

An overview of housing policy for Travellers in Ireland



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List of Abbreviations

AITHS	All Ireland Traveller Health Study
CERD	(UN) Committee on the Elimination of Racial Discrimination
DECLG	Department of Environment, Community and Local Government
ITM	Irish Traveller Movement
LTACC	Local Traveller Accommodation Consultative Committee
NTACC	National Traveller Accommodation Consultative Committee
TAP	Traveller Accommodation Programme
UN	United Nations
VAT	Value Added Tax

Executive Summary

Adequate accommodation is a basic human necessity which provides individuals with shelter and security. Article 25 of the Universal Declaration of Human rights states that ‘everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including [...] housing and medical care and necessary social services’ (UN, 2012). This statement lies at the core of this research as Travellers have a unique way of life which differs from the majority settled population. The Report of the Task Force on the Travelling people 1995 was a crucial document in ensuring that Travellers’ accommodation needs were on the agenda for future legislative change, including the establishment of the Traveller accommodation unit and the Housing (Traveller Accommodation) Act 1998. This study looked at varying aspects of this Act, including the guidelines on establishing local Traveller accommodation consultative committees (LTACCs) which are required for the design and implementation of Traveller accommodation programmes (TAPs).

Additionally, the debate surrounding Traveller ethnicity was an important issue to look at in relation to Traveller accommodation provision as, due to the non-recognition of Travellers’ ethnic status, the government are under no obligation to fully recognise Travellers’ distinct differences in accommodation requirements. This study also looked at legislation which has had an indirect discriminatory impact on Travellers’ way of life, including the Roads Act 1993 and Section 24 of the Housing (Miscellaneous Provisions) Act 2002 which made it illegal to trespass on land with objects, such as a caravan. The choice by many Travellers to live a nomadic way of life is deeply hindered by the non-existence of transient sites in Ireland and it has been argued that many Travellers who do remain to be highly mobile, are exposed to the risk of arrest due to these laws. By using a case study of a local authority, Fingal County Council, the establishment of an LTACC and implementing a TAP were researched in detail which showed the practical interpretation of the guidelines contained in the Housing (Traveller Accommodation) Act.

Introduction

Travellers in Ireland have had a long, and sometimes difficult, relationship with Irish society and government. Their choice to often separate themselves from the majority population enables Travellers to hold onto their identity but has consequences such as the ‘experience of low social status and exclusion’ (AITHS, 2010, p9). Their existence has been charted back for centuries and, as an indigenous minority group in Ireland, have distinct cultural values, traditions, language and way of life which sets them apart from the settled population (ITM, 2009, p2). Additionally, Travellers have a long a history of accommodation needs that make this group distinctly different to the settled majority. However, up until the early 1980’s, accommodation provision for Travellers was primarily focused on ‘absorption’ into the majority settled community (Helleiner, 2003, p99).

This piece of research will take a close look at housing policy in Ireland that has specific impacts on Travellers. It will aim to show how, in practice, local authorities operate the instructions outlined in the Housing (Traveller Accommodation) Act 1998. The research has five core questions. First of these questions will aim to give an overall outline of the Housing (Traveller Accommodation) Act and the recommendations contained within. The remaining research questions will look further into the concept of Traveller accommodation programmes (TAPs), local Traveller accommodation consultative committees (LTACCs) and, by using a case study, look at how a local authority has interpreted the recommendations and how successful or unsuccessful their TAP has been.

Additionally, the research, primarily through the literature review, will give an overview of Traveller culture and history and how Irish legislation has had both positive and negative impacts on Travellers in Ireland.

The research has five main sections – literature review, methodology section, results, analysis and conclusion (which will encompass recommendations also).

Section one will give a summary of all relevant literature which was reviewed for the purpose of this research. It will aim to give an overall synopsis of the concepts included in the research questions.

Section two will outline the methodology used during the research process, including any shortcomings or limitations that were faced during the study.

Section three will show the main results that arose from the literature review and will include the case study.

Section four will include an analysis of the data and lastly, section five will conclude the research and include any recommendations.

Traveller housing policy – a document review

Adequate accommodation is a basic human necessity which provides individuals with shelter and security. Article 25 of the Universal Declaration of Human rights states that ‘everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including [...] housing and medical care and necessary social services’ (UN, 2012). In modern Ireland, the provision of adequate housing has adapted to suit the needs of many. Apart from local authorities, there are numerous organisations who work with and supply housing to specific groups of people in Ireland, such as the Clúid Housing Association, Respond or St Michael’s House (Irish Council for Social Housing, 2012). The concept of adequate housing for all, however, while positive, is not necessarily reflective in Irish society today. The Department of Environment, Community and Local Government (DECLG) is the department ‘primarily responsible for the formulation and implementation of policy and for the preparation of legislation in relation to housing’ (DECLG, 2010). They are responsible for providing local authorities with the funding and guidelines in relation to, amongst others, Traveller specific accommodation. The following review will take a close look at the guidelines that have been put in place. For the purpose of this study, the term ‘Traveller accommodation’ or ‘Traveller specific accommodation’ will cover the two main types of accommodation provided for – halting sites (official and unofficial) and group housing schemes. Halting sites generally provide units wherein a caravan or trailer can be placed. These units or bays provide electricity, washing facilities and in some cases, kitchenettes. The design of these units, however, can vary from local authority. Group housing schemes normally consist of a small group of houses wherein a number of Traveller families reside and in many cases, extended families live together on one site.

