

# National Analytical Study on Housing

RAXEN Focal Point for Ireland

Equality Authority &  
National Consultative Committee on Racism and Interculturalism (NCCRI)

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## **Executive Summary**

The right to adequate housing is one of the economic, social and cultural rights which has gained increased attention and promotion in recent years. In the case of black and minority ethnic groups including the Traveller community,<sup>1</sup> in Ireland housing is central both in terms of integration as well as in experiences of discrimination and racism. There is a long history of discrimination against the Traveller community in relation to the right adequate housing, and recent demographic and economic changes have given rise to the conclusion that other minority ethnic groups in Ireland are vulnerable in both public and private housing provision.

Part one of this report provides a description of the relevant legislation and polices in Ireland. It begins by acknowledging that housing is recognised as a central element to any successful integration policy. A reality which has been reflected in a number of recent government initiatives. However housing has become a difficult issue in the Irish political debate in recent years; increasing house prices have focused popular and political attention on this area. Given this context it is unsurprising that initial research and analysis has found that minority ethnic groups are particularly vulnerable in the Irish housing market.

Since the Report of the Task Force on the Travelling Community in 1995 strategies and policies have been put in place that seek to address the problems faced by this community in accessing appropriate housing. The Housing (Traveller Accommodation) Act 1998 has been the most significant legislative development in this regard. Since April 2000 a system of direct provision has been applied to asylum seekers, though in exceptional circumstances asylum seekers are supported to access the private rented market. Refugees are entitled to housing on the same basis as Irish nationals. Migrant workers, by nature of their employment status, are restricted to the private market.

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<sup>1</sup> Hereafter the term ‘minority ethnic groups’ shall be used in reference to black and minority ethnic groups including the Traveller community.

A number of legislative mechanisms exist which provide a framework for promoting anti-discrimination in housing. Perhaps the most important of these is the relevant section of the Equal Status Act 2000. Also relevant is the Prohibition of Incitement to Hatred Act 1998, the Housing Act 1997, and the Housing (Traveller Accommodation) Act 1998. Ireland has signed up to a number of relevant international human rights obligations. The Irish government is currently in the process of implementing the Article 13 Directives and a Residential Tenancies Bill 2003 has been published which seeks to address the legal obligations and rights of tenants and landlords. There are monitoring systems in place which seek to ensure the implementation of a number of these legal provisions.

Part two of this report provides a discussion of the existing data and sources in the housing sector. It begins with an overview of the most vulnerable groups in the Irish housing market: the Traveller community, asylum seekers, refugees, migrants and other ethnic minorities. Given the lack of data in relation to many of these groups, particularly those in the private sector, discussions of their experiences rely heavily on recorded complaints, anecdotal evidence and qualitative studies.

Informal reporting mechanisms such as that implemented by the NCCRI provide an insight in the types of experiences facing minority ethnic groups. Experiences of racism and discrimination are both direct and indirect, ranging from individual prejudice to institutional discrimination. Racism has been experienced by ethnic minorities themselves, and in some cases by those who provide minority ethnic groups with accommodation. The Equality Authority has concluded that awareness is increasing relating to the housing provisions of the Equal Status Act this is reflected in the growing number of complaints which the Authority has received.

An overview of the literature illustrates that a number of relevant studies and reports have emerged in recent years. Despite the limited nature of the material dealing directly with housing and racism, studies which focus generally on housing or on racism contain relevant sections. In addition there are a range of studies dealing with the experiences of

particular minority ethnic groups which are relevant, not least studies which deal with the experiences of the Traveller community and asylum seekers in direct provision.

However there remain very significant gaps in the existing knowledge which hinder the implementation of effective policy in relation to combating racism and discrimination, and promoting integration. Existing data sources are not disaggregated by ethnicity, and in some cases no quantitative framework exists for the collection of data. There is some evidence that these concerns are beginning to be addressed by the relevant government department.

Part three of this report provides an analysis of experiences of direct and indirect discrimination. This section of the report relies on conclusions which have been drawn in other contexts with regard to the minority ethnic groups in housing, as well as the underlying barriers facing disadvantaged groups in Irish society, underlying barriers which often exacerbate the difficulties facing minority ethnic groups.

Despite recent progress and the designation of targets, many Travellers are still living in conditions which are inadequate. Lack of recognition of the distinct needs of Travellers represents a serious constraint to combating discrimination. Negative public perceptions have also undermined developments. Travellers' organisations argue that the introduction of conflicting legislation has damaged the position of the Traveller community. NGOs have argued that the existing system of 'direct provision' for asylum seekers is a discriminatory measure, which socially excludes asylum seekers from the local communities, both physically and financially, and that at the very least it should be reviewed. Other minority ethnic groups including refugees and migrant workers are heavily reliant on the private rented sector and evidence suggests that in accessing this sector they are particularly vulnerable, both directly and indirectly, to discrimination and racism. In addition they experience residential racism and other barriers from local populations.

Given this context a number of conclusions can be drawn regarding what supporting diversity in housing should mean. Policy initiatives need to be predicated on an

understanding of integration, the linkages between housing and discrimination in other sectors, and concerns regarding ‘spatial segregation’. Initiatives need to focus not only on promoting access to appropriate forms of housing, but also on combating residential racism.

Part four of this report details strategies, initiatives and good practices. Broadly a number of social policy initiatives have emerged in recent years which include a focus on the accommodation needs of minority ethnic groups. Government and NGO information campaigns have targeted both policy makers and members of minorities. In addition Travellers organisations have played an important role in documenting and disseminating examples of good practice.

Existing good practice and experience should be built upon and expanded, for example targets should be set in relation to meeting the housing needs of all minority ethnic groups. To this end the establishment of key bodies such as a Traveller Accommodation Agency or a Committee on Ethnic Housing Needs, would provide the impetus to draft new strategies and review existing policies. Anti-racist approaches should be implemented in all forms of housing provision. Finally enhanced data collection mechanisms should disaggregate existing data sources by ethnicity, and provide for the collection of data where none is currently available.

