

## **Under-reporting of Traveller cases – one communication strategy /approach**

### **Background**

Findings from the All Ireland Traveller Health Study in 2010 estimate a population of 3,905 Irish Travellers living in Northern Ireland accounting for 1,562 families.

Travellers have been identified in the Commission's Statement of Key Inequalities (2007) as one of the groups to experience severe disadvantage across a range of areas – health, accommodation, education and employment. A high proportion of adult Travellers have no formal qualifications although this is improving slightly in the younger age groups. Few role models exist within the community of people that continue their education or have even completed further or higher education.

Successive attitude surveys also reveal that the group continues to experience hostile attitudes and routine discrimination.

### **Under-reporting of Traveller discrimination cases**

Key findings from the Commission's recent equality awareness survey (2011) highlighted that the most negative attitudes in the social distancing scenarios were towards Travellers with 35% of respondents indicating they would mind (a little or a lot) having a Traveller as a work colleague, 54% as a neighbour and 55% as an in-law. Although Travellers were not listed as one of the groups most likely to consider they had been subject to some form of unfair treatment this was likely because Travellers were a small percentage (<10) of the sample. Of those who believed that they had been treated unfairly, just over one fifth said they had made some form of complaint.

Travellers ,too, were the second largest in the white category to be classified as victims of hate crime in figures, produced by PSNI in 2010/2011. All of this information points to an under-reporting of discrimination cases by the community.

### **The Commission's relationship with the Community**

During 2007 – 2010 the Commission co-ordinated a Traveller stakeholder engagement campaign, Traveller Focus Week. The campaign drew on the "Citizen Traveller" Campaign in Ireland and was a 'call to action' that engaged key stakeholders and involved partnership work within the community. It was successful in terms of providing platforms for the Commission and stakeholder partners to highlight continuing issues of discrimination for Travellers and in promoting good race relations. It also assisted the Commission in developing relationships with the community, their representatives and key organisations providing services to them for example, the different Traveller support groups dotted across the country and Toybox, an early years' organisation providing outreach services to the children.

### **ECNI Services – Measures taken to address the specific Needs of Travellers in Litigation so far**

In trying to meet the needs of Travellers the Commission's Legal Team has tailored its services over the years. Work undertaken has included

- more targeted training of Traveller groups,
- direct outreach work,
- removal of form filling requirements and adjustments for literacy needs,
- meeting Travellers in their homes,
- arranging consultations with barristers in their homes,
- collecting Travellers to bring them to meetings,
- more frequent telephone communication and
- more focus on hearing preparation to ensure consistent telling of their experiences.

All of these measures and adjustments to the services along with relationships developed with connectors during campaigns have contributed to the Commission receiving more cases and enquiries from Travellers.

- Of the 33 Race cases assisted by the Commission at July 2012, 24 were from Irish Travellers with 1 other person alleging discrimination because of their association with Irish Travellers 9(76% in total).
- 24 of the cases were from women and 2 from men. Of the two cases involving men these were where the men were part of a wider litigation group.
- All of the cases involve provision of goods, facilities and services. None involve employment matters. This is a very different profile of funded cases compared to other race cases and other discrimination areas.
- The nature of the services in the complaints primarily relate to bars and clubs (14) and shops (13). In addition, the vast majority of cases involve groups rather than 1 individual seeking assistance for an individual case.

The funded Traveller cases are solely related to the individual's racial group. There are no other hybrid or inter-sectional discrimination cases from Travellers. For example there has been an increasing trend of cases being brought by female migrant workers alleging both sex and race discrimination.

In the Commission's experience, Traveller women have been much more likely to attend outreach events and to bring forward cases. In particular they have taken on a lead role in litigation and are the main point of contact. This certainly improves the quality of communication with the legal team and assists in the progress of a case where a central person gathers the required information.

### **Case Outcomes**

The Commission's Annual Report of 2011/12 shows 8 Race settlements (16%) of the total 50 settlements.

Of the 8 race cases, 4 were brought by Travellers. 2 of these involved Travellers complaining about service in a shop (1 male, 1 female); 1 involved a male Traveller not being allowed to rent a private house, and 1 involved a female Irish Traveller who was harassed at work because she was a Traveller and a woman (hybrid case). The latter formed the basis of a communications initiative in 2011 and will be described in more detail later in report). Total compensation recovered for these Travellers was £21 900.

1 Traveller case went to a hearing in the County Court and this was unsuccessful- it was brought by Traveller woman regarding allegedly racist comments made in a shop.

The Commission's annual report year of 2010/11 shows 12 Race settlements of which 5 were brought by Irish Travellers. 3 of these cases were brought by 3 sisters regarding allegations of

shoplifting and 2 were brought by women regarding treatment in a shop. Total compensation recovered was £5500.

There were no Court/Tribunal decisions concerning Travellers in this reporting year 2011/12.

One of the difficulties in gathering information relating to Travellers is that there is no central database concerning County Court decisions on goods, facilities and services cases. In the Tribunal system which deals with employment matters, the Tribunal itself produces statistics and records of decisions by area of discrimination and it would be possible to gather data specifically on Traveller decisions. There is no such central database in the County Court system. This means that the Commission is not aware of how many cases were brought by Travellers and the success rates. Legal aid for these cases is available.

