller accommodation, creating a major blockage to efforts by local authorities to meet their targets for this area. As a result, funds allocated for Traveller housing remain unspent, and much-needed homes remain unbuilt⁴. Where halting sites have been built, they have been sited away from residential areas, adding to the exclusion of the Traveller community.

The lack of progress in meeting a host of rights -- including the right to adequate accommodation -- was highlighted in the 2011 NGO Alliance against Racism Shadow Report to the UN Committee for the Elimination of Racial Discrimination. In addition, the report noted with concern that “there are no sanctions against a local authority that fails to adequately provide suitable Traveller accommodation under the legislation”⁵.

Travellers of North Cork

The Traveller project in North Cork began working with the Traveller community in 2006. Its main focus is as a primary health care project, working to improve health outcomes for the Traveller community in this area. Whilst working with people on issues such as their personal health choices and their access to health services, it emerged that the biggest issues affecting their health were outside their direct control, and that chief among these was accommodation. Damp, lack of heating and overcrowding – contributing to both respiratory and other physical illnesses as well as to mental ill health – were frequently reported. Some families had little or no access to basic facilities such as running water, sanitation or electricity.

Staff and volunteers of the Travellers of North Cork (TNC) had been involved with a number of actors, including the state-sponsored Cork County Local Traveller Accommodation Consultative Committee (LTACC) and the Health Impact Assessment (HIA) Group for Ballydineen halting site, to encourage dialogue with the local authority around accommodation. However, the TNC felt, despite many years of consultation, that the engagement had not yielded access to good quality accommodation for members of the Traveller community. The TNC, along with other Traveller groups, withdrew from engagement with the LTACC in November 2015, as part of a wider walk-out at the National Traveller accommodation conference by national Traveller organisations protesting disrespect, lack of progress on Traveller Accommodation Plans and stonewalling by local authorities⁶.



⁴ Ibid.

⁵ NGO Alliance against Racism Shadow Report in response to the Ireland’s Joint Third and Fourth Periodic Reports to CERD under the United Nations International Convention on the Elimination of All Forms of Racial Discrimination, January 2011 at http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/IRL/INT_CERD_NGO_IRL_78_9047_E.pdf, p. 33.

⁶ Traveller representatives walk out of housing meeting, 3 Nov 2015 at <https://www.irishtimes.com/news/social-affairs/traveller-representatives-walk-out-of-housing-meeting-1.2415826>.

The current research project came about as a direct response to community concerns following the Carrickmines tragedy and community dissatisfaction with the provision of Traveller accommodation locally. In late 2016 TNC members put together an accommodation research group made up of ten Traveller women from different towns in North Cork (Catriona Dooley, Bridget O'Brien, Anita Toner, Margarita O'Driscoll, Leanne McDonagh, Margaret Meehan, Jessica O'Donnell, Margarita O'Reilly, Noreen O'Brien, Leanne O'Driscoll) and Bec Fahy, TNC's Project Coordinator. The group wanted to explore the impact of their living conditions on the Traveller community, as well as the background and rights framework around this situation. They wanted to identify concrete ways of realising the right to adequate housing and to monitor progress. Finally they wanted to directly promote the voices of Travellers who had been marginalised in the decision making around Traveller accommodation.

With the support of Belfast-based organisation Participation and Practice of Rights, the group drafted a survey -- linked to the components of the right to adequate housing outlined in General Comment 4 of the UN Convention on Economic, Social and Cultural Rights – to use in collecting baseline information on the living conditions of Travellers in North Cork. The results of the late 2016 survey, and of the follow-up survey conducted in mid-2018, are presented below.

Context

Nomadic traditions have been present across different societies for all recorded human history. Irish travelling communities, as adherents of nomadic traditions, experience many of the same inequalities experienced by other nomadic peoples however it was only in 2017 when the Government of Ireland formally recognised Travellers as a distinct ethnic group.

For many years, International human rights bodies had applied pressure on the Irish government to grant Travellers ethnic minority status in efforts to compel the state to take decisive action to tackle the inequalities experienced by the community, however the Irish government had always resisted such pressure.

The failure of successive Irish governments to recognise Travellers as an ethnic minority distinct from the general population has driven policy choices which have limited the ability of Travelling communities to maintain their nomadic lifestyle and the absence of ethnic minority status has placed less impetus on local government authorities to meet the accommodation needs of their Traveller communities.

International Context

Bodies arising from the United Nations, Council of Europe and European Union have all recognised Travellers as a distinct ethnic minority for many years. These bodies have brought the rights of Travellers into the international human rights framework, most notably in the United Nations International Convention on the Elimination of all forms of Racial Discrimination, which was ratified by

Ireland in 2000 and the Council of Europe's Framework Convention for the Protection of National Minorities which was ratified by Ireland in 1999. These human rights frameworks make clear that Travellers should be considered as a distinct ethnic minority, such as Roma.