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## Glossary

<b>Traveller community:</b>	According to the Equal Status Act 2002, Traveller community means the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland.
<b>Refugee:</b>	According to the Refugee Act 1996, a refugee means a person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country. An asylum seeker is a person who has applied for refugee status.
<b>National Minority:</b>	The term national minority is not legally defined in Irish law, though the State recognises the special position of Ireland's Traveller community. <sup>2</sup>
<b>Migrant Worker:</b>	The term migrant worker is taken in this report to mean any person who leaves home in order to seek a better standard of living. This report recognises that the term is applicable to those persons who move within their own country or across international borders, though it is the latter context which has greatest relevance to the material contained in this report.
<b>Discrimination:</b>	Direct discrimination occurs when a person is treated less favourably than another, in similar circumstances, because of his or her 'race', ethnicity, national origin, nationality or colour. Indirect discrimination is about practices or policies, which seem, fair at first sight, but which in effect, either intentionally or more often un-

<sup>2</sup> Ireland (2001), Report Submitted by Ireland Pursuant to Article 25, Paragraph 1 of the Framework Convention for the Protection of National Minorities, p. 5.

	intentionally result in discrimination against some minority ethnic group or groups. <sup>3</sup>
<b>Racism:</b>	In the Irish context racism can be summarised as a specific form of discrimination based on skin colour and ethnicity, which deprives people of their basic human rights and denies people of their human dignity and respect. Institutional racism happens when the practices, policies and attitudes of institutions result in the systematic exclusion of some minority groups, either consciously or unconsciously. <sup>4</sup>

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<sup>3</sup> NCCRI (2001) Guidelines on Anti-Racism and Intercultural Training, Dublin: NCCRI, p. 5

<sup>4</sup> NCCRI (2001) *ibid.*, p. 5

## **Abbreviations**

CIC	Citizen's Information Centre
CSO	Central Statistics Office
CTA	Common Travel Agreement
DASS	Directorate for Asylum Support Services
ECHR	European Convention on Human Rights
ECRI	European Commission against Racism and Intolerance
FAS	Foras Áiseanna Saothair
FLAC	Free Legal Aid Centre
ICSH	Irish Council for Social Housing
IRC	Irish Refugee Council
ITM	Irish Travellers Movement
LTACC	Local Traveller Accommodation Consultative Committee
NAPS	National Anti-Poverty Strategy
NAPincl	National Action Plan against Poverty and Social Exclusion
NCCRI	National Consultative Committee on Racism and Interculturalism
NDP	National Development Programme
NESF	National Economic and Social Forum
NPAR	National Action Plan against Racism
NTACC	National Traveller Accommodation Consultative Committee
ODEI	Equality Tribunal
RIA	Reception and Integration Agency
UNP	Urgent Needs Payment
WCAR	World Conference against Racism

## **Introduction**

As long as you have a place where you have peace of mind, a quiet environment where you are safe, and a clean environment as well. That is important – Somalian Tenant.<sup>5</sup>

Adequate housing has long been recognised as a fundamental human right and there can be little doubt of the importance of this right in the case of minority ethnic groups. However experiences of racism and discrimination have served to undermine the right to adequate housing and evidence is beginning to emerge that this is an area of growing importance in both the public and private housing sectors in Ireland.

The aim of this report is to provide an overview of the position of minority ethnic groups in terms of housing in Ireland. This report involved a review of new and existing studies and resources, including academic papers, government policy documents, NGO reports, media, web sites and other data sources.

The analysis contained in this report relies on the theoretical framework of ‘interculturalism’; an intercultural approach believes that the culture of the minority group is important and requires recognition and acceptance. The concept of interculturalism has evolved over time and is now replacing earlier concepts such as policies based on assimilation and multiculturalism. Intercultural approaches are increasingly being applied to policy areas in Ireland.

This report has been broken down into four main parts. The first part provides an overview of the legal framework relating to housing and accommodation in Ireland. It gives a brief description of some of the general considerations relating to housing policy in Ireland before specifically consider integration policies and anti-discrimination measures relating to minority ethnic groups. The second part of this study provides an

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<sup>5</sup> Focus Ireland and Clann Housing Association (2002) Housing and Race in Ireland, Submission under the National Plan against Racism to the Department of Justice, Equality and Law Reform, p. 6

overview of the position of minority ethnic groups including the Traveller community, asylum seekers in direct provision, refugees, migrants and other minority ethnic groups. The major conclusion which can be drawn from this exercise is that there are substantive gaps in relation to the existing knowledge of the experiences of minority ethnic groups in relation to housing in Ireland. The third part of this report provides an analysis of experiences of direct and indirect discrimination faced by vulnerable groups, facilitating a discussion of what supporting diversity in housing means in Ireland. The final section of this report details a number of strategies, initiatives and good practice, in both the governmental and non-governmental sectors. The report concludes by underlying the most significant points previously focused.

## **1. Legislation and Policies on Housing**

The importance of housing in terms of integration is reflected in a number of policy and legislative initiatives in Ireland. However recent demographic and economic changes have put increased pressure on the housing sector generally. In Ireland the problem of racism and discrimination is not an insignificant one and legislative developments have recognised the importance of addressing racism in the context of housing and accommodation. This focus is reflected in the work of key monitoring bodies such as the ODEI – The Equality Tribunal and the Equality Authority.

The Department of the Environment, Heritage and Local Government is responsible for the housing policy in Ireland. The Housing Division of the Department is made up of a number of units including the Traveller accommodation unit, the private rented sector unit and the housing inspectorate. The vast majority of the housing services for which the Department is responsible are delivered through the local authorities, though a limited range of services are provided directly to the public.<sup>6</sup>

### ***Integration<sup>7</sup>***

In Ireland housing is recognised as an integral part of any approach to the integration of minority ethnic groups, as one Member of Parliament recently put it: ‘housing and accommodation is perhaps one of the most important things to get right as we work towards integrating refugees into our communities’.<sup>8</sup> As such housing has emerged as a key element in a number of broader integration strategies from the Interdepartmental Working Group on Integration to the National Action Plan against Racism (NPAR).

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<sup>6</sup> Further information available at: [www.environ.ie](http://www.environ.ie)

<sup>7</sup> This report advocates an intercultural approach to accommodating cultural diversity rather than the more dated ‘integration’ concept or the discredited assimilation approach. However this report recognises that the term ‘integration’ continues to be used at both national and EU level.