Travellers in Ireland have had a long, and sometimes difficult, relationship with Irish society and government. Their choice to often separate themselves from the majority population enables Travellers to hold onto their identity but has consequences such as the ‘experience of low social status and exclusion’ (AITHS, 2010, p9). Their existence has been charted back for centuries and, as an indigenous minority group in Ireland, have distinct cultural values, traditions, language and way of life which sets them apart from the settled population (ITM, 2009, p2). Up until the early 1980’s, accommodation provision for Travellers was primarily

focused on 'absorption' into the majority settled community (Helleiner, 2003, p99). Additionally, the Report of the Commission on Itinerancy 1963 referred to this community as 'itinerants', which was coined to describe people who 'had no fixed place of abode and habitually wandered from place to place', a term which was discontinued in 1983 after the Travelling People Review Body rejected this term in favour of 'Travellers' (Helleiner, 2003, p77). One of the most distinctive traditions that Travellers have is 'nomadism' or a nomadic way of life. Nomadism can be defined as 'a way of life in which a community has no permanent settlement but moves from place to place, usually seasonally and within a defined territory' (ITM, 2009, p2). This long tradition of moving from place to place was, and still is for many Travellers, an integral part of their way of life. Other factors such as family dynamics, economic traditions and attitudes of the wider settled population of Travellers, all have an impact on how Travellers accommodation is designed and provided (Treadwell Shine, Kane & Coates, 2008). Past reports, such as the Report of the Commission on Itinerancy, 1963 saw Travellers' traditions as 'social problems' which needed to be dealt with, and their need for specific accommodation was overshadowed by the push to accommodate Travellers in standard housing (Coates, Kane & Treadwell Shine, 2008, p38). By not providing serviced sites, the government retained their stance on the nomadic nature of Travellers – it was not accepted and would not be encouraged by providing adequate and safe sites.

In 1995, the Irish government began to respond to the growing demand from Traveller representatives to acknowledge that Travellers' status in society needed to be improved. The Report of the Task Force on the Travelling People was developed which was an agreement between governmental departments, Traveller organisations and local authorities to begin to look at all aspects of Traveller life, including accommodation needs and provision (Dept. Justice and Equality, 2005). This report set the foundation stone for legislative change in relation to Traveller accommodation provision such as the establishment of a Traveller accommodation unit in the Department of Environment and, with this, the establishment of a National Traveller Accommodation Consultative Committee (NTACC) (Fahy, 2001). The Housing (Traveller Accommodation) Act 1998 brought about legislative responsibility for local authorities to ensure that the accommodation needs of Travellers were being met within their administration area. The act, in summary, required local authorities to consult with Travellers and Traveller groups through the operation of local Traveller accommodation

consultative committees (LTACCs). Additionally, the act allowed for public input into the preparation of any Traveller accommodation programmes (TAPs) and it stated the responsibility of local authorities to implement and amend any planning legislation when and where appropriate which took into consideration Traveller accommodation (Fahy, 2001).

However, Irish legislation over the last number of years has also excluded and marginalised Travellers' way of life, especially their nomadic traditions. Section 24 of the Housing (Miscellaneous Provisions) Act 2002 made it illegal to trespass on land with an object, such as a caravan. This indirectly discriminates against Travellers as it disproportionately impacts on the nomadic culture of Travellers in Ireland. Additionally, the Roads Act 1993 states that anyone who parks alongside a motorway or national road can be convicted of an offence, again, a law which indirectly discriminates against Travellers' (ITM, 2010). While the Irish government appeared to be taking progressive steps in the provision of Traveller specific accommodation, the introduction of legislation, such as mentioned above, prohibits Travellers even further in their nomadic way of life. The failure also to supply transient sites for families who move regularly is indirectly forcing Travellers into private rented or local authority housing or even worse, forcing them to now illegally camp, thus increasing their chance of being convicted of an offence. In the recent All Ireland Traveller Health Study, 78.5% of families interviewed had done no travelling during the study period – an indicative sign of how legislation has made it difficult to move about freely (AITHS, 2010).

Under the Housing Act, the LTACCs main objectives are to act as a consultative and advisory mechanism on Traveller accommodation provision and to develop TAPs following on from the consultation process. Furthermore, the committees are required to advise on the best management of Traveller accommodation and also have adequate representation from both local authorities and the Traveller community on them (Costello, 2000, p1). These committees, however, are not standardised nationally. According to Costello, there is no 'typical experience for the LTACC' and LTACCs have both 'strengths and weaknesses' (2000, pg 59). It was acknowledged, during the study undertaken by Costello that LTACCs supported the consultation process in developing Traveller accommodation (a task that was not undertaken prior to the establishment of the LTACCs) and that these committees allowed for 'debate and consultation between the committee members which enabled all

representatives to hear each other's viewpoint' (2000, pg 59) However, some of the main issues that did arise were primarily from Traveller representatives who felt that meetings were not organised correctly and it was felt that there was a reluctance to have meetings outside of local authority premises. Additionally, it was felt that there was a general 'lack of responsiveness to the low literacy levels within the Traveller population' by people from the settled community who were represented at the meetings (Costello, 2000, p59).

As mentioned previously, some of the main objectives of the LTACCs is to develop and oversee the implementation of TAPs. In the Report of the Task Force on the Travelling Community 1995, it was recommended that 3,100 new units of specific Traveller accommodation should be implemented by 2000 to adequately fulfil Traveller accommodation needs. While this figure is now dated, it was used as a 'yardstick' by Traveller groups over the years when measuring what needs to be provided against what actually was (ITM, 2003). However, by 2009, statistics showed that there was a steady decrease in the number of families being accommodated in halting sites, with one county having no halting site and most families being accommodated in private rented accommodation (ITM, 2011). Additionally, by 1999, only 940 units of the recommended 3,100 were provided, with 252 as new Traveller specific units, 345 as refurbished existing units and 343 of new 'standard local authority housing' (Fahy, 2001, p9). It must be noted, however, that Traveller accommodation provision has come a long way over the last number of years. By introducing new legislation to support the provision of adequate accommodation, many new Traveller sites have been built and are maintained to the highest standard. The shift from 'assimilation' to a 'view that recognises Traveller differences' has enabled some local authorities to develop and implement successful TAPs over the last number of years (Coates, Kane & Treadwell Shine, 2008, p1). Critics may argue that, while there has been some good provision, there is still a long way to go until Travellers' housing needs are fully recognised and implemented. These programmes should be directed by need and there should be adequate measures put in place to monitor the success and shortcomings. Fingal County Council in Dublin, for example, state in their current programme that there are '327 Traveller families in the administrative county of Fingal' (Fingal County Council, 2009). However, while the council did state that it took out an assessment of needs of Travellers in their area, which is required under the Housing (Traveller Accommodation) Act, it also states that only the indigenous Traveller population who have been resident in the

county for three years or more will be provided with Traveller specific accommodation (Fingal County Council, 2009). This clause implemented by Fingal goes against the very nature of Travellers' travelling way of life.