Despite the international consensus that Travellers be considered an ethnic group, the Irish government did not recognise this ethnic minority status until 2017, prior to which the state considered Travellers to be a 'social group.' It is unclear what this distinction means in material terms except to denote Travellers as a minority group, different from the majority, but without the statutory protections of ethnicity. However, while the Irish governments did not officially recognise Travellers as an ethnic group, they did respond to UN and Council of Europe reporting mechanisms which sought state data on its treatments of minority groups. In 2015, the Irish Government responded to a United Nations Special Rapporteur on Minority Issues questionnaire on the 'Protection of Roma, Sinti, Kale, Travellers.' This is evidence that the Irish government viewed Traveller communities as sufficiently 'different' from the majority population to report on their experiences and inequalities to international human rights bodies. The Government also recognised the distinct differentness of Traveller communities by recognising the population as a group for the purposes of the Incitement to Hatred Act (1989) and the Equality Employment Acts (1998 & 2004).

There is also a consensus across the Irish civil society and human rights sectors, that Travellers experienced inequalities and discrimination because of their minority status and that their ethnic difference should be recognised in law and practice. In the early 21st century, the national Traveller organisations in Ireland including Pavee Point and Irish Traveller Movement have campaigned for the distinct ethnic status of Travellers to be recognised in law and for inequalities to be addressed using a rights-based approach.

This campaigning had led to the Irish Equality Authority in 2006 expressing concern that the Irish Government had explicitly stated that Traveller communities did not represent a distinct ethnic group, even though they were treated as different throughout government policy and practices.

The Irish government ended its practice of denying ethnic minority status to Traveller communities in 2017 and this had been hailed as an opportunity for the state to begin to adequately address the needs of Traveller communities, which the state had struggled to do while ethnic minority status was denied. However, it is necessary to make clear that to date the Government has only symbolically recognised Traveller ethnicity and it has not yet been codified in law. It has been important to recognise Travellers as a distinct ethnic minority in law because the culture and identity of Travellers have shaped their needs and experiences. Government strategies or policies, designed to alleviate inequalities experienced by Travellers will only lead to substantive change if they take into account the particular culture and identity of the community and if they are correctly framed in a legislative context.

Irish policy: mandating sedentarism

‘Ubiquitous racism and the subsequent shaming came to define who we are as Travellers. Ethnicity was often misunderstood. We, the Traveller community have a distinctive culture, tradition, shared language and customs that differ somewhat from the settled Irish population. These characteristics constitute the accepted definition of an ‘ethnic group.’ The prevailing view was that we as Travellers needed to be rehabilitated, then forcibly assimilated into the settled Irish population.’

Rosaleen McDonagh – Traveller and Playwright⁷

The absence of statutory recognition for the ethnic minority status of Traveller communities in Ireland led to varying levels of service delivery across local government within the state with different authorities developing their own practices. Without a statutory framework to guide local authorities in how they are to relate to their Traveller communities, prejudice and bias can impact on decision-makers’ abilities to make robust and human rights-based policies.

If Traveller communities are not recognised as a distinct ethnic minority then it is easier to see particular aspects of Traveller lives, especially nomadism, as choices which people are free to make or not. If local authorities were to view nomadism as a practice by choice, as opposed to an intrinsic practice of a distinct ethnic minority population, then it is understandable that their approach to meeting the accommodation needs of Travellers may focus on encouraging the abandonment of nomadic practices and facilitating Travellers to adopt more ‘settled’ or sedentary lives.

A human rights-based approach to responding to the needs of Traveller communities would not focus on their need to ‘change’ but rather on the state responding to their needs as they present. The state should absolutely provide settled housing for Travelling communities, if that is their desire, but should also provide the adequate resourcing to halting sites and other relevant infrastructure to facilitate Travellers who wish to maintain a nomadic lifestyle.

However, a human rights-based approach does not simply mean that when Travellers wish to live in settled accommodation that they should be treated as members of the majority population. Instead, local authorities, should recognise the communal and extended family nature of Travelling communities and should seek to provide communal or multi-home accommodation to Travelling communities which allow for the maintenance of their established communal traditions in a more settled context.

Until the Irish state, at all levels, from government to local authority, values the intrinsic merits of Traveller communities and stops seeing Travellers as a ‘problem’ in need of being ‘managed’ the state will continue to respond poorly to the needs of the population.

⁷ Why minority ethnic status matters: a Traveller view, 1 Mar 2017 at <https://www.irishtimes.com/opinion/why-minority-ethnic-status-matters-a-traveller-view-1.2994178>

Comparison with policies and practices in the UK

The largest concentration of Irish Travellers outside of Ireland lives within the United Kingdom. The UK government has recognised Travellers as a distinct ethnic minority in line with the International and European bodies. This is also true for the devolved administrations of the UK and for the purposes of racial equality laws, Travellers are recognised as an ethnic minority group in Northern Ireland. However, it should be noted, that just because the UK government had recognised Travellers as a distinct ethnic minority group for the purposes of racial equality laws, did not mean that the UK has better met the needs of Traveller communities in the UK. The highly publicised eviction of 80 families from Dale Farm in England in 2011 demonstrates that legal recognition does not necessarily lead to better outcomes for minority populations unless the legal recognition is fully implemented in terms of policies and practices.