<sup>8</sup> Liz O’Donnell a Member of Parliament and former Minister of State at the Department of Foreign Affairs with special responsibility for overseas development assistance and human rights. Address to a conference on Housing and Refugees given on 1 May 2002, Clann Housing Association (2002) Housing and Refugees – An New Challenge, Dublin: Clann Housing Association, p. 3

The Government established an Interdepartmental Working Group in November 1998 to examine the best means of integrating recognised refugees and others granted permission to remain in the State. The Directorate for Asylum Support Services (DASS), which was established by the Government in November 1999, is responsible for co-coordinating and implementing the recommendations in the Working Group's report and for developing a comprehensive strategy for the integration of all refugees in Ireland.

The Reception and Integration Agency (RIA) is a statutory agency under the aegis of the Department of Justice, Equality and Law Reform, which has responsibility for planning and co-ordinating the provision of services to both asylum seekers and refugees; co-ordinating and implementing integration policy for all refugees and persons who, though not refugees, are granted leave to remain. These services include the provision of accommodation, health care, and education.

Government officials have highlighted the role of NPAR in promoting integration. The decision to draw up an action plan arises from Ireland's commitments from the World Conference against Racism (WCAR) in 2001. Following the WCAR the Department of Justice, Equality and Law Reform initiated a wide ranging consultation process to identify the key issues relating to racism in Ireland and what the priorities of the plan should be. The consultation process was overseen by a steering group, and its findings have been published and widely disseminated. Inclusion and participation are two of the five proposed strategic objectives of the NPAR, and accommodation emerged as an important issue during the consultation process. The NPAR is expected to be published by early 2004.

### ***Legal Basis for Housing Minorities***

Housing policy has become a very controversial matter in Irish policy making in recent years, not least due to the significance of rising house prices (Chart 1: Cost of New and Second Hand Houses 1998-2002). Factors which go some way towards explaining this

reality include: a strong tradition of home ownership,<sup>9</sup> changing demographics, and economic prosperity. For example O'Sullivan argues that:

the substantial reduction in emigration and increase in immigration has contributed to the situation where excess demand for housing has existed for the past five years with the consequent increase in housing costs... the increase in net inward migration has frequently been used to explain a considerable proportion of that increase (Bacon, 1998: 3).<sup>10</sup>

Due to the increasing inability of many people on average incomes to purchase a house a range of legislative and policy developments have emerged aimed at overcoming the economic and social problems which this shift in the housing market has created.<sup>11</sup> For example:

- The Planning and Development Act 2000 requires local authorities to prepare housing strategies.<sup>12</sup> The strategy must estimate the amount of housing needed for the period of the plan and must provide that up to 20% of the land available for housing be used for social or affordable housing.<sup>13</sup>
- The report of the Commission on the Private Rented Residential Sector considered that targeted tax incentives are required to stimulate increased investment in the private rental sector. The Finance Act 2001 gives statutory effect to a number of the recommendations of the Commission. A Residential Tenancies Bill has been published which seeks to implement the Commission's Report.

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<sup>9</sup> Over 80% of accommodation in Ireland is owner-occupied.

<sup>10</sup> O'Sullivan, E, Migration and Housing in Ireland – Report to the European Observatory on Homelessness, FEANTSA, available at: [www.feantsa.org](http://www.feantsa.org) (12.09.03)

<sup>11</sup> Recent policy documents have included: A Plan for Social Housing (1991), Social Housing - The Way Ahead (1995), the Government Programme, An Action Programme for the Millennium (as revised in November 1999), the National Development Plan (NDP) 2000-2006, Action on Housing (June 2000), the Integrated Strategy on Homelessness (2000), the Agreed Programme for Government and Sustaining Progress, and Social Partnership Agreement 2003 - 2005. The Housing Forum is a key mechanism to facilitate inputs into housing policy development by the social partners, available at: [www.environ.ie](http://www.environ.ie) (12.09.03)

<sup>12</sup> The guidelines on housing strategies issued by the Department of Environment did not make any reference to the need to include the housing needs of refugees. 13 out of 31 Housing Strategies make no reference to refugees, 2 referred only to asylum-seeker and only 10 out of 31 has a policy or plan in relation to housing of refugees, Clann Housing Association (2002) *ibid.*, p. 33-35

<sup>13</sup> Comhairle (2002) Related Col. 39, No. 3 (December 2002), p. 2

Given this context minority ethnic groups have become particularly vulnerable in recent years, and as a consequence initiatives have emerged aimed at addressing the housing needs of vulnerable groups.

## **Traveller Community**

In 1995 the Report of the Task Force on the Travelling Community recommended that a total of 3,100 units of accommodation be provided to meet the then existing and projected needs. Of the 3,100 units a 1,000 units were to be transient sites and the remainder was to be accommodation of all types including permanent halting site bays, group housing and standard local authority housing. The Report also made recommendations in relation to the design and standards of Traveller specific accommodation. In December 2000 the Committee to Monitor and Co-ordinate the Implementation of the Recommendations of the Task Force on the Travelling Community published its first report. The Committee's second report is due by the end of 2003.

Following consideration of the Task Force Report on the Traveller Community, the Government adopted the National Strategy for Traveller Accommodation. All the main elements of that Strategy were incorporated in the Housing (Traveller Accommodation) Act 1998 which put in place a comprehensive legislative framework within which the accommodation needs of Travellers are addressed. This includes requirements that local authorities prepare and adopt five year Traveller accommodation programmes within their functional areas as well as mechanisms to provide for consultation with Travellers at both national and local level.

The Strategy also included a number of recommendations which were implemented but which did not require legislation, including:

- Establishment of a dedicated Unit in the Department of the Environment, Heritage and Local Government with five full-time staff, to oversee the preparation, monitoring, implementation and co-ordination of Traveller accommodation strategies

at a local level. The unit also acts as the secretariat for the National Traveller Accommodation Consultative Committee (NTACC)

- Improvement of the management and maintenance of Traveller accommodation, with provision for reimbursement of local authority expenditure
- Significantly increased expenditure on Traveller accommodation
- Upgrading of existing Traveller accommodation.

