



Promotion
of Roma/Traveller
Integration and
Equal Treatment
in Education
and Employment

Partner report - Preparatory phase NORTHERN IRELAND



1. GENERAL FRAMEWORK OF THE SITUATION OF THE ROMA/TRAVELLER PEOPLE

The population of Irish Travellers living in Northern Ireland is 1,710 (*TableKSO6, Census 2001*). Whilst it is known that there are also Roma living in Northern Ireland (both longer established Roma groups with family ties to English Rom and more recent refugees and asylum seekers from Eastern Europe), little research or information is available about these groups.

Irish Travellers are defined in the Race Relations (Northern Ireland Order) 1997 as *'the community of people commonly so-called who are identified (both by themselves and by others) as people with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland'*.

The government had established committees to examine the 'problem' of Travellers and Gypsies in 1948 and 1954. These committees (on which Travellers were not represented) called for greater attention to be given by the police to Travellers. More recently, an Advisory Committee on Travellers (ACT), comprising representatives of statutory and voluntary bodies and (for the first time) Travellers, was established in 1985 to advise the Minister of the Environment on the accommodation needs of Travellers. However, an independent review of the ACT commissioned by government found that it had demonstrably failed to make any real inroads into the disadvantaged situation of Irish Travellers in Northern Ireland after ten years existence and its existence was terminated. In 2000, a Promoting Social Inclusion Working Group on Travellers was convened, consisting of representatives of government departments and Travellers Support Groups, to develop a new and co-ordinated response to the widespread social exclusion experienced by Irish Travellers. The Working Group made 33 recommendations for change including the establishment of an implementation body. This body, the Travellers Thematic Group within the government's Race Forum has yet to be convened.

Research commissioned by government has shown high levels of social prejudice towards Travellers. For example, 40% of people in Northern Ireland do not actually believe that the nomadic way of life of Travellers is a valid one that should be supported by government. Over half the population (57%) did not want Travellers as residents in their local area and two thirds of people would not willingly accept Travellers as a work colleague.

Responsibility for the provision of Traveller accommodation has been transferred (following the introduction of the Housing (Northern Ireland) Order 2003) from District Councils (for whom provision was discretionary) to the public authority responsible for overseeing provision of social housing, the Northern Ireland Housing Executive. The standard of most of the accommodation provision made for Travellers by District Councils is of an almost uniformly low standard. Although the Housing Executive has completed two pilot (and good quality) accommodation schemes since the introduction of the Act, they have not yet announced a strategy for a comprehensive programme of refurbishment and new-build, including Traveller-specific housing and transit sites.



Those Travellers who do not live in legally designated sites or housing are forced to live in illegal roadside camps (without access to basic facilities such as water, sanitation and rubbish collection) or live in mainstream social housing).

The Department of Social Development has recently announced that it intends to introduce new legislation to deal with unauthorised camping. The proposed legislation will allow a police officer to instruct Travellers to leave unauthorised camps or face arrest, fine, possible imprisonment and confiscation of caravans and other vehicles.

2. IDENTIFICATION OF GENERAL PROBLEMS REGARDING DISCRIMINATION IN THE FIELD OF EDUCATION AGAINST ROMA/TRAVELLER

The Education Reform (Northern Ireland) Order 1989 requires that all children of compulsory school age in grant-aided schools should have access to a balanced and broadly based curriculum, with their progress regularly assessed and reported to their parents. These provisions apply to all children including Traveller children.

The *Final Report of the Promoting Social Inclusion Working Group* (Office of the First Minister and the Deputy First Minister, 2000) commented on the poor levels of educational attainment among Travellers: *'The vast majority...have no formal qualifications (2% have no GCSEs or their equivalent or higher). There are high levels of non-attendance at secondary level, non-existent attendance at tertiary level and high levels of illiteracy'*.