The role of the NTACC is, amongst others, to advise the Minister on any matters concerning Traveller accommodation, to look at best practice for improving, at local level, the management and provision of Traveller accommodation and to ensure the implementation of the local TAPs, which are required by local authorities to develop (DECLG, 2010). These programmes are to be implemented within a five year timeframe (Fahy, 2001). However, widespread criticism has come from Traveller organisations in relation to the fact that TAPs are not being implemented within the specified timeframe and additionally, many halting sites remain to be 'unsafe, overcrowded and in most cases, lacking in the most basic of facilities' (ITM, 2011). Moreover, research completed by the Centre for Housing Research, found that, of 40 sites visited, 33 of the sites were situated near an environmental hazard such as electricity pylons, dumps and major roads (Treadwell Shine, Kane & Coates, 2008). In their 2010 annual report, the NTACC clearly outline the number of Traveller families living within Traveller specific sites. Just over 2,000 out of 9,470 recorded Traveller families lived on a combination of group housing schemes (709), permanent halting sites (619), unauthorised sites (444), transient sites (207) or sharing permanent and transient sites (165) (DECLG, 2010). While this number appears high, the majority of these sites were existing sites that went through refurbishment or were vacancies that were filled. Additionally, the number of families living on unauthorised sites is relatively high at 444 or nearly 5% of the families counted (DECLG, 2010)

Traveller groups and many Travellers have long called for the community to be recognised as an ethnic group in the Republic of Ireland. The government have consistently denied the ethnic status of Travellers, stating in its report to the United Nations Committee on the Elimination of Racial Discrimination (CERD) that Travellers 'do not constitute a distinct group from the population as a whole in terms of race, colour, descent or national or ethnic origin' (McVeigh, 2007). This refusal by the government contradicts the inclusion of Travellers within the Incitement to Hatred Act (1989) and additionally under the nine grounds within the Equal Status Act. Furthermore, recent initiatives by the government, such

as Citizen Traveller and the government commitment to CERD to ‘applying all the protections afforded to ethnic minorities by the CERD equally to Travellers’ contradicts governmental decisions not to afford Travellers in Ireland ethnic status (McVeigh, 2007). Under Section 27 of the International Covenant on Civil and Political Rights, it states that:

‘persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language’ (OHCHR, 2012)

Traveller support groups and advocates have argued that under this convention, Travellers in Ireland must be now recognised as an ethnic, indigenous group in the Republic of Ireland. Furthermore, the recognition of Travellers’ ethnicity in the UK has further frustrated advocates of this campaign. By recognising Travellers’ way of life, their distinct language, their family values, religious and traditional cultures, policy would be something that is a right, not something that is ‘demanded’ (Pavee Point, 2011). Additionally, the government would be obligated to provide equal access to adequate accommodation which would suit the needs of the Traveller Community. These would include the increased provision of serviced halting sites, transient sites and group housing schemes. The link between the provision of proper accommodation and better educational attainment, health and other social factors and these links have long been argued by Traveller groups who represent the human rights of Travellers in Ireland.

By looking at various reports and publications on this topic, it is clear that the relationship between legislative recommendations and general practice is somewhat flawed. Local authorities, under the guidance of the DECLG, are the main providers of housing for all residents within their administration area, including people from the Traveller Community. They are, under the Housing (Traveller) Accommodation Act 1998, required to undertake a needs assessment of Travellers living within their area. However, there appear to be very little to sanctions in place for authorities who fail to undertake this assessment or implement their TAP within the specified timeframe. Additionally, where the consultation process does occur, many Travellers and Traveller representatives have highlighted their concerns about how the LTACCs operate. With recent budget cuts and increases in VAT rates impacting on the majority of people living in Ireland, there have also been disproportionate cuts to Traveller specific provisions, such as accommodation and education. Moreover, the ethnicity

debate which is being spearheaded by many national Traveller organisations, such as Pavee Point and the Irish Traveller Movement, raises the question as to why the government legislate against a group of people they refuse to acknowledge as an ethnic minority. By acknowledging Travellers as an ethnic minority, the provision of adequate, culturally appropriate accommodation will be a right and not a demand (Pavee Point, 2011).

Methodology

This research is looking at a specific topic – the Housing (Traveller Accommodation) Act 1998 – and the policies in relation to how local authorities convene LTACCs, develop their TAPs and how Traveller culture impacts on the design of appropriate accommodation for Travellers. This research is a case study design using a deductive approach. This design was best chosen as the research is focused specifically on the provision of accommodation for a particular group, the Traveller Community in Fingal, Co Dublin.

The study was confined specifically to secondary research. Both quantitative and qualitative data was gathered by researching appropriate literature on the subject matter and by researching any relevant websites or accessing information through relevant organisations, such as the Irish Traveller Movement and Fingal County Council. To gather the appropriate data, five specific questions were posed – three descriptive, one causal and one relational. These questions aimed to give the research a clear picture of housing policy for Travellers in Ireland.

By keeping the questions specific, the following concepts, variables and measurement indicators were put in place to ensure a full and accurate account of housing policy for Travellers. Key concepts within this research were identified as being the Housing (Traveller Accommodation) Act 1998 and Traveller Culture and Ethnicity. Variables that were identified in both were the TAPs, LTACCs, culture and ethnicity. In the case of the TAPs and LTACCs, a case study of Fingal County Council was used which showed, amongst others, the number of units outlined in a TAP in comparison with the number of units actually delivered.

In relation to Traveller Culture and ethnicity; norms, values, traditions and languages were indicators used to show the distinct culture that Travellers have. Additionally, to measure the ethnicity debate, the research looked at how housing policy has been impacted upon by the non recognition of Travellers as an ethnic minority and additionally, how legislative changes can indirectly discriminate against Travellers.

The case study subject, Fingal County Council, was selected using a non-probability technique and convenience sampling was used to select the aforementioned organisation. This type of sampling was used as the data required was easily accessible (due to location and existing relationship). Due to the nature of the study and time limitations, the data collected from this local authority was primarily used to show how the Housing (Traveller Accommodation) Act 1998 is put into practice.