The NTACC was established on a non-statutory basis in December 1996 and on a statutory basis in April 1999 under section 19 and 20 of the Housing (Traveller Accommodation) Act 1998, for a three year term. The role of the NTACC was to monitor the preparation, adequacy and implementation of Local Authority ‘Local Traveller Accommodation Programmes’. The second committee was reconstituted in March 2003. According to a press statement in May 2003 ‘the Committee has been asked to advise the Minister in relation to the review, which is due to begin this year, of the operation of the Housing (Traveller Accommodation) Act 1998’<sup>14</sup>. The review is currently ongoing and is expected to be completed in 2004.

In addition under the 1998 Act each relevant housing authority is required to establish a Local Traveller Accommodation Consultative Committee (LTACC). The role of the LTACC is to advise in relation to the preparation and implementation of any accommodation programme, advise on the management of Traveller accommodation, and provide a liaison between Travellers and the local authorities.<sup>15</sup>

## **Asylum Seekers**

In early 2000, the Government established the RIA in order to plan and co-ordinate the provision of services to both asylum seekers and refugees.

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<sup>14</sup> Department of Environment , Heritage and Local Government (2003), Ahern meets National Traveller Accommodation Consultative Committee, available at: [www.environ.ie](http://www.environ.ie) (15.10.03)

<sup>15</sup> In March 2000 the Department of Environment and the NTACC commissioned an evaluation of the operation of the LTACCs. This evaluation concluded that despite high levels of satisfaction with some aspects of the LTACC’s operation there remain problems particularly those identified by the representatives of the Traveller community, NTACC and the Department of the Environment, Heritage and Local Government (2000) Evaluation of Local Traveller Accommodation Consultative Committees, available at: [www.environ.ie](http://www.environ.ie) (12.09.03)

Until the introduction of direct provision in April 2000 most asylum seekers were housed in temporary accommodation such as hostels and bed and breakfasts, and thereafter encouraged to seek private rented accommodation by themselves, usually with subsidies. Since April 2000 most asylum seekers have been housed through ‘direct provision’.<sup>16</sup> This means that newly arrived asylum seekers are directly allocated full-board hostel/hotel accommodation typically based outside Dublin, they receive a residual income maintenance payment of €19.05 per week for an adult and €9.52 for a child. Discretionary needs payments can also be provided in exceptional circumstances.

Where there are exceptional circumstances, a Health Board may allow a person to move into private rented accommodation. Comhairle<sup>17</sup> has concluded that ‘single people are generally told to stay in direct provision hostels while families and pregnant women are allowed into the private rented sector under the rent supplement scheme’<sup>18</sup>.

The remit of the RIA does not run to directly providing permanent housing for refugees, though it has designed on a pilot basis ‘step-down facilities’ for those moving to independent living.<sup>19</sup>

## **Refugees and Migrants**

Programme and Convention refugees are free to live anywhere and are not subject to direct provision; they are entitled to housing on the same basis as Irish nationals. The Irish Council for Social Housing has pointed out that in more than ten of the current

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<sup>16</sup> Much debate surrounded the introduction of direct provision in Ireland for example in a submission to the Asylum Directorate of the Department of Justice Equality and Law Reform on the issues of dispersal and direct provision, argued that ‘there are concerns that the policy of residential centres will rapidly emerge into a long terms and inflexible policy, rather than a temporary solution to a crisis, NCCRI (1999) Submission to the Asylum Directorate of the Department of Justice Equality and Law Reform on the Issues of Dispersal and Direct Provision, Dublin: NCCRI, p. 3. According to the Council of Europe: ‘Enforced concentration of immigrants is even more unacceptable (than dispersal), amounting to a form of racial segregation’. NCCRI (1999) *ibid.*, p. 4

<sup>17</sup> Comhairle is the national support agency responsible for supporting the provision of information, advice and advocacy on social services, available at: [www.comhairle.ie](http://www.comhairle.ie)

<sup>18</sup> Comhairle (2002) Rent Supplement in the Private Rented Sector, available at: [www.comhairle.ie](http://www.comhairle.ie) (12.10.03)

<sup>19</sup> Address by Noel Waters (Director, RIA) to a conference on Housing and Refugees given on 1 May 2002. Clann Housing Association (2002) *ibid.*, p. 13

housing strategies there is no reference to the needs of refugees.<sup>20</sup> For the first time in 2002 there was a requirement that local authorities include refugees as a specific category in their Assessments of Housing Needs.<sup>21</sup>

Those in receipt of work visas and those operating via the work permit system are not entitled in social housing (e.g. local authority and voluntary sector housing) and are thus restricted to market provided accommodation, primarily in the private rented sector. They are not entitled to a rent allowance if living in the private rented sector as a consequence of their employment status.

### ***Anti-Discrimination in Housing***

The Equal Status Act 2000 prohibits discrimination in the provision of goods, services, disposal of property and access to education, on any of the nine grounds referred to under the Employment Equality Act 1998 - gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community. Race and membership of the Traveller community are the most relevant grounds in terms of this analysis.

Section 6 of the Act prohibits discrimination in the disposal of premises and provision of accommodation, subject to certain exemption (Annex 6: Part 2, Section 6 of the Equal Status Act 2000). The general rule is that there can be no discrimination on the specified grounds in relation to:

- disposing of an estate
- terminating a tenancy
- providing accommodation
- ceasing to provide accommodation.

An exemption applies where the provider or a near relative resides or intends to reside in the premises where the premises is a small. The Act does not apply to the disposal of property by will or gift. Further it does not apply where premises/accommodation are

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<sup>20</sup> Focus Ireland and Clann Housing (2002) Housing and Race in Ireland, Submission under the National Plan against Racism to the Department of Justice, Equality and Law Reform, p. 25

<sup>21</sup> Focus Ireland and Clann Housing (2002), ibid. p. 21

reserved for: religious purposes, refuge, nursing home, retirement home, or a home for persons with a disability.<sup>22</sup>

The Equality Authority has pointed out that the ‘vicarious liability element in the Equal Status Act 2000 means that service providers including providers of accommodation are liable for the discriminatory acts of their employees, clients, customers even if they are unaware of what is going on’. This means that local authorities can be held responsible for the racist actions of their clients.<sup>23</sup>

The provisions on positive action in the Equal Status Act are vague but broad. Positive action measures are permitted for what are called disadvantaged persons and measures which cater for ‘special needs of persons’ are also allowed. These provisions are broad enough to adopt specific measure in relation to disadvantage linked to racial or ethnic origin.