The Department of Education has noted that: *'The Education of Traveller children presents considerable challenges to schools in Northern Ireland: marginalisation of the Traveller community and associated social and cultural factors have resulted in, for most Traveller children, unequal educational opportunity, adverse influences on school attendance and achievement, and a lack of inclusion and integration, and recognition of diversity'* (EOTAS/SSPPR Education and Training Inspectorate Report, Department of Education, 2000).

The Department of Education has a specific policy on the education of Traveller children (Policy Circular 1993/37) which states that it is considered in the best long-term interests of both Traveller and settled children that they should be educated together, but makes an exception for what is primarily a school for Traveller children in Belfast.

Concern has been expressed by the Equality Commission from a race equality perspective about this primary school. Although the school has been in existence for over thirty years, no child has ever passed the secondary transfer test. Although standards at the school have improved in recent years, Traveller children are still expected to transfer from segregated to integrated secondary schooling.

The Department of Education has acknowledged some of the concerns expressed by the Traveller community regarding the education system: *'In terms of non-attendance*



at school, we found that it tended to be caused by three key factors: disillusionment arising from what some Travellers felt to be poor expectations of teachers and thus the poor levels of education they felt they received; a fear among the children of being bullied, especially at secondary schools; and for some of the children especially, a view that education was just not relevant to them and what they intend to do in the future' (Racial Equality in Education Conference Report, Equality Commission and Department of Education, 2002).

The following problems have been identified by the Department as needing to be addressed in some schools:

- *'A learning environment which is uninviting and unchallenging for Traveller children;*
- *Learning plans which are insufficiently detailed and not properly focused on meeting the learning needs of Traveller children;*
- *The development of learning activities designed to stimulate and challenge the children;*
- *Being able to access advice and support...at the point of immediate need'. (Putting Traveller Education Centre Stage, Department of Education and the Forum for the Education of Travellers' Children (NI), 2000).*

3. IDENTIFICATION OF GENERAL PROBLEMS REGARDING DISCRIMINATION IN THE FIELD OF EMPLOYMENT AGAINST ROMA/TRAVELLER

The Race Relations (Northern Ireland) Order 1997 outlaws discrimination in the field of employment. Trade unions and employer's organisations, professional regulatory bodies, those involved in vocational training, partnerships, barristers and the police are all prohibited from discriminating against employees or potential employees. In certain circumstances, preferring a person of a particular ethnic group is permissible if it is a genuine occupational qualification to belong to such a group. The legislation permits positive action measures which allow for access to training facilities to be provided to a particular racial group only, where that group has 'special needs' or is not represented or under-represented in the workforce.

The Final Report of the Government's Promoting Social Inclusion Working Group on Travellers (2000) found that that only 11% of Travellers were in paid employment of one form or another, while 70% of those who are economically active have had no paid work in the last ten years.

The report *'Out in the Country – the Traveller Economy in Belfast'* (West Belfast Economic Forum, 1998) drew attention to the lack of investment by the state in the Traveller economy and pointed out that economic activity had actually been prevented on some of the officially sanctioned district council sites. The report concluded that this



neglect was no longer acceptable and made a series of recommendations for action by statutory agencies.

A government commissioned report on minority ethnic people's experience of education, training and employment in Northern Ireland found that *'...the high levels of illiteracy and lack of formal qualifications gained by Travellers do not reflect a general lack of concern for education among this group. The majority of those interviewed expressed regret at either not having the opportunities to learn and/or not making the most of the opportunities that existed and also stressed a desire to further their education. Many of the young adults interviewed had joined various literacy and other educational programmes. One of the key motivating factors underlying this desire to learn appeared to be a recognition of the importance of a basic level of education and of qualifications in order to find work'* (Connolly and Keenan, *Opportunities for All*, NI Statistics and Research Agency, 2000).

Although comprehensive statistics concerning Traveller participation in mainstream state-sponsored pre-vocational and vocational training programmes is not available, anecdotal evidence is that participation is minimal and drop-out rates are high.