Further limitations

This topic and related topics have been heavily researched previously. Appropriate research and relevant data gathered was used to support this research study. Additionally, reports which were published by advocacy organisations, such as the Irish Traveller Movement, were, in some cases bias. This research aims to balance this bias by using varying amounts of other published research which reflect both sides of the argument.

By using one case study, the research was heavily reliant on retrieving the necessary data to answer the indicators detailed above. The TAP and review of the TAP used did not highlight the number of LTACCs convened, nor did it highlight the rate of Traveller participation on the LTACC in great detail.

Results

Within the Housing (Traveller Accommodation) Act 1998, what are the main recommendations for local authorities?

- The Housing (Traveller Accommodation) Act 1998 brought about statutory requirements for local authorities to establish, within their administration area, local Traveller accommodation consultative committees to ensure the design, implementation and management of TAPs.

Define Traveller accommodation programmes (TAPs).

- The Housing (Traveller Accommodation) Act 1998 allowed for public input into the preparation of any TAPs which highlighted the responsibility of local authorities to implement and amend any planning legislation when and where appropriate which took into consideration Traveller accommodation.
- TAPs have specific requirements and these include, amongst others ‘consultation mechanisms, assessment of needs, policy statements [...] regard for Traveller’s distinct needs, implementation and review...’ (Fahy, K. 2001, p14).

Define local Traveller accommodation consultative committees (LTACC).

- The LTACCs main objectives, under the Housing Act, are to act as a consultative and advisory mechanism on Traveller accommodation provision and to develop TAPs following on from the consultation process.
- The committees are required to advise on the best management of Traveller accommodation and also have adequate representation from both local authorities and the Traveller community on them (Costello, 2000, p1).

Has other legislation in Ireland had an impact on Traveller accommodation and way of life?

- Irish legislation over the last number of years has also excluded and marginalised Travellers' way of life, especially their nomadic traditions.
- Section 24 of the Housing (Miscellaneous Provisions) Act 2002 made it illegal to trespass on land with an object, such as a caravan. This indirectly discriminates against Travellers as it disproportionately impacts on the nomadic culture of Travellers in Ireland.
- Additionally, the Roads Act 1993 states that anyone who parks alongside a motorway or national road can be convicted of an offence, again, a law which indirectly discriminates against Travellers' (ITM, 2010).

By taking Fingal County Council as a case study, how effective has their consultation process been in developing and implementing their Traveller accommodation programme?

- The most recent TAPs currently run from 2009 – 2013. Under the guidance of the Housing (Traveller) Accommodation Act 1998, local authorities are obliged to develop a five year plan which should meet the needs of Travellers in their area.
- Within Fingal, 327 Traveller families were identified during the needs assessment carried out in 2008 but only 303 of these families identified their housing preference (appendix ii).
- The LTACC for the Fingal area is comprised of representatives from:
 - Respond! Housing Association
 - Ballymun Regeneration
 - Fingal Development Board
 - Traveller Inter agency group
 - Finglas Traveller Development group

- HSE
- Balbriggan Traveller Resource Centre
- Blanchardstown Traveller Development Group
- Quinn Property
- Irish Traveller Movement

The list shows the diverse range of organisations and services that have an input into the development of the TAP.

- The TAP is implemented and monitored by the Traveller housing section in Fingal County Council.
- The council have full responsibility, under the Housing (Traveller Accommodation) Act to establish the LTACC, develop the TAP (in consultation), to assess the needs of Travellers in their area and to ensure that the TAP is completed within the specified timeframe.
- The previous TAP, which ran from 2005-2008, identified 138 units during their assessment which needed to be provided for Traveller families living in their administration area. By the end of 2008, only 54 of these units were successfully provided, with a remaining 84 outstanding. This figure represents approximately 39% of the proposed units.
- The remaining 61% were carried over into the new TAP (2009-2013) which now saw an increase in the number of units that Fingal County Council needed to provide.
- In 2011, a review of the current TAP was undertaken by Fingal County Council which requested comments and suggestions from all the bodies involved in the development of the TAP.

- The main findings of this review showed that by the end of 2011, 42 units of the planned 184 were completed. This figure includes 10 bays which were not included in the original targets outlined in the TAP.
- The review also highlighted the capital cost to the local authority which totalled over €5 million from the period 2009 – 2011. In 2011, the cost to the local authority was only €200,000 which was a significant drop from the two previous years which saw spending of over €2 million each year.
- This now leaves the local authority with 142 units that will need to be built over the next two years if they wish to complete what is outlined with their TAP.

Analysis

The first step in developing the TAP is the convening of the LTACC. The responsibility for this lies with the local authority in question. For the purpose of this study, Fingal County Council will be used as an example to highlight how, in practice, Traveller accommodation housing policy is developed, implemented and managed.

The core objectives of the most recent TAP in Fingal County Council (2009-2013) are:

- *To assess the housing needs of Travellers in the Fingal administration area*
- *To develop, through consultation, a programme which meets the needs of Travellers*
- *To outline the main areas of service delivered by Fingal County Council to Travellers*
- *To outline current and proposed programme of works*

In developing their TAP 2009 – 2013, Fingal County Council acknowledges the submissions received from various statutory and voluntary bodies. It also highlights that a ‘scheduled meeting was held with parties where opportunities were afforded to expand on their submissions’ and goes on to state that ‘each [...] made a detailed and expanded oral submission on their respective submissions’ (Fingal County Council, 2009, p5). This statement, however, does not outline in explicit detail who attended the meeting, how they were conducted and if there were conflicting view or opinions. One of the issues that were raised during research undertaken by Costello in 2000 was the fact that in some cases, Traveller participation was overshadowed due to literacy levels or lack of access to the meetings due to the location. Additionally, the TAP does not outline how many meetings took place, their frequency or location. By not providing this information, the document is not presenting full transparency on the actual LTACC process. However, the Memorandum on the Preparation, Adoption and Implementation of Local Authority Traveller Accommodation Programmes 2009 – 2013 does not demand this data from local authorities but acts only as a guideline. The Housing (Traveller Accommodation) Act 1998 does equally not call for this data to be presented by local authorities. By not doing so, it would be difficult to ascertain the level of consultation and participation by Travellers and Traveller

advocates.