A failure to provide adequate living spaces for Traveller populations, coupled with the UK government's failure to tackle racist biases and prejudices against Travellers by settled populations has led to inequalities and human rights abuses. New planning policy, adopted by the UK Department for Communities and Local Government in 2015, severely limits the ability of Travellers to access halting site accommodation unless they are able to provide sufficient evidence that travel regularly⁸. Again, this policy does not demonstrate respect and recognition for the nomadic traditions and practices of Traveller communities and, instead, seeks to compel Travellers to adopt sedentary lifestyles in order to access appropriate housing.

Solicitor David Enright, who represented from of the Dale Farm families has stated that, almost 7 years after the Dale Farm evictions, the experiences of Travellers in the UK has not improved:

'Dale Farm happens on a smaller scale every single day of the week in Essex and across the Home Counties. Travellers and Gypsies are still being forcibly moved on and we are blaming them for something over which they have no control.'

Enright highlights how government policy and anti-traveller bias has limited access to lawful accommodation for Travellers:

'The difficulty here is that people do not want Travellers living near them and local authorities do not provide authorised sites to Travellers so they effectively have nowhere legal to go. If settled people are angry that travellers are living on unauthorised sites, they must direct that anger at local and national government who refuse to provide suitable authorised sites and who now literally force travellers to travel through new planning policy.'

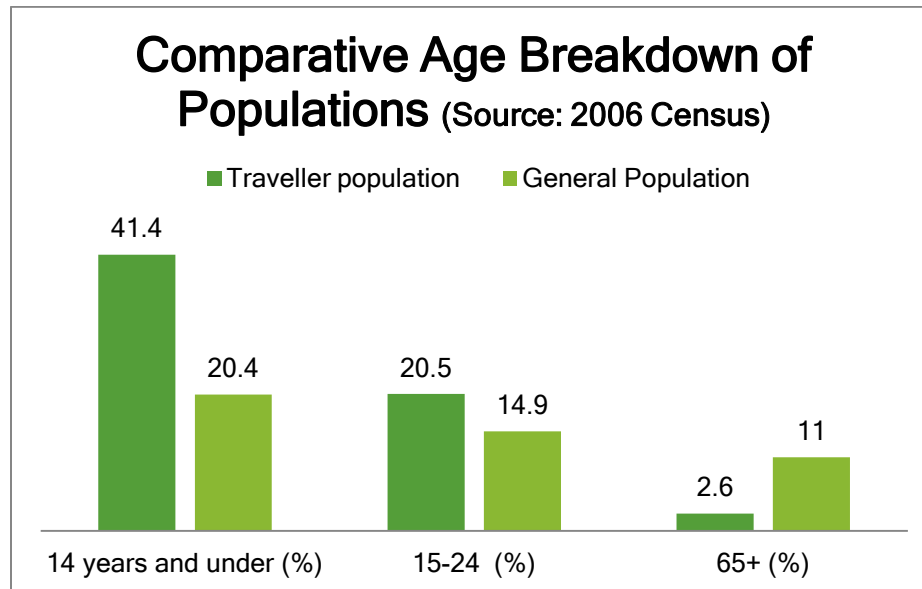
Enright also specifically recognises the racialised nature of the outright opposition to Travellers by settled people:

⁸ Planning Policy for Traveller Sites - Department for Communities and Local Government, Aug 2015 at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf

*'Travellers don't want to be in conflict with anyone – they want to live ordinary, normal and safe lives that are not in conflict with anyone. The law of land forces them into conflict with settled people. The answer is simple, provide sufficient authorised halting sites for Gypsies and Travellers. My firm represents scores of Travellers and Gypsies who are denied service in hotels, bars, bowling alleys, holiday parks and many other types of services, simply because they are Gypsies and Travellers. I must emphasise, not because they have caused any trouble of any kind, but simply because they are Travellers.'*⁹

While the UK has formally recognised Travellers as a distinct ethnic minority group for a longer time than Ireland, this has not necessarily led to better outcomes for Travellers. The UK and Ireland have both failed to adequately incorporate the needs and rights of Travellers into policy development processes and to challenge implicit and explicit biases against Travellers by service providers and the majority settled population.

The particular demographic makeup of the Traveller population in Ireland shows that the group's membership and, therefore, needs, are significantly different from the general population. This reinforces the necessity of engaging Travellers on what their needs are and how the state can meet these needs, rather than merely subsuming the needs of Travellers into broader state policies and practices.