In addition to the barriers outlined above are the following problems: real and perceived fears of discrimination in training and the workplace (official statistics show that two thirds of people would not willingly accept a Traveller as a work colleague); lack of information about what further education and training opportunities are available; lack of support to enable Travellers to undertake such education and training; the cultural inappropriateness of some training courses; and existence of a benefits trap (fear of losing social security and associated benefits which will not be replaced by sufficient income from training allowances or wages).

4. IDENTIFICATION OF GENERAL PROBLEMS REGARDING DISCRIMINATION IN OTHER FIELDS AGAINST ROMA/TRAVELLER

The limited evidence available on Travellers' health status suggests that their health is significantly worse than that of non-Travellers. A study (Dr Gordon: 1989) of Travellers health, which excluded the Belfast area, found life expectancy to be 20% below that of the rest of the Traveller whilst very high rates of hospitalisation were common, particularly among children aged less than 16 months. Causes were given as gastro-enteritis, chest infections, otitis media, shigella and giardia dysenteries, measles, whooping cough, head injuries and meningitis. The Annual Report (1989) of the Director of Public Health for the Eastern Health and Social Services Board area found that 63% of the Traveller population were aged under 20 years while only 10% were aged over 40 years and 1% were aged over 65 years, a population profile suggesting a low life expectancy. Recorded ill-health included: *'injuries resulting from road traffic accidents, long-term effects of lead poisoning, burns and cystic fibrosis'*. The report concluded that *'the number of hospital admissions in the group indicated a high level of illness'*. The most recent study into Travellers health (in the Southern Health and Social Services Board area) found that uptake of breast screening services was less than 8%,



while take-up for cervical screening was under 36% and as low as 14% on one area. The rate of Traveller children with a disability was twice that of non-Traveller children. Although most reports on the health of Travellers have identified environmental conditions as being a major contributory factor to the ill-health of Travellers, many of these have also drawn attention to disadvantage caused by insufficient and/or inappropriate delivery of health care.

No research on the experience of Travellers in relation to the Justice System has been published.

With regard to policing, a report commissioned by the government's Standing Advisory Commission on Human Rights (1991) commented that *'...incidents were reported where 'hassle' from the police appears to the Travellers as a perverse kind of 'sport'. On illegal sites the police are sometimes perceived to take it upon themselves to evict Travellers using illegal methods...some Travellers see the attention that they receive from the police as unwarranted and informed by anti-Traveller prejudice'*. Research by the University of Ulster (Irwin and Dunne, 1996) found that *'Travellers were particularly reluctant to report crimes to the police, possibly reflecting a lack of confidence in them'*. More recently research, conducted for the Office of the First Minister and Deputy First Minister, found that 47% of Travellers felt that the police did a 'bad' or 'very bad' job. Reasons given for this included that: *'the police did not treat them fairly and labelled them all as criminals; that they harassed them through name-calling and conducting unnecessary searches; and that when incidents were reported to the police they were not taken seriously'* (Dr P Connolly: *Consultation with Travellers on the Recommendations of the Final Report of the PSI working Group on Travellers*, 2001).

More cases of discrimination in respect of access to goods and services have been taken by Travellers under Northern Ireland's race relations legislation than any other minority ethnic group.

Research (1999) into Press Reporting on Minority Ethnic Issues and Racism in Northern Ireland, (Equality Commission, 1999) found that *'without any doubt, the minority ethnic group which is accorded most media prominence in Northern Ireland is the Traveller community. Most of this coverage appears in local weekly newspapers and much of it is negative...there is a very limited range of stories regarding Travellers; they tend to be reported when they are the subject of controversy...such coverage is likely to simply reinforce the notion of Travellers as unwelcome, deviant and unruly outsiders'*.

5. MAIN ANTI-DISCRIMINATION POLICIES AND MEASURES IMPLEMENTED IN YOUR COUNTRY IN THE FIELD OF EDUCATION

The Race Relations Order (Northern Ireland) 1997, amended by the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003 makes it unlawful to discriminate, either directly or indirectly on racial grounds in the area of education.