In addition to this process, Fingal County council states clearly that the TAP is specifically designed to meet the needs of the indigenous Traveller population who have been resident in the administration area three years prior to the TAP being adopted. It could be argued that this clause is discriminatory against Travellers' nomadic way of life and does not cater for families who may visit the Fingal area for short periods of time. However, the TAP states that, during the consultation process, there was unanimous agreement that no transient site is needed in Fingal at this present time. Additionally, at the LTACC meetings, it was agreed that transient sites should be provided if there was a need and 'following the full provision of the traveller specific housing requirement of travellers indigenous to the Fingal area' (Fingal County Council, 2009, p5). The process, in this case, appears to be a success with all parties coming to an agreement. The local authority is continuing to remain within the recommended guidelines of the Housing Act and memorandum on the implementation of such. Such data may be available from the specific department but is not being included in the overall TAP or review.

Fingal county council, in accordance with the Housing (Traveller) Accommodation Act, undertook a housing assessment need of Travellers within their area. 327 families were identified within the administration area of Fingal but only 303 of these families identified their housing preference when asked (appendix ii). The findings of this assessment highlight the preference for standard housing and group housing. Of the 303 families, 70 families living in standard housing chose to remain in this type, 44 in group housing also chose to remain in group housing, with an additional 50 families (not living in group housing) also identifying this as their preference. Many Traveller groups, however, argue the fact that Travellers will choose standard housing as their first preference as the facilities for Traveller specific accommodation are not available in their area.

Fingal County Council is now in the second last year of their TAP, with the programme ceasing in 2013. Within their TAP, the council acknowledges Travellers' cultural identity and 'strives to accommodate Travellers in a culturally appropriate way' (Fingal County Council, 2009, p13). Their annual targets clearly set out which housing types will be catered for and how many units will be provided for. As can be seen in the results section, Fingal

County Council achieved just under 40% of their target in their previous TAP which ran from 2005-2008. The remaining units were carried over into their new programme which runs from 2009 – 2013. Additionally, a review which was completed by the Council in 2011 shows that 42 units of the planned 184 were completed, thus leaving the Council with 142 units that will need to be built over the next two years if they wish to complete what is outlined with their TAP (appendix iii). This target appears unrealistic and will inevitably have an impact on the housing of many Travellers living in their administration area. Additionally, by not reaching their targets in their previous TAP (2005-2008), the figure of required units will continue to rise unless the council successfully deliver the remaining 142 units that are outstanding.

In conclusion, Fingal County Council's TAP clearly outlines each process required of them under the Housing (Traveller) Accommodation Act. Additionally, they acknowledge the cultural elements of Travellers' accommodation which differs from the settled majority. They ensure that each section highlighted in the memorandum is completed, even if some sections are vague on participation rates. However, how realistic the actual building of the units is depends on budgets allocated to Traveller Housing Sections in local authorities across the country. The results show that the Council is failing to reach their targets but this could be down to cuts to capital expenditure as opposed to inaction by the Council. The Housing (Traveller Accommodation) Act does not explicitly outline any sanctions for local authorities who do not deliver their TAPs which can lead to a weakness in driving the whole process.

Conclusion

This study has taken a close look at Traveller housing policy in Ireland. It has showed, by using a case study, how local authorities operate the instructions within the Housing (Traveller Accommodation) Act 1998. Prior to 1998, Traveller accommodation was not prioritised by local authorities and this led to many illegal encampments around the country and the choice of many Travellers to live in private rented or standard local authority housing. Following on from the 1995 Report of the Task Force on the Traveller people, accommodation was identified as being one of the needs that must be met by the government to support Travellers accessing appropriate accommodation which suits their needs.

The Housing (Traveller Accommodation) Act 1998 and the recommendations contained within paved the way for the implementation of LTACCs and TAPs. The LTACCs provide a space for all organisations who work directly in the provision of Traveller accommodation and who also work with Travellers in an advocacy and support role to work together to develop Traveller accommodation. Additionally, the LTACCs allowed Travellers have an input into how the accommodation would be designed, implemented and managed. However, there are no obvious sanctions in place for local authorities who do not deliver on their TAPs. This can impact on Travellers' access to appropriate accommodation as if the units are not built, they have no choice but to move into private rented, standard local authority housing or in some cases, onto the side of the road. The acknowledgement of Traveller culture in the design, implementation and management of specific accommodation has proven to be essential as there are distinct needs that must be met in order for Travellers to live in accommodation that supports their culture.

Recommendations

Policy

- That the Department of Environment, Community and Local Government ensure that the budget for Traveller accommodation is not cut and that any cuts to date are reinstated – this will enable local authorities to adequately house Travellers in their administration area
- That the Irish Traveller Movement is given adequate funding to recruit more Accommodation workers which will ensure that Travellers nationally receive the same support
- That the Government recognise Travellers as an ethnic minority

Practice

- That clearer sanctions need to be put in place for local authorities who fail to deliver their TAPs on time or within an extended timeframe
- That local authorities must include Traveller participation rates and number of meetings held in their Traveller accommodation programmes
- That Travellers are supported fully in participating on local Traveller accommodation consultative committees and that local Traveller support groups are given adequate funding to do this

Future research

- That further research is undertaken which includes both primary and secondary research – primary research will allow for service users and providers contribute to the research topic

Bibliography

Bryman, A. (2008) *Social Research Methods* 3rd edn. Oxford : Oxford University Press

Coates, Kane & Treadwell Shine, (2008) *Traveller Accommodation in Ireland : Review of Policy and Practice* Dublin : Centre for Housing Research

Costello, L. (2000) *Evaluation of Local Traveller Accommodation Consultative Committees* Dept. Environment and Local Government, NTACC

Crowe, O. & Kenna, Dr P. (2009) *Travellers* Available at :
http://www.housing.ie/fileupload/Fellowship%20Scheme/Travellers_05.pdf (Accessed : 19 December 2011)