There are a number of important pieces of legislation relating to combating racist and discriminatory behaviour in residential environments. The use of words, behaviour or the publication or distribution of material, which is threatening, abusive or insulting and are intended, or are likely to stir up hatred are prohibited under the Prohibition of Incitement to Hatred Act 1989; the act is currently being reviewed in the Department of Justice, Equality and Law Reform with a view to improving its effectiveness. Furthermore the Public Order Act 1994 may be used in some cases to combat racist acts on public order grounds. The Housing Act 1997 has a provision in relation to excluding orders in that a tenant may apply to the District Council for an order against a person whom the tenant believes to be engaging in an anti-social behaviour where that tenant is in local authority housing.<sup>24</sup>

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<sup>22</sup> Threshold (2001) Home Truths: Renting a Home on a Low Income, Dublin: Threshold, p. 23

<sup>23</sup> Clann Housing Association (2002) *ibid.*, p 65. Under the act it is not possible to take a case against the actual harasser, as they are not service providers and have no legal relationship with the recipients of discrimination or harassment

<sup>24</sup> Clann Housing Association (2002) *ibid.*, p 66

The Housing (Traveller Accommodation) Act 1998 provides a legislative framework to meet the housing needs of the Traveller community. This includes the requirement that local authorities put in place Traveller accommodation programmes, as well as mechanisms to provide for consultation with Traveller representatives at both the national and local level.

In accordance with Article 13 of the Treaty of the European Union, Council Directive 2000/43/EC adopted on 29 June 2000 prohibits racial and ethnic discrimination in access to and supply of goods and services which are available to the public, including housing (Article 3.1.h). The Irish government intends to fully implement this directive by the end of 2003, however this fails to meet the deadline of 19 July 2003 as set down by the EU.

The Residential Tenancies Bill 2003 deals with the regulation of the private rented housing sector. It proposes to implement many of the recommendations of the Report of the Commission on the Private Rented Sector. The Bill is being given priority and is likely to be passed before the end of 2003. The Bill sets out minimum legal obligations of landlords and tenants and established the Private Residential Tenancies Board on a statutory basis. Tenants will be able to bring complaints to this board.

Starting with the Universal Declaration on Human Rights the Right to Adequate Housing<sup>25</sup> has been identified as a fundamental human right in no less than 12 different texts, many of which Ireland is a party to: Universal Declaration of Human Rights 1948, the International Covenant on Economic, Social and Cultural Rights, International Convention on the Elimination of all Forms of Racial Discrimination, Convention on the Rights of the Child and the Convention Relation to the Status of Refugees (see Table 1: The Right to Adequate Housing: International Law and Ireland's Obligations).

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<sup>25</sup> Adequate housing is defined within the Global Strategy as meaning: ‘Adequate privacy, adequate space, adequate security, adequate lighting and ventilation, adequate basic infrastructure and adequate location with regard to work and basic facilities, all at a reasonable cost.’

## ***Monitoring Systems***

The Equality Authority has statutory powers and responsibility for overseeing and monitoring the Equal Status Act 2000. Moreover, the Equality Authority has a public information role, is responsible for mainstreaming equality and initiating equality actions throughout the state.<sup>26</sup>

The Employment Equality Act 1998 established the ODEI – The Equality Tribunal, a quasi-judicial body that appoints Equality Officers to hear and decide claims of discrimination in employment under equality legislation, including the Equal Status Act.<sup>27</sup>

The Ombudsman's Office was set up in 1984 to examine complaints from members of the public who feel that they have been unfairly treated in their dealings with public bodies. The Ombudsman has extensive powers in law. She can demand any information, document or file from a body complained of and can require any official to give information about a complaint. The Ombudsman has no power to force a body to accept or act upon her recommendation. However if it does not, she may find it necessary to make a report on the matter to Parliament.<sup>28</sup>

In addition Ireland reports to a number of relevant international bodies, for example the first report to the Committee on the Elimination of all Forms of Racial Discrimination is currently being finalised.

The RIA has an inspection team which conducts comprehensive inspections of each of the properties (commercial and State owned) used to accommodate asylum seekers at least on a twice yearly basis. These inspections are always unannounced and inspectors look at all aspects of the accommodation centre in relation to the proprietors obligations under the contract - which cover such areas as reception, management and staff cover,

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<sup>26</sup> Further details is available at: [www.equality.ie](http://www.equality.ie)

<sup>27</sup> Further details is available at: [www.odei.ie](http://www.odei.ie)

<sup>28</sup> Further details is available at: [www.ombudsman.gov.ie](http://www.ombudsman.gov.ie)

menus and facilities being provided, maintenance of the property and fire and safety issues. In addition, an independent assessor has been engaged by the RIA to conduct comprehensive inspections of all centres.

## **2. Existing Data and Sources in the Housing Sector**

The main source of regular statistical data on housing is the Quarterly and Annual Housing Statistical Bulletins produced by the Department of the Environment, Heritage and Local Government. Information in relation to housing is also collected on a less regular basis in the Census of Population, the Household Budget Survey and the Labour Force Surveys. Each Housing Authority is required to carry out periodic assessments of people who are in need of accommodation. Though data was recorded by nationality in the last census, none of these sources provide data disaggregated by ethnicity.

Local Authorities return information collected from their local assessments by completing eleven tables, however the format in which the statistics are returned does not allow detailed analysis of the data. The National Economic and Social Forum (NESF) has argued that ‘more detailed disaggregation of data of social housing need is required’.<sup>29</sup>

Broadly three main vulnerable groups can be identified in relation housing in Ireland: Travellers, asylum seekers in direct provision and other minority ethnic groups including refugees and migrants. The emerging analysis of recorded complaints and research studies broadly reflect this descriptive categorisation. This section provides an overview of the position of the main groups and details some of the emerging trends in relation to complaints.