Discrimination by either public or private educational establishments in relation to an application for admission to a school, college or university or in the treatment of existing pupils in those establishments is prohibited. This prohibition applies to all levels of education, from primary to tertiary. Education and Library Boards and the Council for Catholic Maintained Schools (CCMS) are under a further duty not to discriminate when exercising any of their statutory functions under the various Education Orders. Aside from these specific measures there is a general duty on public sector educational establishments to 'secure that facilities for education and any ancillary benefits are provided without racial discrimination'. This general requirement should, therefore, persuade educational establishments to 'equality-proof' their provision. Article 3 of the 1997 Order outlaws segregation on racial grounds as amounting to direct discrimination.

The Equality Commission and the Department of Education have published a good practice guide concerning *Race Equality in Education* (2001), aimed at policy makers and others within the education sector, which contains information about the law and the implementation of good practice strategies on issues such as harassment and the language.

As a racial group, Irish Traveller also comes within the scope of Section 75 of the Northern Ireland Act 1998. This requires Departments and other public authorities in carrying out their functions in Northern Ireland to have due regard to the need to promote equality of opportunity between persons of different racial groups. It also requires Departments and other public authorities to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial groups. In effect, this requires public authorities concerned with the provision of education to equality-proof the development, implementation and review of policies.

The Education Reform (Northern Ireland) Order 1989 requires that all pupils of compulsory school age in grant-aided schools should have access to a balanced and broadly based curriculum, with their progress regularly assessed and reported to their parents. These requirements apply to Traveller children as to any other child.

The Department of Education has published a policy circular (1993/37) on the '*Policy and Guidelines for the Education of Traveller Children*', that is currently being reviewed.

A *Forum for the Education of Travellers Children* has been established for teachers and other personnel from the formal education system, which provides opportunities for the sharing of information and good practice, the provision of in-service training courses for teachers and the establishment of a network of contacts with groups and organisations involved in supporting Travellers.

A small number of local Education and Library Boards have appointed Traveller Liaison Teachers and dedicated Education and Welfare Officer posts with the Traveller community. Inter-cultural curricular materials have been developed for use at Key Stage Levels 1 and 2 (primary school) and Key Stage Level 3 (Secondary School). These include a CD-ROM and an Internet website. However, it is not known how widely used these resources are, the extent to which teachers have been trained in their use or how effective they are in changing attitudes among children.



6. MAIN ANTI-DISCRIMINATION POLICIES AND MEASURES IMPLEMENTED IN YOUR COUNTRY IN THE FIELD OF EMPLOYMENT

The Race Relations (Northern Ireland) Order 1997 prohibits discrimination in the field of employment. Trades unions and employers' organisations, professional regulatory bodies, those involved in vocational training, partnerships, barristers, and the police are all prohibited from discriminating against employees or potential employees. In certain circumstances, preferring a person of a particular ethnic group for a job does not amount to unlawful discrimination. If it is a 'genuine occupational qualification' that a person be of a particular ethnic group then an employer will have an effective defence. Where it can be demonstrated that it is a *bona fide* requirement for the post holder to be of a certain ethnic origin, then it is not unlawful discrimination to prefer such a person. Positive discrimination – for example, preferring a black person to a white person for a vacant position because black persons are under-represented in the workforce or because historically they have suffered discrimination – is unlawful. It could only be lawful if it were a genuine occupational qualification. Although the law does not authorise 'positive discrimination, it does allow for what are generally called 'affirmative measures'. These provide exemptions from the Order where access to training facilities is provided for, or encouragement directed at, members of a particular racial group only. These only apply, however, because that racial group has special needs or because there is no representation, or an under-representation, of persons from that racial group in a particular workplace sector of the workforce.

The Equality Commission for Northern Ireland has published a *Code of Practice for the Elimination of Racial Discrimination in Employment*, which offers guidance and assistance in relation to employment practices and has been supplemented by a publication *Racial Harassment at Work*.

A small number of cases alleging discrimination in employment have been taken by Irish Travellers under the Race Relations legislation, but these have been settled out of court.