Dept. of Environment, Community and Local Government (DECLG) (2008) *Memorandum on the Preparation adoption and implementation of Local Authority Traveller Accommodation Programmes 2009 – 2013* Available at :
<http://www.environ.ie/en/Publications/DevelopmentandHousing/Housing/> (Accessed : 14 December 2011)

Department of Environment, Community and Local Government (DECLG) (2010) *Annual Report 2010* Available at :
<http://www.environ.ie/en/Publications/DevelopmentandHousing/Housing/FileDownload,28665,en.pdf> [Accessed : 29 March 2012)

Department of Environment, Community and Local Government (2008) *Memorandum on the preparation, adoption and implementation of local authority Traveller accommodation programmes 2009 – 2013* Available at :

<http://www.environ.ie/en/DevelopmentHousing/Housing/SpecialNeeds/Travellers/>

[Accessed : 12 April 2012)

Dept. of Justice and Equality (2005) *Second Progress Report Of the Committee to Monitor and Co-Ordinate the Implementation of the Recommendations of the Task Force on the Travelling Community* Available at :

[http://www.justice.ie/en/JELR/Pages/Traveller task force implementation 2nd report](http://www.justice.ie/en/JELR/Pages/Traveller_task_force_implementation_2nd_report)

(Accessed : 15 December 2011)

Fahy, K. (2001) *A Lost Opportunity? A Critique of Local Authority Traveller Accommodation Programmes*, Dublin : ITM

Fingal County Council (2009) *Traveller Accommodation Programme 2009 – 2013*

Available at : <http://www.fingalcoco.ie/Housing/TravellerAccommodation/>

(Accessed : 19 December 2011)

Fingal County Council (2011) *Review of Traveller Accommodation Programme (2009-2013)*

Fingal : Fingal County Council (Accessed : 3 April 2012)

Helleiner, J. (2003) *Irish Travellers : Racism and the Politics of Culture*

Toronto : University of Toronto Press

Housing (Traveller Accommodation) Act 1998, No.33/1998, s.10, Available at :

<http://www.irishstatutebook.ie/pdf/1998/en.act.1998.0033.pdf> (Accessed : 7 December 2011)

Irish Council for Social Housing (2012) Available at :

http://www.icsh.ie/eng/list_of_members/dublin [Accessed : 21 March 2012]

Irish Traveller Movement (2003) *An Analysis of the use of section 24 of the Housing (Miscellaneous Provisions) Act 2002*

Irish Traveller Movement (2011) *A Review of Traveller Accommodation in the Republic of Ireland (2000-2009)* Available at :
http://www.itmtrav.ie/uploads/ITM_Accommodation_Full_Annual_Count_Report_January_2011.pdf (Accessed : 12 December 2011)

Irish Traveller Movement (2009) *Progressing the Provision of Traveller Accommodation to facilitate Nomadism – A Discussion Document* Dublin : ITM

Irish Traveller Movement (2010) *Section 5. Evictions* Available at :
<http://www.itmtrav.ie/keyissues/myview/23> (Accessed : 3 February 2012)

McVeigh, R. (2007) '*Ethnicity Denial*' and Racism: *The Case of the Government of Ireland Against Irish Travellers*, *Translocations*, 2(1), 90-133

Office of the Attorney General (2000) *Equal Status Act*
Available at : <http://www.irishstatutebook.ie/2000/en/act/pub/0008/sec0002.html#sec2>
(Accessed : 14 December 2011)

Office of the United Nations High Commissioner for Human Rights (2012) *International Covenant on Civil and Political Rights*
Available at : <http://www2.ohchr.org/english/law/ccpr.htm> (Accessed : 3 February 2012)

Pavee Point (2005) *Factsheet – Irish Travellers*

Available at : http://www.paveepoint.ie/fs_irish_a.html (Accessed : 14 December 2011)

Pavee Point (2011) *Why recognise Travellers as an ethnic group?* Available at :

<http://paveepoint.ie/2011/10/briefing-why-recognise-travellers-as-an-ethnic-group/>

(Accessed : 3 February 2012)

Treadwell Shine, Dr. K, Kane, F. & Coates, D. (2008) *Traveller Specific Accommodation : Practice, Design and Management* Dublin : Centre for Housing Research

UCD (2010) *All Ireland Traveller Health Study : Our Geels – Summary of Findings*

Dublin : Department of Health

UN (no date) *The Universal Declaration of Human Rights* Available at :

<http://www.un.org/en/documents/udhr/index.shtml#a25> (Accessed : 21 February 2012)

Appendices

Appendix (i) - Project Proposal

Research proposal

Project title:

An overview of housing policy for Travellers in Ireland.

Reason why research is important:

Local authorities, under the Housing (Traveller Accommodation) Act 1998, are recommended to undertake an assessment of Traveller's accommodation needs in their area. Following this assessment, local Traveller accommodation programmes (TAPs) must be designed (Housing Traveller Accommodation Action, 1998). Local Traveller accommodation consultative committees (LTACC') are also required to be set up in each area to allow Travellers and Traveller advocates work in partnership with local authorities on the design and provision of Traveller accommodation. Within the Act itself, sections 21 and 22 'provide that local Traveller accommodation consultative committees must be in place to facilitate consultation' which will 'advise on any aspect of accommodation for Travellers' (DEHLG, 2008). The government has acknowledged that Travellers are a distinct grouping by including the community under the Equal Status Act and by directing local authorities to assess and provide specific accommodation for Travellers (Equal Status Act, 2000). This piece of research will look at the Housing (Traveller Accommodation) Act 1998 and highlight the main responsibilities that local authorities have in relation to Traveller specific accommodation.

Statement of purpose:

This study will look at local Traveller accommodation consultative committees (LTACCs) and Traveller accommodation plans (TAPs) and gather information which will outline the main purpose of each. It will aim to highlight the successes and any shortcomings in the implementation of the TAPs by local authorities. Furthermore, the study will look at how

legislative change has directly affected the provision of accommodation for Travellers.

Research Question(s):

1. Within the Housing (Traveller Accommodation) Act 1998, what are the main recommendations for local authorities?

This is a descriptive question.