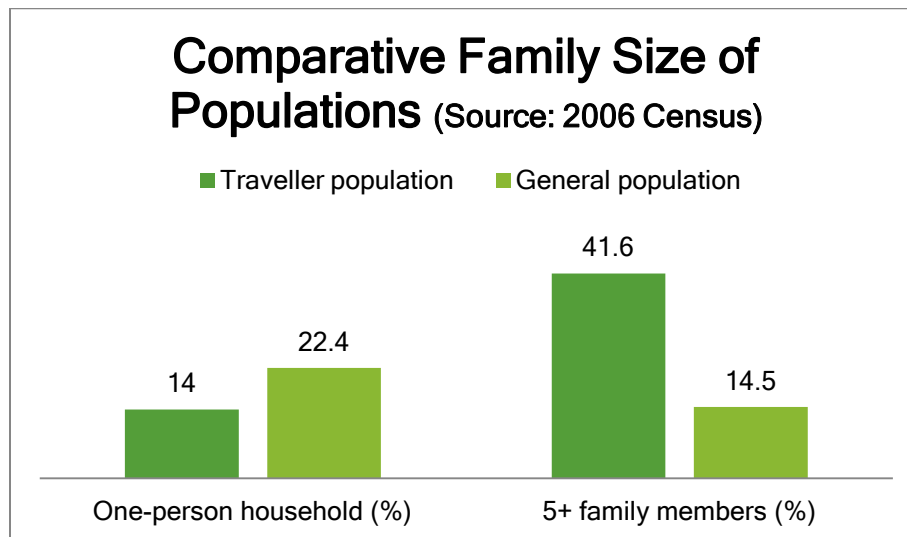


The Irish census of 2006 identified that the Traveller population is significantly younger than the general population. Almost 62% of Travellers were under the age of 24 in 2006 while only 35% of the general population were in these age brackets. When considered in conjunction with the data on

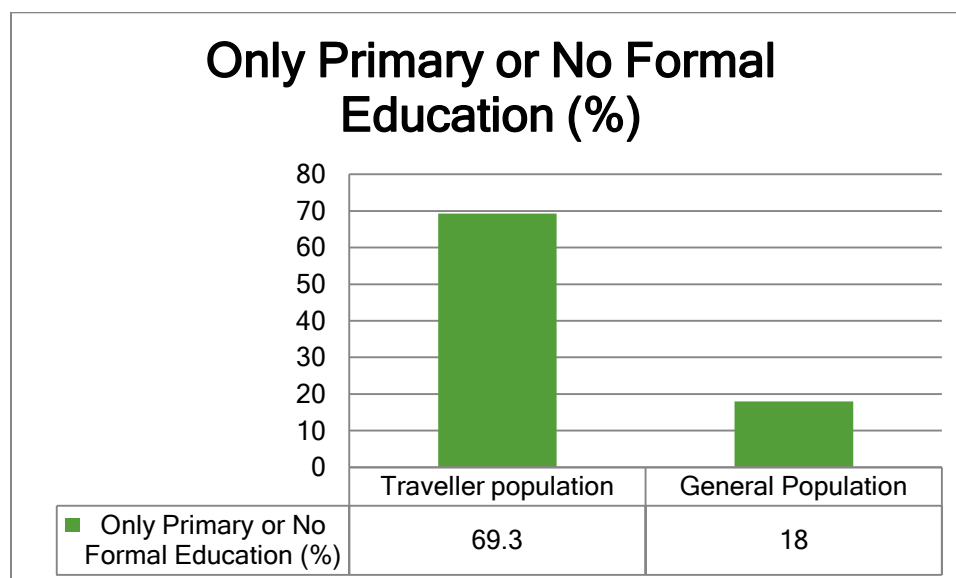
⁹ Dale Farm Evictions: Five years on - Laurence Cawley (BBC) 2016
<https://www.bbc.co.uk/news/uk-england-essex-37628558>

family sizes, it becomes apparent that the needs of Traveller families are significantly different from the needs of families in the general population.

Almost 42% of Travellers come from families with more than 5 immediate members versus 14.5% of people in the general population. With a younger population, that is more likely than the general population to come from a larger family, there are different pressures on Travellers in terms of suitable accommodation than there are for the general population.



Travellers also experience education and employment inequalities, compared to the general population. Traveller populations are significantly more likely than the general population to have only primary education or no formal education at all. As with housing and accommodation, a 'one size fits all' approach to the provision of education, which does not take into consideration the structure and values of Traveller populations, does not create an accessible form of education for many Traveller young people.



An inaccessible education service creates cycles of disadvantage for Traveller populations. Educational participation and attainment are indicators for literacy and employment and an education system which does not cater to the specific needs of Traveller populations has contributed to the high levels of illiteracy and economic inactivity which have been observed in the 2006 Census.

Traveller population experiences of under-attainment in education, coupled with low literacy and high unemployment should be taken into consideration by statutory authorities when engaging with the community. Local authorities should recognise these barriers to participation when seeking to engage with the community and should be mindful that the use of technical language, over-reliance on forms being filled out or written responses to consultation documents, can alienate Travellers from policy development processes.

Lessons for the State

It was correct and appropriate for the Irish state to accept the international human rights consensus and recognise Travellers as a distinct ethnic minority group within Ireland. Decades of denial and assimilationist tactics had created an anti-Traveller bias at all levels of the state, of which the impacts are still felt today.

Simply recognising Travellers as an ethnic minority population in law will not automatically undo decades of discrimination in policy and practice, nor does it eradicate anti-Traveller bias and prejudice at the local authority or interpersonal levels.

For the Irish government to effectively tackle the inequalities experienced by Travellers, it must start by engaging directly with Travellers as the experts on their community's needs and aspirations. The government should recognise the objective worth of Traveller populations, and their nomadic traditions, and develop the correct accommodation, infrastructure, education and health services which will meet the needs of the community and create the circumstances for the community to flourish.

A piecemeal approach which seeks only to recognise Travellers' ethnic differences without implementing policies and practices to improve health and wellbeing outcomes will only further marginalise the community.