The Final Report of the Promoting Social Inclusion Working Group on Travellers (Office of the First Minister and Deputy First Minister: 2000) included a series of recommendations relating to training and employment. Amongst these was that:

- *'The Department of Higher, Further Education, Training and Employment (now the Department of Employment and Learning) should collect baseline information on the employment and training needs and aspirations of Travellers to enable the setting of short and medium term goals'* (Recommendation 24);
- The Department of Employment and Learning *'...should explore and assess existing training and employment projects for Travellers within Northern Ireland and within Ireland and Britain with the aim of identifying models for the development of further Traveller-specific interventions. Travellers and Traveller organisations*



should be invited to participate in the design, planning and management of any such assessment'. (Recommendation 25);

- The Department of Employment and Learning '*...along with other relevant Government Departments should consider providing resources to support existing Traveller-specific training projects within their areas of responsibility*' (Recommendation 26).

However, to date, the Department has only commenced work on the first of these recommendations (24).

7. MAIN ANTI-DISCRIMINATION POLICIES AND MEASURES IMPLEMENTED IN YOUR COUNTRY IN OTHER FIELDS

The Race Relations Order (Northern Ireland) 1997, amended by the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003, makes it unlawful to discriminate, either directly or indirectly on racial grounds in the areas of employment and training; education; the provision of goods and services; the disposal and management of premises. The legislation provides examples of what amounts to 'facilities' and 'services'. These are: access to public paces; availability of accommodation in hotels, boarding houses and similar establishments; facilities by way of banking or insurance for grants, loans, credit or finance; entertainment, recreation or refreshment facilities; transport or travel services; and services provided by a profession or a trade, or by a local or public authority. More complaints have been taken by Irish Travellers in respect of discrimination in the provision of goods and services than by any other minority ethnic group.

The Equality Commission has commenced work on a draft *Code of Practice for the Elimination of Discrimination in the provision of Housing and Accommodation*.

As a racial group, Irish Travellers also come within the scope of Section 75 of the Northern Ireland Act 1998. This requires Departments and other public authorities in carrying out their functions in Northern Ireland to have due regard to the need to promote equality of opportunity between persons of different racial groups. It also requires Departments and other public authorities to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial groups.

The Equality Commission and the Department of Health, Social Services and Public Safety (DHSSPS) have produced a *Racial Equality in Health Good Practice Guide*. The DHSSPS is engaged in a partnership project with the Ministry for Health and Children and the Institute of Public Health on the design and implementation of an all-Ireland Travellers health study and is currently considering the preparation of a specific strategy on Travellers' Health.

A local Health and Social Services Trust in Belfast has acquired the status of a Health Action Zone and has established an inter-agency action group on Travellers under this



aegis, the Housing and Health Improvements for Travellers Action Group. The Group's strategic aims are to promote community development, health improvements, employability and communications and prejudice reduction. However, the potential for replication of initiatives by individual trusts has not been explored as a consequence of the lack of regional co-ordination.

Complaints against the Police Service for Northern Ireland can be made to the Police Ombudsman for Northern Ireland, a statutory body which is independent of the police service.

Although monitoring forms are provided to complainants by the Ombudsman's Office, it is up to complainants to return these. It is not known how effective this system of monitoring is and therefore it is difficult to estimate the uptake of this service by Travellers.

An equity monitoring process for the criminal justice system (Project Causeway) is currently being developed by the Northern Ireland Office.

The Press Complaints Commission has a Code of Conduct for newspapers which includes reference to avoiding prejudicial or pejorative reference to a person's race or publishing details of a person's race or colour unless these are directly relevant to the story. More comprehensive Guidelines on Race Reporting have been published by the National Union of Journalists. The Equality Commission for Northern Ireland has drawn on the latter to produce *Anti-Racist Reporting Guidelines*. However, newspapers are not obliged to follow these guidelines.