2. Define Traveller accommodation programmes.

This is a descriptive question.

3. Define local Traveller accommodation consultative committees.

This is a descriptive question.

4. Has other legislation in Ireland had an impact on Traveller accommodation and way of life?

This is a causal question.

5. By taking Fingal County Council as a case study, how effective has their consultation process been in developing and implementing their Traveller accommodation programme?

This is a relational question.

The theory to which my research relates is that of equality in the area of accommodation provision.

Clarification of concepts, identification of variables and measurement indicators

Concept 1

Housing (Traveller	Traveller Accommodation	Number of units specified
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Accommodation) Act 1998 This Act is an amendment to the various Acts such as the Housing Act and the Local Government Act – it provides a framework for local authorities in relation to the provision of Traveller accommodation.	Programmes	within selected programmes
		Number of units delivered in a local area
	Local Traveller Accommodation Consultative Committee	Traveller Participation rates in a specific area
		Number of meetings held in specific local area

Concept 2

Traveller Culture and ethnicity Travellers are a distinct group of people who have a shared history of their own language, norms and traditions.	Culture	Norms, values ,traditions, language
	Ethnicity	Impact on policy and legislation in relation to accommodation provision

Confirmation of Feasibility of Study:

In preparing this proposal, I have taken into account considerations of time, ethics, required co-operation and costs.

To reflect issues of feasibility, the following limitations have been placed on my proposal. As the time frame for this study is quite limited, I will be using convenience sampling to select the local authorities which will be used in this study. See section on Ethics for further detail.

Preparation of Literature Review:

a.) Identification of main secondary sources of information

Housing (Traveller Accommodation) Act 1998, No.33/1998, s.10, Available at :

<http://www.irishstatutebook.ie/pdf/1998/en.act.1998.0033.pdf>

Treadwell Shine, Dr. K, Kane, F. & Coates, D. (2008) *Traveller Specific Accommodation : Practice, Design and Management* Dublin : Centre for Housing Research

Department of Justice and Equality (2005) *Second Progress Report Of the Committee to Monitor and Co-Ordinate the Implementation of the Recommendations of the Task Force on the Travelling Community* Available at :

http://www.justice.ie/en/JELR/Pages/Traveller_task_force_implementation_2nd_report

Fahy, K. (2001) *A Lost Opportunity? A Critique of Local Authority Traveller Accommodation Programmes*, Dublin : ITM

b.) Literature Review:

Travellers in Ireland have had a long, and sometimes difficult, relationship with Irish society and government. Their choice to often separate themselves from the majority population enables Travellers to hold onto their identity but has consequences such as the ‘experience of low social status and exclusion’ (AITHS, 2010, p9). Their existence has been charted back for centuries and, as an indigenous minority group in Ireland, have distinct cultural values, traditions, language and way of life which sets them apart from the settled population (ITM, 2009, p2). One of the most distinctive traditions that Travellers have is ‘Nomadism’ or a nomadic way of life. Nomadism can be defined as ‘a way of life in which a community has no permanent settlement but moves from place to place, usually seasonally and within a defined territory’ (ITM, 2009, p2).

This long tradition of moving from place to place was, and still is for many Travellers, an integral part of their way of life. Because of this, accommodation needs of Travellers differ greatly from that of the settled population. Other factors such as family dynamics, economic traditions and attitudes of the wider settled population of Travellers, all have an impact on how Travellers accommodation is designed and provided (Treadwell Shine, Kane & Coates, 2008, p.xiv).

Traveller groups and many Travellers have long called for the community to be recognised as an ethnic group in the Republic of Ireland. The government have consistently denied the ethnic status of Travellers, stating in its report to the United Nations Committee on the Elimination of Racial Discrimination (CERD) that Travellers ‘do not constitute a distinct group from the population as a whole in terms of race, colour, descent or national or ethnic origin’ (McVeigh, 2007). This refusal by the government contradicts the inclusion of Travellers within the Incitement to Hatred Act (1989) and additionally more recently under the nine grounds within the Equal Status Act. Furthermore, recent initiatives by the government, such as Citizen Traveller and the government commitment to CERD to ‘applying all the protections afforded to ethnic minorities by the CERD equally to Travellers’ contradicts governmental decisions not to afford Travellers in Ireland ethnic status (McVeigh, 2007).

However, in 1995, the Irish government responded to the growing demand from Traveller representatives to acknowledge that Travellers’ status in society needed to be improved. The Report of the Task Force on the Travelling People 1995 was created which was an agreement between governmental departments, Traveller organisations and local authorities to begin to look at all aspects of Traveller life, including accommodation needs and provision (Dept. Justice and Equality, 2005, p8). This report set the foundation stone for legislative change in relation to Traveller accommodation provision such as the establishment of a Traveller accommodation unit in the Department of Environment and, with this, the establishment of a National Traveller Accommodation Consultative Committee (Fahy, 2001, p12). This committee was set up to oversee and monitor local Traveller accommodation programmes which were now required by local authorities to develop. These programmes, under the Housing (Traveller Accommodation) Act 1998 had to be developed using a consultation process between local authorities, Traveller representatives and groups and also included input from the public. These programmes were, in theory, to be implemented within a five year timeframe (Fahy, 2001, p12). However, widespread

criticism has come from Traveller organisations in relation to the fact that Traveller accommodation programmes are not being implemented within the specified timeframe and additionally, many halting sites remain to be ‘unsafe, overcrowded and in most cases, lacking in the most basic of facilities’ (ITM, 2011).