2. TNC Survey Results against targets set by group

The initial surveys – of 95 families -- were carried out by the Travellers of North Cork (TNC) project beginning in November 2016. The group also interviewed 12 families in more detail to provide more understanding about their experiences, taking photos of accommodation at the same time, to show clearly what needed to change to improve their lives. The aim was to explore the current living conditions of Travellers in North Cork and the impact that this was having on the Traveller community. Results of the survey were collated and published in January 2017.

The survey gathered data on overarching issues facing the Traveller community. Some more detailed analysis of access to the right to housing focused particularly on the situation of the 73 families that did not own their own homes.

From the initial baseline of the survey with the 95 families, the group highlighted four key areas in which they wanted to see clear changes first and developed indicators to measure any change achieved.



The target areas were:

Target 1. An increase in the percentage of Travellers on the social housing waiting list who have received formal written offers of accommodation.

Target 2. A decrease in the percentage of Travellers who say their accommodation is unsuitable.

Target 3. A decrease in the percentage of Travellers who are dissatisfied with their landlord's or the council's response to reported problems.

Target 4. An increase in the number of Travellers who know their rights.

Alongside the accommodation issues identified, the TNC research identified some of the reasons that the accommodation needs of Travellers were not being met. The group created a **Traveller Accommodation Rights Charter**, which lays out clearly the actions that it believe need to be taken to remedy the situation.

The group presented the charter to the local authority in May 2017 and although a brief discussion on it was held under any other business at the LTACC, the local authority did not respond or offer to

meet to discuss it in detail. It was not tabled for a discussion of the LTACC until July 2018, by which point the Traveller projects had all withdrawn from the LTACC.

The need to raise awareness of the accommodation rights of Travellers was a key part of the project. To draw attention to failure of the state to protect the human rights of the Traveller community regarding accommodation, the TNC began an awareness raising campaign. In this campaign the TNC accommodation group undertook to deliver a series of information sessions and accommodation rights workshops for Travellers in the area.

The survey was then repeated between May and July 2018, with 77 families – including 67 who did not own their own homes -- interviewed, to see whether there was any discernible shift against the four key indicators.

Change against the targets chosen

The four main indicators chosen by the group relate to several of the components of the right to adequate housing identified in General Comment 4, as well as to other key human rights principles, as outlined below.

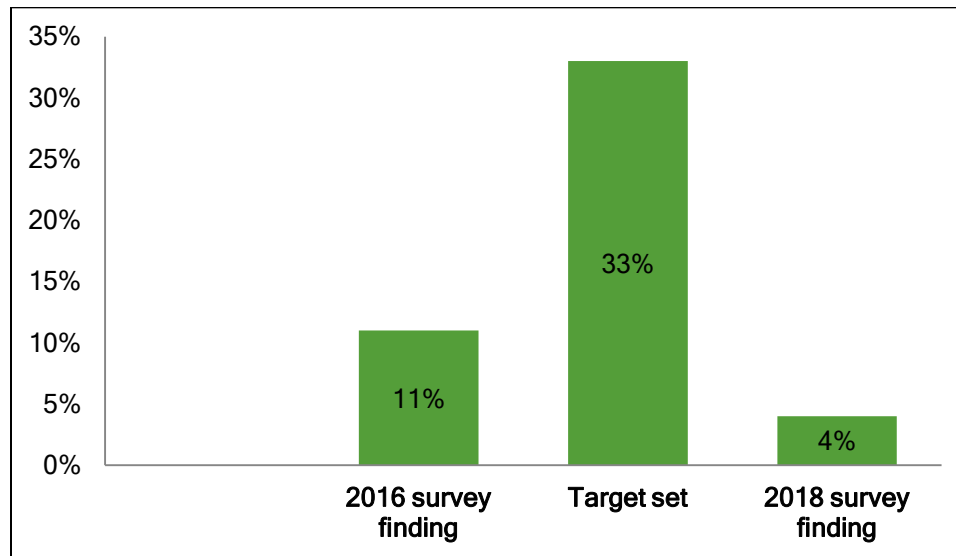
Target 1. An increase in the percentage of Travellers on the social housing waiting list who have received formal written offers of accommodation.

Under the principle of **accessibility**, “disadvantaged groups must be accorded full and sustainable access to adequate housing resources”². The elderly, children and people with disabilities or medical problems should receive priority consideration; housing law and policy must take their special needs into account and must “substantiate the right of all to a secure place to live in peace and dignity”³.

The November 2016 survey found that only **11%** of families on the housing waiting list had received formal written offers of housing from the council, with more than 43% on the list for more than 7 years. Upon consideration, the group set a benchmark (or target) that after a year’s work to improve the situation, the percentage having received formal offers would rise to **33%**.

Accordingly, the 2018 survey asked the question again. It found that only **4%** of non-homeowner families who reported being on the waiting list had received a formal written offer. Clearly, far from meeting or even making progress towards the benchmark, the results indicate that adequate housing is if anything even more inaccessible to Traveller families in North Cork than before.

Have you been made a formal offer of accommodation by the council?