8. IMPACT OF THE ANTI-DISCRIMINATION LEGISLATION ADOPTED, AND THE ACCOMPANIMENT MEASURES TO THESE LEGAL ISSUES REGARDING ROMA/TRAVELLER IN YOUR COUNTRY

The Final Report of the Promoting Social Inclusion Working Group on Travellers (Office of the First Minister and the Deputy First Minister: 2000) noted that the current position of Travellers is one of multiple disadvantage. More specifically, this included the following features:

- **Long-term unemployment:** Research suggests that only 11 per cent are in paid employment of one form or another. Moreover, of those who are economically active, 70 per cent stated that they have had no paid work in the last ten years;
- **Low Levels of Educational Attainment:** Over 90% of Travellers have no GCSEs or their equivalents or higher, whilst there are also high levels of illiteracy among the Traveller community. This is exacerbated by the high levels of non-school attendance where the majority of Traveller children do not continue to attend school regularly after primary education;



- **Poor living conditions:** Irwin and Dunne (University of Ulster: 1997) found that Travellers were eight times as likely to live in over-crowded conditions in comparison with the general population in Northern Ireland. Moreover, many Travellers still have extremely limited access to basic amenities such as running water, electricity and sanitation including some of those still living on serviced sites;
- **Low Health Status:** A mortality rate for Traveller children up to the age of 10 found to be ten times that for the population as a whole while life expectancy of Travellers is around 20% lower than that of the general population. Only 10% of the Traveller population are over 40 years of age and only 1% are aged over 65 The PSI report also draws attention to reports of lower levels of child immunisation and the higher incidence of hospitalisation of Travellers for conditions that could be effectively treated at a much earlier stage;
- **Extensive prejudice:** Connolly and Keenan's study 'Racial Attitudes and Prejudice in Northern Ireland' (NISRA 2000) found that 40% of people do not actually believe that the nomadic way of life of Travellers is a valid one that should be supported by Government. Moreover, over half of the population (57%) did not want Travellers as residents in their local area and 66% would not willingly accept Travellers as a work colleague.

These findings reflected those made by a series of reports issued since the 1980s by voluntary organisations, public authorities and academic sources. Clearly there had been no significant reduction of disadvantage over following decade and more. The PSI report also drew attention to the definition of institutional racism arising from the Stephen Lawrence Inquiry in England: *'the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people'*.

The report also noted that the emphasis is on the outcomes of actions rather than the intentions: *'Moreover, the notion of institutional racism is not meant to imply that all or even most individuals within a particular organisation are themselves personally racist. Rather, its focus is on the organisation as a whole'*. Another form of institutional racism which is explained in the PSI Report is sedentary which *'...relates to all of those ideas and practices that are based upon and tend to reproduce sedentary modes of existence as the norm The effect is that those who adopt more nomadic ways of life, such as Travellers, tend to be disadvantaged. This is particularly the case where policies, practices and services are developed which do not take into account their appropriateness for those with a nomadic lifestyle'*. A report from the Equality Commission (2002) *'A wake-up call on race – Implications of the MacPherson Report for Institutional Racism in Northern Ireland'* commented that *'We are confident from our interviews...that many organisations have yet to look at race in a serious fashion; even the public sector equality duty of the Northern Ireland Act 1998 too often caused only a cursory examination of the issue'*.



9. ADOPTION OF A TARGET AND MAINSTREAMING APPROACH REGARDING DISCRIMINATION AGAINST ROMA/TRAVELLER PEOPLE ACCORDING WITH YOUR EXPERIENCE

A number of previous reports (Noonan, P: *Travellers in West Belfast* (Save the Children: 1994); Mann-Kler, D: *Out of the Shadows* (Barnardos et al: 1998); Connolly, P and Keenan, M: *Opportunities for All* (NI statistics and Research Agency: 2000) noted the failure of the 'open door' approach to service delivery to black and minority ethnic groups including Travellers and the need for outreach measures. The Equality Commission's *'Into the Light'* Report (1999) drew attention to a series of reports which have been produced over the years highlighting the disadvantage experienced by Travellers, making recommendations for addressing these and often describing various initiatives subsequently established to do so. However, despite these initiatives, little impact had been made on reducing the actual disadvantages experienced by Travellers. Public authorities tended to emphasise the inputs to these initiatives rather than the outcomes.