### ***Traveller Community***

Travellers are traditionally a nomadic group, which in the past relied on traditional unofficial roadside sites. Due to a range of factors, these traditional halting sites have rapidly declined since the 1960s. Official accommodation policies from the 1960s to the 1980s focussed on insisting that Travellers lived in general local authority housing, partly in response to concerns about general living conditions and ignorance through lack of

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<sup>29</sup> NESF, Social and Affordable Housing and Accommodation: Building the Future, Forum Report No. 18, Dublin: NESF, p. 19

consultation with Travellers about their preferred form of accommodation, but also as a consequence of a general policy of assimilation of Travellers and their distinct way of life into the general population. The 2002 Census findings demonstrate that there are 24,000 Travellers in Ireland though this is likely to be an underestimation and unofficial estimates place this figure at about 28,000. The number of Travellers in Ireland is increasing every year by about 4 percent per annum.<sup>30</sup>

Local authorities under the aegis of the Department of Environment, Heritage and Local Government are responsible for the provision of Traveller accommodation carry out an Annual Count of Traveller families they provide services to.

In November 2001 4,937 families (this does not include families who provide for their own accommodation needs without assistance from local authorities) were accommodated by or with assistance of local authorities or on the roadside awaiting permanent accommodation. This was an increase of 14.3% families since the Annual Count taken in 1996. Table 2: Traveller Families Accommodated 1999-2001, demonstrates that though the number of families on the roadside rose from 1,040 in 1996 to 1,207 in 1999, this has since decreased (see also Chart 2: Traveller Housing Need 2000-2002). Table 2 (a) demonstrated the geographical dispersal of Traveler families accommodated with the assistance of Local Authorities and on the Roadside in 2001. The number of families living in unapproved accommodation in December 2002 was 939. Chart 3: Traveller Families on the Roadside in 2001, shows that an estimated 774 families on the roadside in 2001 were without access to emergency services, while 243 had access to emergency services.

The Monitoring Committee on the Task Force reported in 2000 that:

in reality one in every four Traveller families are currently living without access to water, toilets and refuse collection. The accommodation situation

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<sup>30</sup> Department of Justice, Equality and Law Reform (2000) First Progress Report of the Committee to Monitor and Co-ordinate the Implementation of the Recommendations of the Task Force on the Travelling Community, p. 43

has disimproved over the past five years... It is also particularly unsatisfactory that the numbers of Travellers on the roadside has increased.<sup>31</sup>

In the period 1996 to 2001 inclusive a total of 1,098 units of accommodation were provided for Traveller families. Of these, 642 were standard local authority houses, 237 were new halting site bays (including permanent and emergency bays) and 219 were new group houses. A total of 493 units of Traveller specific accommodation were also completely refurbished to modern standards during the period (375 halting site bays and 118 group houses). However as the data above illustrates progress in the provision of accommodation for Traveller families is often offset by the growth in the number of Traveller families each year.

### **Asylum Seekers**

The total number of asylum seekers accommodated in direct provision since April 2000 up to 30 September 2003 is 29,191. As of 30 September 5,400 asylum seekers were in direct provision reception and accommodation centres and another 193 in self-catering centres. The RIA has a total of 71 centres consisting of: 7 reception centres (all located in Dublin), 58 accommodation centres (located throughout 24 counties), and 6 self-catering centres (one in Drogheda and the other 5 in Dublin). As Table 4 (Age Profile of Asylum Seekers in Direct Provision) illustrates the majority of asylum seekers in direct provision as in the 26-35 age category.

As Table 5 (Duration of Stay in Direct Provision) shows many asylum seekers remain in direct provision longer than the government target of six months for processing asylum claims.

In the first year of operation of direct provision, some 4,000 asylum seekers left direct provision, but only 25 percent were in receipt of a rent allowance. The remaining 75 percent have no visible means of support, but the Department of Justice Equality and Law Reform has suggested ‘that a significant number have left the jurisdiction while

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<sup>31</sup> Department of Justice, Equality and Law Reform (2000) *ibid.*, p. 36

some may be working illegally'.<sup>32</sup> It is likely that a number of these individuals have been forced to live and work illegally though no official data exist.

### ***Refugees and Migrants***

Given the realities of the Irish housing market discussed above refugees tend to be concentrated in the private rented sector. However official data is not available with regard to the numbers and concentrations of these minority groups.

Unfortunately similar constraints apply to any analysis of the position of migrants and other minority groups in Ireland. There is some anecdotal evidence that employers often provide accommodation along with employment, albeit in some cases at very high costs to the workers.<sup>33</sup>

A study in 2002 commissioned by the Homeless Agency reported on homelessness in the Dublin regions, the survey included a question on country of origin in order to establish the extent of homelessness of people not of Irish origin. Overall just 8 percent of single homeless people reported having been born outside Ireland and this does not vary for males and females. The vast majority (66 percent) were born in Britain. A majority of 54 percent arrived in Ireland three or more years ago (Table 3: Distribution of Homeless Persons Classified According to Whether Born in Ireland).<sup>34</sup>

### ***Data on Recorded Complaints***

As complaints to the ODEI – The Equality Tribunal are not recorded in a way which reflects housing and accommodation issues any analysis of complaints in the housing sector is dependent on data from the Equality Authority and anecdotal evidence, such as that compiled by the NCCRI.

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<sup>32</sup> O'Sullivan, E. *ibid*.

<sup>33</sup> O'Sullivan, E. *ibid*.

<sup>34</sup> William, J. and Gorby, S. (2002) *Counted in 2002*, Dublin: Homeless Agency, pp. 25-26

## NCCRI Racist Monitoring

In May 2001 the NCCRI established a system for recording incidents related to racism in Ireland.<sup>35</sup> Between November 2002 and April 2003 48 alleged incidents were reported to the NCCRI. Examples of incidents relevant to this report include:

- A Cameroon man and his family experienced hostility at their place of residence on four occasions in a Limerick housing estate including racist jokes and verbal abuse. On the last occasion a petrol can was set on fire outside his front door while he and his family were inside the house.
- A Kosovan man and his Irish wife were subjected to racist verbal abuse, death threats and damage to their property in a Dublin suburbs by a gang of youths. The family are so scared that they confine themselves to their house and only go out in their car. They have applied to Dublin Corporation to relocate but are too afraid to formally report it to the Garda for fear of reprisals.
- A Roma family suffered hostility at their place of residence in Tralee with racial verbal abuse such as ‘go home refugee’ coupled with damage to their property. The Garda in the area gave the situation serious consideration and requested urgent alternative accommodation for the family.
- A complaint was received from a group of Traveller families living in the west of Ireland. The complaint was in relation to the Group Accommodation Scheme for the Traveller community in Ennis. The residents of the site are objecting to the relocation of their site and the enclosure of the site behind a reinforced two metre high wall. The residents had a meeting with representatives of the local authorities outlining their objections and opposition to the proposed relocation and that they are waiting for the matter to be resolved through further negotiations. The residents claim that any attempts at negotiation with the Council since then have been ignored.
- The enforcement of provisions of the Housing Miscellaneous Act 2002 by the Gardai in Mayo caused much controversy and tension with the Traveller community. The Irish Human Rights Commission, Pavee Point and other organisations are calling for

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<sup>35</sup> The data that is generated by this reporting is primarily qualitative and indicative of key issues that need to be addressed. The reports do not aim to provide a comprehensive list of every racist incident in Ireland, available at: [www.nccri.com](http://www.nccri.com)

a review of the legislation in light of it being contrary to the constitutional rights of the Traveller community in particular in terms of their right to equal treatment and non-discrimination in accessing adequate accommodation.

- A landlord who rented out his property to non-Irish nationals was subjected to harassment by the residents association where his property was based in the suburbs of Dublin because they were opposed to his policy of renting out to Irish and foreign nationals. The residents association also made serious unfounded allegations about his tenants.

These and other reports demonstrated the range of racist incidents experienced by minority ethnic groups in Ireland. Harassment, verbal abuse and threats are amongst the most common but there is also evidence of physical attacks and damage to property. A number of complaints related to housing provider, landlords and estate agents, though there is also evidence of landlords receiving racist abuse if they provide property to ethnic minorities. Annex 7: Racist Incidents Reported to the NCCRI, contains a summary of the most relevant complaints reported during the period May 2001 to October 2002.

## **Equality Authority**

According to the Equality Authority it is clear that a greater awareness of the potential of the provisions of the Equal Status Act 2000 is emerging. For example there is a substantial increase in the number of files on accommodation in 2002: 42 files, an increase of 62% on the 26 in 2001. 65 of a total of 2,061 queries to the Equality Authority under the Equal Status Act in 2002 related to accommodation. As Table 6 (Case Work of the Equality Authority relating to the Provision of Accommodation) demonstrates nine complaints were made on the ground of race, while 12 were made under the Traveller community ground.<sup>36</sup> The Equality Authority has had some success through its casework in the housing area. For example:

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<sup>36</sup> It is clear that there are significant problems of underreporting in relation to racist incidents in the housing sector, this presents difficulties in analysing existing data in a meaningful way.

- Two asylum seekers with a young baby were allowed to move from direct accommodation in a hostel which was unsuitable for their needs after correspondence between the Equality Authority and the service provider
- A homeless asylum seekers was assisted in getting accommodation<sup>37</sup>

Of the five decisions by the ODEI – The Equality Tribunal on the race ground in 2002 none of these related to housing and accommodation issues. There were 56 decisions on the Traveller Community ground in 2002, in its Annual Report 2002 it does not record any decision taken on the Traveller community ground relating to the provision of accommodation.

A number of the housing organisations in Ireland have come to recognise the importance of data collection with regard to experience so of discrimination and racism. For example Threshold<sup>38</sup> records those complaints it receives from ethnic minority group, though it has not yet had the opportunity to analysis this data. Comhairle are currently conducting a study on Housing, they will be analysing reports of complaints through the Citizen's Information Centres (CIC) relating to ethnic minority group.

The RIA informs asylum seekers of the procedure for making complaints regarding direct provision centres in an information booklet which is given to each new arrival to any accommodation centre. The management of each centre is obliged to treat all complaints made seriously and impartially and to keep a record of complaints made which are unable to be resolved on an informal basis. If a complaint cannot be resolved locally then a standard complaints form (available in all centres) can be completed and submitted to the RIA for a formal resolution. Where a complaint is found to be justified it is the duty of the RIA to ensure appropriate remedial action is taken without delay. The RIA does not make data relating to the nature of these complaints publicly available.

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<sup>37</sup> Equality Authority, Annual Report 2002, p. 32

<sup>38</sup> Threshold is a charitable organisation founded in 1978 as a peace and justice project, working in the area of housing and homelessness. A commitment to social justice continues to be at the heart of Threshold's aims and objectives: providing services, pursuing reform and promoting justice based housing initiatives, [www.threshold.ie](http://www.threshold.ie)

## **Reports on Racism**

In October 2002 Focus Ireland<sup>39</sup> and the Clann Housing Association<sup>40</sup> prepared a joint submission under the NPAR to the Department of Justice, Equality and Law Reform, entitled ‘Housing and Race in Ireland’.<sup>41</sup> The report points out that

given the dimensions of current housing problems, especially the recorded growth in social housing waiting lists and homelessness over the period since the mid-1990s, an additional challenge is to ensure that racism in Irish society – individual or institutional – does not determine access to housing and accommodation.<sup>42</sup>

A number of reports have been produced, which contain sections relevant to the consideration of racism and housing in Ireland. For example the National Economic and Social Forum (NESF) has produced a report on social and affordable housing in Ireland. This report makes key recommendations in terms of housing policy and includes consideration of Traveller Accommodation polices, and crises accommodation for asylum seekers.<sup>43</sup> Eoin O’Sullivan wrote a report for the Homeless Initiative on ‘Homelessness, Housing Need and Asylum Seekers in Ireland’. Drafted before the implementation of direct provision, this report makes a number of recommendations in order to address the needs of asylum seekers and refugees in Ireland.<sup>44</sup>

There are also many reports and studies relating to minority ethnic groups which are relevant to housing. The most important policy report in respect of the Traveller community in Ireland is the Report of the Task Force on the Travelling People (1995)

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<sup>39</sup> Focus Ireland aims to advance the right of people-out-of-home to live in a place they call home through quality services, research, and advocacy, available at: [www.focusireland.ie](http://www.focusireland.ie)