Moreover, the findings point to a failure by the authorities to meet the needs of the priority groups named in the General Comment as being of concern. Nearly two thirds (65%) of people surveyed had children living with them; all in all, the families surveyed included 178 children under the age of 16. Nonetheless, only two of them had received a formal offer. Five percent of respondents were over the age of 65 and several other respondents had elderly parents living with them, while over one fifth (21%) of those surveyed reported a disability. None of the elderly or disabled, however, reported having received a formal offer.

Target 2. A decrease in the percentage of Travellers who say their accommodation is unsuitable.

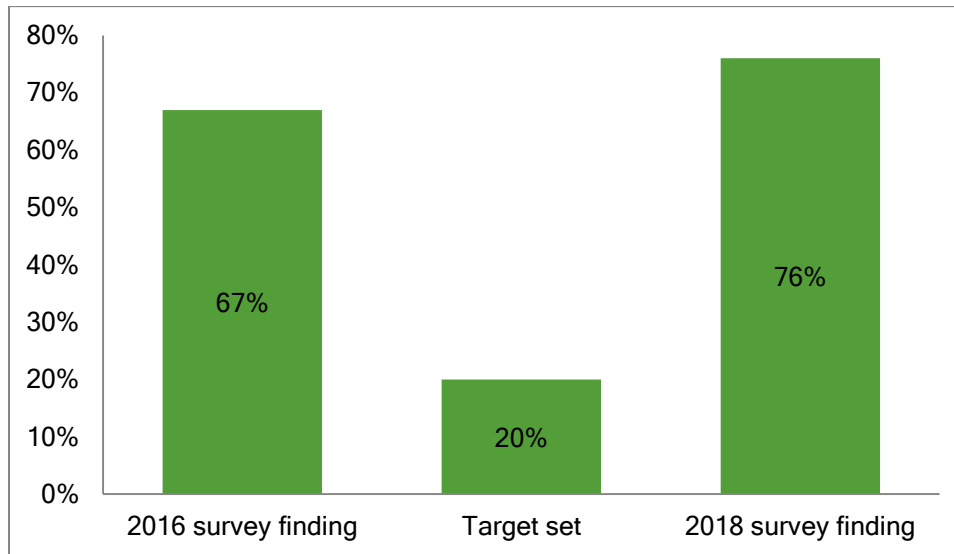
The issue of suitability of accommodation speaks to a number of key components of the right to adequate housing. As described above, the principle of **accessibility** recognises the particular needs of the elderly, children, people with disabilities and others. In addition, the principle of **habitability** covers issues of health, physical safety and protection from hazards and threats, while **availability of services, materials, facilities and infrastructure** encompasses a range of factors “essential for health, security, comfort and nutrition”. With regard to the latter, the General Comment specifies in particular that

All beneficiaries of the right to adequate housing should have sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities.

The November 2016 survey found that 67% of Traveller families felt their housing was unsuitable. Upon discussing the survey results, the group felt that reducing this to 20% over the course of the next year would be a reasonable target.

When the question was asked again in 2018, however, **over three quarters** (76%) of non-homeowner Traveller families felt that their accommodation was unsuitable.

Is your accommodation suitable for you and your family's needs? 'No' answers.



Of these, four out of ten cited reasons to do with **overcrowding** or their home being too small for the number of people living there. The impact of overcrowding on people's physical and mental health was clear: people made comments like, "no proper home, no bed. Mentally disturbed. Sleepless nights" and "can't stick the noise". Others described having anxiety and panic attacks, or in the words of one person, "constantly arguing because we are always on top of each other". This was a particular issue amongst those living in caravans.

Over one in five (21%) cited **cold and damp**. Again, this was a particular issue amongst those living in caravans, some of whom described having **no heating or running water**. Many explained the health consequences of these unacceptable living conditions, including breathing difficulties and frequent ongoing illness amongst themselves and their children, exacerbated in winter. One mother, describing the effect the conditions have on her health, said she was "depressed -- no proper home for my children".

One in five said that their home did not meet requirements linked to the **medical condition, disability or special needs** of a family member. One parent described developing back difficulties lifting her disabled child up and down the stairs of her home. Another, whose child suffers from ADHD and other health issues, related fears of the child falling over the balcony of the home.

Five per cent were **homeless families living all together in a single hotel room**. Explaining why their housing was unsuitable, this group made comments like "we're living in a hotel, one room between the whole family"; "a hotel is no place to rear a family" and "living in hotel with wife and children. No space. Need a home". Describing the impact of the living conditions on their physical and mental health, one mother answered, "I don't sleep. I'm angry all the time". According to another, "I feel useless as I can't provide a proper home for my family".

Target 3. A decrease in the percentage of Travellers who are dissatisfied with their landlord's or the council's response to reported problems.

This area reflects key human rights principles such as duty bearers' **accountability** to rights holders and the latter's access to appropriate redress.