The Promoting Social Inclusion Working Group on Travellers emphasised both mainstreaming and targeted approaches. For example, under the strategic priority of better and more appropriate services for Travellers it urged the establishment of *'effective monitoring and evaluation systems to ensure that Travellers need were met in a culturally appropriate manner throughout all aspects of service development and delivery so that outcomes are clearly measurable'* as well as *'increasing Travellers' access to and take-up of existing services through proactive out-reach measures'* by public authorities.

The Working Group's report emphasised the need for 'joined-up' policies and strategies as part of a comprehensive strategy to address the needs of Travellers in a comprehensive manner and warned that its recommendations *'should not be examined in isolation from one another. Rather, they should be treated as an integrated package of measures aimed at tackling the root causes of social inclusion among Travellers and encouraging and facilitating their full participation in the social, economic and political life of the region'*. The report's recommendation that a body be established by government to oversee the implementation of the actions it proposed as necessary, whilst accepted by government has yet to be put in place.

Under the old voluntary mainstreaming approach known as the Policy Appraisal and Treatment (PAFT) Guidelines (which required public authorities to consider the practice of fair treatment alongside issues of economy, efficiency and effectiveness for all new policy proposals, for service delivery and whenever existing policies were reviewed), little progress appeared to have been made with respect to eliminating the inequalities and social exclusion experienced by Travellers. A government-commissioned review of service provision for Travellers (Paris et al: 1995) concluded that a PAFT appraisal of recent [policy initiatives was almost impossible because of lack of baseline data available from government departments. Noonan (1998) commented that this finding suggested that *'government has not been particularly concerned with the application of PAFT to the Traveller community'*.



The placing of the PAFT Guidelines on a statutory basis through Section 75 of the Northern Ireland Act 1998 has led to some encouraging general outcomes in relation to the embedding of equality considerations in the policy making process. For example: the integration of the statutory duties into corporate strategic objectives and the appointment of Equality Officers (usually based in Chief Executives Departments), the screening of policies for potential equality implications and equality impact assessment of such policies so identified. However, whilst there is some evidence of specific initiatives for minority ethnic groups (including Travellers) arising from the Section 75 process, it is hard to assess the benefit of many of these in terms of hard statistical evidence of reduction of disadvantage. The measurement of the impact on Travellers of mainstreaming under Section 75 will provide a valuable case-study of the effectiveness of such measures on groups facing particularly intractable disadvantage.

10. NATIONAL STAKEHOLDERS MORE ACTIVE AND APPROPRIATE TO CORRECT DISCRIMINATION AND BRIEF DESCRIPTION OF THEIR ACTIVITIES

The main pieces of legislation for which the Equality Commission is responsible are:

- Equal Pay Act (Northern Ireland) 1970 (amended 1984)
- Sex Discrimination (Northern Ireland) Order 1976 (amended 1988)
- Disability Discrimination Act 1995
- Race Relations (Northern Ireland) Order 1997 (amended 2003)
- Northern Ireland Act 1998
- Equality (Disability, etc.) (Northern Ireland) Order 2000.

The Equality Commission for Northern Ireland has number of functions arising from race equality legislation including, to work towards the elimination of discrimination, promote equality of opportunity and good relations between persons of different racial groups generally, keep the legislation under review and submit proposals for amending it. A range of powers has been provided to the Commission to enable it to fulfil these statutory duties. Amongst these are:

- The provision of financial or other assistance to organisations concerned with 'the promotion of equality of opportunity, and good relations, between the persons of different racial groups' (Article 43)
- The power to undertake or commission research or educational activities Article 44)
- The power to issue Codes of Practice (that is, non-binding guidance on how to comply with the legislation) about eliminating discrimination and promoting equality of opportunity between different racial groups, in employment and housing.
- The power to conduct a formal investigation (Article 46) which enable examination of particular firms, companies, organisations and industries to ascertain whether equality of opportunity operates in particular workplaces or spheres of life or because it is suspected that unlawful acts of discrimination are being perpetrated.