To gain a better insight into how LTACCs operate and how TAPs are designed and implemented, this project will take a look at a sample of Traveller accommodation programmes from a number of local authorities in the Republic of Ireland. At present, the most recent programmes currently run from 1st January 2009 to the 31st December 2013. Fingal County Council in Dublin, for example, state in their current programme that there are ‘327 Traveller families in the administrative county of Fingal’ (Fingal County Council, 2009). However, while the council did state that it took out an assessment of needs of Travellers in their area, which is required under the Housing (Traveller Accommodation) Act, it also states that only the indigenous Traveller population who have been resident in the county for three years or more will be provided with Traveller specific accommodation (Fingal County Council, 2009). Travellers have relied heavily on having the ability to move from place to place. However, this way of life has decreased dramatically over the last number of years. Changes to the Housing (Miscellaneous Provisions) Act 2002 criminalised, for the first time, ‘trespass on public land’ with a ‘an object, a term which includes a caravan’ (Crowe & Kenna, 2009, p3). Additionally, local authorities, like Fingal County Council, implement clauses within their Traveller housing department which goes against the very nature of Travellers’ travelling way of life. This piece of research will attempt to highlight in further detail successes and shortcomings of local authorities TAPs and the consultation process which took place.

Choice of Research Design

I will use a case study design for this research.

This design is most suited to this topic as it is focused specifically on the provision of accommodation for a particular group, the Traveller Community. A case study design is a ‘detailed and intensive analysis of a single case’, therefore, making it appropriate for this research

topic (Bryman, 2008, p52).

Choice of methodology

My research will use:

- Quantitative methods
- Qualitative methods
- Both quantitative and qualitative methods

The specific methods that I will use to collect information will include:

Secondary data collection

Desk Research

I will a) research all of my population or b) select a sample to research

In choosing my sample, I will use:

A non-probability technique

Convenience

Snowball

Quota

A probability technique

Simple random

Systematic

Cluster

Stratified

9: Actions to address ethical issues

<i>Ethical Issue</i>	<i>Contingency Action</i>
Similar studies have been undertaken	Will be used as support and reference material
This study will use a convenience sampling technique when choosing local authorities' Traveller accommodation programmes	Research will aim to present a non-bias representation of Traveller accommodation programmes and will aim to highlight successes and shortcomings in equal measure
Study is specific to a minority group who experience discrimination and social exclusion	This research will aim to be sensitive to cultural issues which may present themselves during the research process.

Research Schedule

<i>Task/Time</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
Decide topic	End Nov					
Gathering of secondary data		15th				
Analyse Data and write up literature review		20 th				
Submit research proposal to committee		21 st				
First draft				End		
Editing					End	

Submit project						End
Research Budget:						
This study will incur no costs.						
Bibliography:						
<p>Bryman, A. (2008) <i>Social Research Methods</i> 3rd edn. Oxford : Oxford University Press</p> <p>Crowe, O. & Kenna, Dr P. (2009) <i>Travellers</i> Available at : http://www.housing.ie/fileupload/Fellowship%20Scheme/Travellers_05.pdf (Accessed : 19 December 2011)</p> <p>Dept. of Environment, Heritage and Local Government (DEHLG) (2008) <i>Memorandum on the Preparation adoption and implementation of Local Authority Traveller Accommodation Programmes 2009 – 2013</i> Available at : http://www.environ.ie/en/Publications/DevelopmentandHousing/Housing/ (Accessed : 14 December 2011)</p> <p>Dept. of Justice and Equality (2005) <i>Second Progress Report Of the Committee to Monitor and Co-Ordinate the Implementation of the Recommendations of the Task Force on the Travelling Community</i> Available at : http://www.justice.ie/en/JELR/Pages/Traveller_task_force_implementation_2nd_report (Accessed : 15 December 2011)</p>						

Fahy, K. (2001) *A Lost Opportunity? A Critique of Local Authority Traveller Accommodation Programmes*, Dublin : ITM

Fingal County Council (2009) *Traveller Accommodation Programme 2009 – 2013*

Available at : <http://www.fingalcoco.ie/Housing/TravellerAccommodation/>

(Accessed : 19 December 2011)

Housing (Traveller Accommodation) Act 1998, No.33/1998, s.10, Available at :

<http://www.irishstatutebook.ie/pdf/1998/en.act.1998.0033.pdf> (Accessed : 7 December 2011)

Irish Traveller Movement (2011) *A Review of Traveller Accommodation in the Republic of Ireland (2000-2009)* Available at :

http://www.itmtrav.ie/uploads/ITM_Accommodation_Full_Annual_Count_Report_January_2011.pdf (Accessed : 12 December 2011)

Irish Traveller Movement (2009) *Progressing the Provision of Traveller Accommodation to facilitate Nomadism – A Discussion Document* Dublin : ITM

McVeigh, R. (2007) 'Ethnicity Denial' and Racism: *The Case of the Government of Ireland Against Irish Travellers*, *Translocations*, 2(1), 90-133

Office of the Attorney General (2000) *Equal Status Act*

Available at : <http://www.irishstatutebook.ie/2000/en/act/pub/0008/sec0002.html#sec2>

(Accessed : 14 December 2011)

Pavee Point (2005) *Factsheet – Irish Travellers*

Available at : http://www.paveepoint.ie/fs_irish_a.html (Accessed : 14 December 2011)

Treadwell Shine, Dr. K, Kane, F. & Coates, D. (2008) *Traveller Specific Accommodation : Practice, Design and Management* Dublin : Centre for Housing Research

UCD (2010) *All Ireland Traveller Health Study : Our Geels – Summary of Findings*

Dublin : Department of Health

Word Count:

1,647

Appendix (ii) - Extracts from Fingal County Council TAP 2009 – 2013

The Assessment of Needs completed in June 2008 indicated that 327 Traveller families currently reside in Fingal. 303 of the total families canvassed expressed varying preferences for accommodation within Fingal County.

The participating families were asked for their ideal accommodation preference.

The Responses expressed are detailed as follows: -

Accommodation Type	Current	PREFERENCES					
		Current	Standard	GHS	HS	Other	N/R
Standard Housing	79	70		2		2	5
Private Rented	72		69	2		1	
Group Housing	51	44	1	4		1	1
Permanent HS	51	16	9	19		2	2
Temporary HS	54		7	12	19		16
Unofficial HS	20	3	1	11		5	
Totals	327	136	87	50	19	11	24

Appendix (iii) - Extracts from Fingal County Council TAP Review 2011

PROGRESS TO DATE

Traveller Accommodation Programme 2009 - 2013

Bays		Group Housing		Standard Housing		Rural Housing		Total	
Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual
0	10	93	20	76	10	15	2	184	42