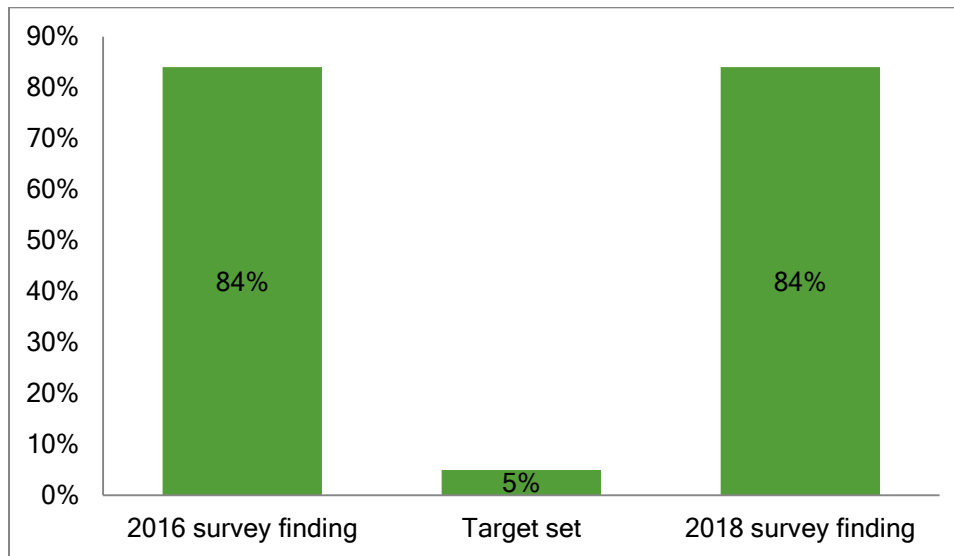
The November 2016 survey found that 84% of people were not satisfied with the council / their landlord's response to reported problems. The group felt that this was far too high, and set a target of 5% after a year.

The 2018 survey found that over three quarters (76%) of non-owners had reported problems to their landlords or to the council. Seven percent had asked the council for adjustments; 37% had reported that they were homeless or in unsuitable accommodation; and 46% had reported maintenance problems.

When asked whether they were satisfied with the response they received, the figure had not changed – again, **84%** reported that they were not satisfied. In other words, no progress was made against the benchmark at all.



Percentage of people who were not satisfied with the response to reported problems



When asked why they were not satisfied, 16% said that they were told by the authority they approached that the issue was not their problem. Thirty per cent said that they were dissatisfied because the problem was not fixed, and a quarter said that the council/landlord did not respond quickly enough.

Target 4. An increase in the number of Travellers who know their rights.

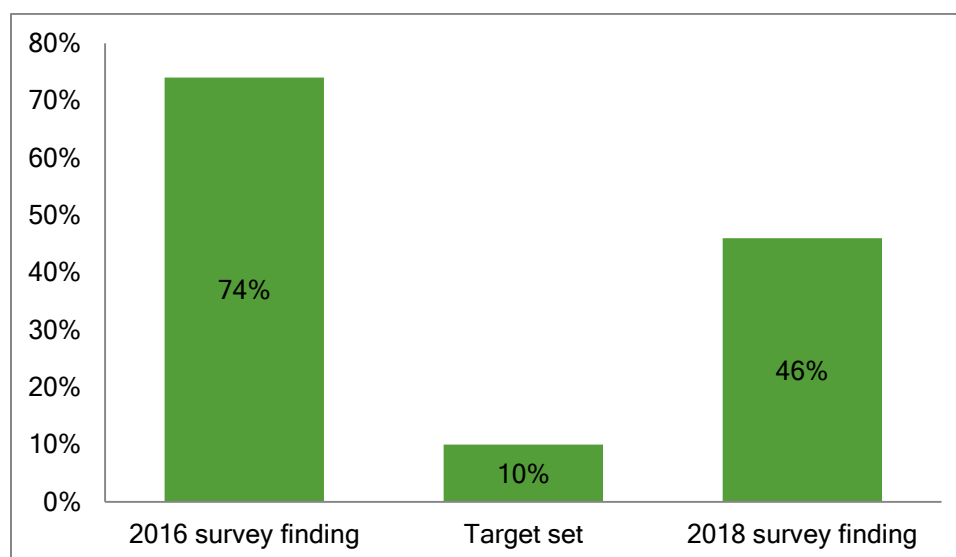
The final indicator relates again to the key human rights principle of **accountability**, as only once people know their rights can they realise which rights are not being fulfilled and identify the duty bearers who are failing in their obligations. Knowledge of rights has further ramifications for the human rights principles of rights holders' **participation** and **inclusion** in decision making that affects them.

In November 2016, 74% of people disagreed with the statement "I know what my rights are". The group set a target of reducing this to 10% over the course of the next year. Accordingly, the issue was raised again in 2018.

This time the figures had shifted positively – not enough to meet the benchmark, but substantially. Altogether, 44% of people either agreed or strongly agreed that they knew what their rights were, with only 46% disagreeing or strongly disagreeing.

It is important to note that **this is the one indicator against which Travellers themselves held a measure of control rather than the council or landlords**, by undertaking to carry out human rights education amongst their community themselves. Accordingly, **this is the one indicator where actual progress was made**.