Complaints by individuals about discrimination in employment must be made to the industrial tribunal whereas allegations regarding discrimination in the provision of goods, facilities or services and the disposal or management of premises must be made to a county court.

The Commission also has enforcement powers in relation to discriminatory advertisements and pressurising or instructing others to discriminate.

The Northern Ireland Human Rights Commission (NIHRC) was established under the Belfast Agreement (1998). Its remit includes: keeping under review the adequacy and effectiveness of laws and practices, including making recommendations to government as necessary; providing information and promoting awareness of human rights; considering draft legislation referred to them by the new Assembly; and in appropriate cases, bringing court proceedings or providing assistance to individuals doing so. The NIHRC has prepared a draft Bill of Rights for Northern Ireland which has been issued for consultation.

Traveller Movement (Northern Ireland) is a regional NGO that serves as an umbrella group for a small number of local Traveller Support Groups which provide services for the Traveller community in the areas of community development, compensatory education, health education, training and youth work, as well as advocating for Travellers' Rights at local level. Traveller Movement (NI) co-ordinates responses to policy development, represents Travellers' interests at Regional level e.g. the government's Race Forum and provides a voice for Travellers in the regional media.

The Northern Ireland Council for Ethnic Minorities is the regional umbrella group for minority ethnic voluntary and community groups, including Traveller Movement (NI) and represents the interests of these stakeholders at regional, national and international level.

11. EXAMPLES OF GOOD PRACTICES AND STRENGTHS OF OTHER PUBLIC OR PRIVATE ENTITIES IN YOUR COUNTRY REGARDING ANTI-DISCRIMINATION MEASURES AND POLICIES FOR ROMA/TRAVELLER

The Northern Ireland Human Rights Commission (NIHRC) is required to advise the Secretary of State on the scope for defining, in a Bill of Rights for Northern Ireland, rights supplementary to those in the European Convention on Human Rights. The Belfast Agreement 1998 states that the Bill should reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience. The rights it contains are to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem. The NIHRC is also to consider whether and how to formulate (1) a general obligation on Government and Public Bodies fully to respect, on the basis of equality of treatment, the identity and ethos of both communities in Northern Ireland and (2) rights not to be discriminated against and to equality of opportunity in both the public and private sectors.



The NIHRC has prepared a draft Bill of Rights for Northern Ireland which includes, in Section 3, '*Identity and community rights*', the following right (6) *Everyone has the right to choose nomadic or sedentary way of life and the right to change from one mode of living to another*'.

The NIHRC also convenes a joint racism sub-committee with its equivalent body in the Republic of Ireland, The Human Rights Commission, which keeps the attainment of the various rights to which Travellers and other minority ethnic groups are entitled under review (the sub-committee has taken evidence from NGOs representing the Traveller communities in both parts of the island).

The Equality Commission and the Human Rights Commission have co-operated in preparing for the UN World Conference Against Racism 2001 and in monitoring the subsequent implementation by government of the commitments made at the conference.

The Northern Ireland Council for Ethnic Minorities is the regional umbrella group for minority ethnic voluntary and community groups, including Traveller Movement (NI) and represents the interests of these stakeholders at regional, national and international level. The organisation aims to:

- Identify and respond to the needs of minority ethnic communities
- Provide training for potential leaders from minority ethnic communities
- Raise awareness and understanding of individual and institutional discrimination on grounds of ethnic origin, nationality or race
- Promote democratic and participative models of organisation
- Promote the interests of minority ethnic communities facing social injustice by:
 - advocacy and advice
 - education and training
 - dissemination of information
 - promotion of culture and ethnic identity
 - joint working with those organisations and groups which wish to defend and articulate the views of such sectors of society

Activities include: capacity building; policy and information work; training (including training of community interpreters); identifying and representing the views of minority ethnic communities; racial equality services; asylum and refugee services; immigration advice services.