Table 1 below shows the number of enquiries (initial contacts) dealt with by the Commission from Travellers. The vast majority of the issues raised have related to the provision of services to Travellers mainly in bars, shops, hotels. Some of these enquires may have developed in to some of the cases referred to earlier.

**Table 1 Enquiries from Travellers**

Year	Number
<b>07/08</b>	11
<b>08/09</b>	47 (Note only small number of issues because of multiple cases)
<b>09/10</b>	14
<b>10/11</b>	20
<b>11/12</b>	22

### **Communications Initiative**

In 2011 the Communications and Promotions team organised a media training event for a case work Manager and young Traveller woman who had settled her complaints of race and sex discrimination complaints. The plan was to prepare for the media attention that the case may attract and to develop some communications and marketing materials that could be used to publicise the case. A couple of video clips were made and press release prepared.

Although the case was settled without an admission of liability and proceedings withdrawn, the Complainant had received £7500 without admission of liability from the employer while the two perpetrators paid £3750 each, also without admission of liability. In addition, the Board agreed to liaise with the Commission to review and develop its Equal Opportunities policies and procedures.

The young woman, Natasha Mc Donagh (23) was a university student studying for a degree in Community Youth work and worked part-time in her local youth club. When in the course of her employment she was told by a Manager in front of others that she should 'get married and start breeding' she was angry and hurt and knew she had to take a stand.

In the press release prepared by the Commission on the case but unfortunately not used because of difficulties in securing the Complainants permission due to changes in her personal

circumstances, a sense of Natasha's personality and pride in her community was captured when she was quoted as saying

"Unfortunately, for many Travellers, being faced with discrimination and bullying is part of their life experience, but much of it has to do with the misunderstandings and misconceptions of other people,"

"I am very proud of my heritage, I am proud to be a Traveller but I don't fit the negative stereotype of a Traveller woman. The fact that I grew up in a house and went to university doesn't make me any less of an Irish Traveller than any other member of my community. People's perceptions of my community are often very wrong and hurtful."

Natasha had not planned to pursue a career in youth work, she had originally wanted to be a hairdresser but a bout of ill-health forced her to leave the hairdressing course.

She then volunteered at the local youth club where many of the local Traveller children were members. She really enjoyed it and did a number of courses so she was able to apply for a part-time job there through the North Eastern Education and Library Board, (NEELB).

While there a colleague suggested she apply to do a degree for youth work and she was accepted.

She was also able to carry on working part-time at the youth club, which helped towards her expenses. She loved the work.

A couple of senior managers from NEELB called for a visit at the youth club. They had just been chatting when they asked her to 'use her university lingo' to 'enlighten' them about the difference between the two youth clubs that she had worked in. She was annoyed. She felt the question was belittling and explained she had no need to use university words. She was asked if she would leave the youth club to work exclusively with Travellers, but said no. She wouldn't do that and she hoped her university course would help her to build a career in youth work. In fact, she hoped she could encourage other Travellers to attend university or use education to pursue their careers.

"One of the managers commented on the number of Traveller children at the youth club. She explained there weren't so many young Travellers in the area anymore. He quipped that she should 'get married and start breeding' and then 'send the children to the youth club so that there will be more Travellers'. She was appalled and deeply offended by the disrespect she felt had been shown towards her as a Traveller and a woman.

"They just stood there laughing at her, she felt humiliated – and, there were children nearby. She was shocked at how she was being treated; she couldn't believe this was happening at her work, a place where she felt safe. They made comments, saying she was blushing and perpetrator reached out to touch her cheeks, she stepped back away from him. She felt really uncomfortable, and then they made inappropriate comments about a male youth worker, who'd worked at the youth club a few times."

Natasha, with the assistance of a Traveller support group, lodged a formal letter of complaint with the employer. The strength of her hurt and anger was evident when she stated

"....I am a young woman who is very proud to be a Traveller and who is trying to make a better future for myself, not an animal who can be told to go and breed, not someone who can be spoken to like they are a piece of dirt on his shoe."

The Traveller Support Group also advised Natasha to contact the Equality Commission for advice.

Although the press release on the case was not issued a successful information event was held for the community. The clip of Natasha relating her experience to the community was shown to the group of Travellers along with a Commission representative chatting about the case. This approach was a more effective way of engaging with the community because of its strong oral tradition and low educational attainments.

It was also acknowledged in advance of the session that a low turnout of Travellers at these type of events can happen for a variety of reasons that include weddings, funerals, re-opening of feuds or more practical issues related to childcare, transport etc. To encourage attendance the Commission held meetings with key connectors - the relevant Traveller Support Group and Toybox and made arrangements around childcare and transport. Booking on to the event was carried out by the Traveller Support Group. A flyer billing the event as an Equality Rights Traveller Event and posing the question, Have you ever been discriminated against? Meet a young Traveller woman who successfully challenged discrimination and find out how the Equality Commission can help. The flyer also contained a photograph of a group of Travellers.

The Commission was disappointed at the time at Natasha's decision not to proceed with publicity. However she has recently given the Commission permission to use the video clip made at this event today and in future sessions with the community. She hopes that this will help other Travellers to successfully challenge discrimination.

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