“I know what my rights are”: number of people who disagreed

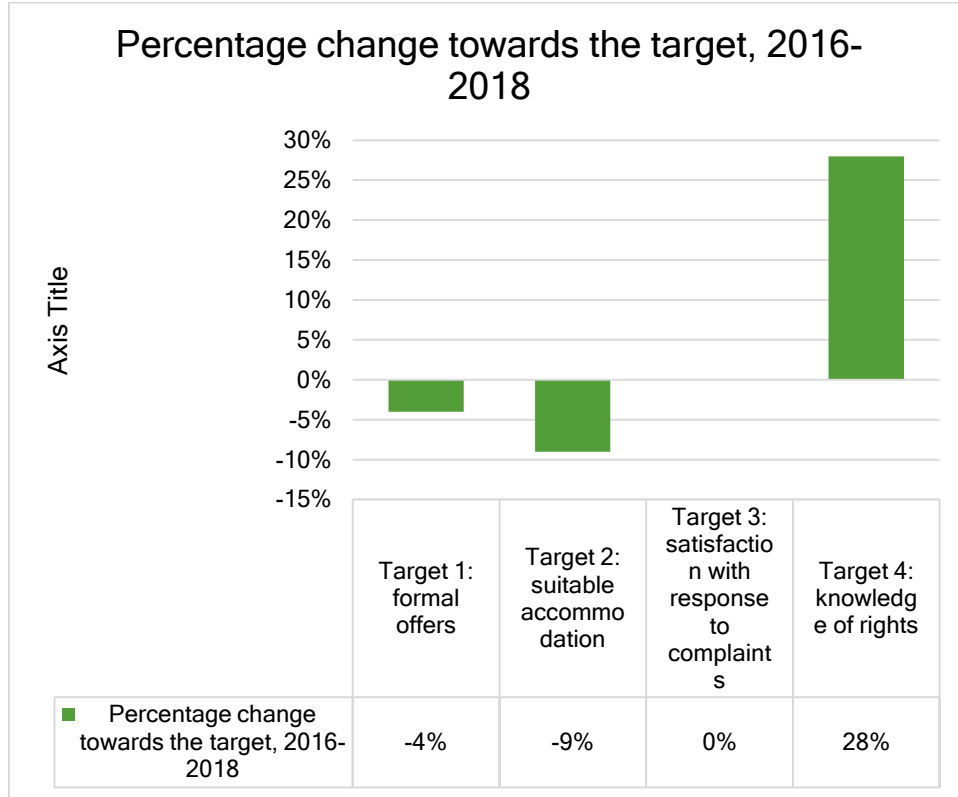


Despite the improvement in the number of people aware of their rights, numerous people made telling comments like “I know I have a right but I'm being denied”; “I do know I have rights but don't get them”; “travellers don't get rights”; and “I know my rights but they're being pulled”. One woman, when asked whether she knew what her rights were, said simply, “I do -- but they're no good to me”.

These responses point to the gap between rights holders demanding their rights, and duty bearers actually taking notice and fulfilling their end of the bargain. Accessing rights is a two-way street, and movement is needed on both sides, amongst Travellers and amongst the authorities. This element, however, appears all too often to be still lacking, demonstrated by recurring comments like “we still get nowhere with the council” and “traveller rights have no face or place with the council”. **An astounding 60% of non homeowners reported discrimination at the hands of the council.**

Conclusion and recommendations

It is clear from this analysis that none of the four targets have been met; in fact, in three out of the four, the 2018 survey indicated either no change from 2016, or a change for the worse.



The only target against which progress was made – knowledge of rights – was the only area in which the North Cork Travellers group itself had some agency, carrying out its own human rights awareness-raising and training.

Similarly, the local authorities have largely failed to meaningfully engage with the group on the TNC's **Traveller Accommodation Rights Charter**, despite formal opportunities to do so.

Nevertheless, the group is hopeful that domestic and international awareness of the situation of the Traveller families of North Cork, and of their serious and sustained efforts to access their human right to adequate housing, will have some impact on national and local duty bearers with responsibilities towards Travellers in North Cork.

In this context, the TNC group submits the following recommendations.

That the state party:

1. **establish an independent statutory body, the Traveller Accommodation Agency, and take the responsibility out of the hands of the local authorities, who have repeatedly failed to meet their obligations in the provision of Traveller accommodation.**
2. **commence building suitable, affordable homes for all Travellers with an accommodation need, including halting sites and group housing schemes.**
3. **repeal the Criminal Trespass Legislation (Housing Miscellaneous Provision Act 2002) -** this legislation has criminalised nomadism and prevented Travellers accommodating themselves in caravans, without fear of eviction, where local authorities fail to provide accommodation. Repealing this legislation would provide permission for caravans to be located outside family homes or on council sites to accommodate families and prevent overcrowding, whilst permanent accommodation solutions are being sought.
4. **prioritise the development of culturally appropriate emergency accommodation for families experiencing an accommodation crisis.**
5. **provide basic services including suitable fresh water, toilet and wash facilities for families living on road sides.**
6. **amend Part 8 of the Planning Act – removing public consultation and political intervention in planning and the identification of suitable sites for Traveller specific accommodation.**
7. **reinstate the ‘caravan loan scheme’ to provide access to affordable housing.**
8. **implement a transparent points based social housing allocation scheme.**
9. **immediately review and respond to all formal written complaints sent to Cork County Council by homeless families in December 2017.**
10. **Recognise a home as a constitutional right.**



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