<sup>40</sup> Clann Housing Association was established in 1998 and aims to respond to the housing needs of refugees in a manner which increases security, integration and a "sense of belonging" in Ireland, available at: [www.clann.ie](http://www.clann.ie)

<sup>41</sup> Focus Ireland and Clann Housing Association (2002) *ibid.*, p. 4

<sup>42</sup> Focus Ireland and Clann Housing Association (2002) *ibid.*, p. 5

<sup>43</sup> NESF, *ibid.*

<sup>44</sup> O’Sullivan, E. Homelessness, Housing Need and Asylum Seekers in Ireland – A Report for the Homeless Initiative, Dublin: The Homeless Initiative

published by the Department of Justice, Equality and Law Reform.<sup>45</sup> The report made 49 recommendations in relation to accommodation, including the provision of 3,100 additional units of accommodation, the design and types of provision such accommodation should take, the establishment of a Traveller Accommodation Agency, and Traveller Tenant Participation. The Monitoring Committee produced its first report in 2000, this report analysis the progress to 2000 across all 49 of the accommodation recommendations.

A survey was published for Travellers Focus week in 2001, this survey of 513 Traveller in 50 locations was the first national survey on Traveller attitudes. About 38 percent of respondents said that their preferred accommodation would be a permanent house of flat among settled people.<sup>46</sup>

The Irish Travellers Movement (ITM) published a critique of Local Authority Traveller Accommodation Programmes in 2001 which makes a number of recommendations to the Department of the Environment, Heritage and Local Government, including providing Local Authorities with the power to enforce the implementation of the programmes and the establishment of a National Traveller Accommodation Agency.<sup>47</sup>

In January 2002 ITM began consultations with its member organisation on a future strategy for the delivery of Traveller accommodation, they placed this consultation in the context of ‘the failure of the current National Traveller Accommodation Strategy to impact positively on Traveller’s lives and deliver the necessary accommodation’.<sup>48</sup> The report argues that the government’s focus on providing standard housing illustrates a lack

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<sup>45</sup> Ireland, Department of Justice, Equality and Law reform (1995), Report of the Task Force on the Travelling Community

<sup>46</sup> The Survey was conducted by Behaviour and Attitudes Ltd for Citizen Traveller. The Traveller Communication Committee, subsequently renamed Citizen Traveller, was charged in May 1999 with implementing an integrated communications initiative to promote the visibility and participation of Travellers within Irish society, to nurture the development of Traveller pride and self confidence, and to give Travellers a sense of community identity that could be expressed internally and externally.

<sup>47</sup> Fahy, K (2001) A Lost Opportunity? A Critique of Local Authority Traveller Accommodation Programmes, Dublin: ITM, available at: [www.itmtrav.com](http://www.itmtrav.com) (12.10.03)

<sup>48</sup> ITM, Charting a Future Strategy for the Delivery of Traveller Accommodation, Dublin: ITM, available from: [www.itmtrav.ie](http://www.itmtrav.ie) (07.09.03), p. 5

of commitment to providing accommodation that meets the needs of Travellers as a nomadic ethnic group.

There have been a number of research initiatives which have explored the specific policies of direct provision and dispersal.

- In December 1999 the NCCRI submitted a paper to the Asylum Directorate of the Department of Justice, Equality and Law Reform on these issues
- In October 2001 the Irish Refugee Council (IRC) produced a report which reviewed 18 months of direct provision and dispersal. This report made a number of key recommendations including that direct provision should be abolished<sup>49</sup>
- In July 2003 the Free Legal Aid Centre (FLAC) published an analysis of the direct provision scheme in Ireland, the report focuses on the legality of direct provision. It argues that the policy is in contravention of the Social Welfare (Consolidation) Act 1993, in that it is based on a policy of deterrence rather than on an attempt to address the needs of asylum seekers as a class or as individuals. This paper also concludes that the policy is discriminatory and may be in contravention of the Equal Status Act 2000 and Article 40.1 of the Constitution<sup>50</sup>
- The Irish Centre for Migration Studies has produced an analysis on asylum seekers and housing rights in Ireland<sup>51</sup>
- A study by the Irish Refugee Council found that many aspects of direct provision impinge on children's rights<sup>52</sup>
- Other studies have also been critical of the system including Roma Support Group (2002), Comhlamh (2001), Oxfam et al (2001), Fanning et al (2001), Moran (2001) and Fanning and Mac Einri (1999).

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<sup>49</sup> Irish Refugee Council (2001) Direct Provision and Dispersal – 18 Months On, Dublin: IRC

<sup>50</sup> FLAC (2003) Direct Discrimination? An Analysis of the Scheme of Direct Provision in Ireland, Dublin: FLAC

<sup>51</sup> Mac Einri, P. Asylum Seekers and Housing Rights in Ireland, Irish Centre for Migration Studies, available at: [www.migration.ucc.ie](http://www.migration.ucc.ie) (29.07.03)

<sup>52</sup> Fanning et al (2001) Beyond the Pale: Asylum-Seeking Children and Social Exclusion in Ireland, Dublin: IRC, p. 38

In July 2002 the Applied Social Science Research Centre published a study entitled ‘Patching up the System – The Community Welfare Service and Asylum Seekers’. This report includes a focus on direct provision and analyses the views of service providers. The report concludes that ‘although their assessment of these systems endorses criticisms put forward by policy analysts and asylum seeker support groups, the fact that they come from the statutory frontline staff implementing this system gives them added weight’<sup>53</sup>.

There are a number of studies looking at the housing needs of refugees which do not specifically address question of racism and discrimination, however there are nonetheless relevant:

- Clann Housing Association conducted a study of the labour market progression of refugees with emphasis on related housing issues for Interact Ireland in September 1999. This research focused on the impact of income levels and means tested supplementary welfare allowance on individuals decisions by refugees to enter to labour market.<sup>54</sup>
- Clann Housing Association has also looked at accommodation and the integration of refugees and asylum seekers in Waterford city.<sup>55</sup>
- Clann Housing Association has conducted a study of the housing needs of Bosnian Programme refugees in Ireland. This study demonstrated the division between tenure of Irish citizens and those of non-nationals.<sup>56</sup> In particular it concludes that there is a need for a more appropriate and durable solutions for the housing needs of refugees which are not being met by mainstream provision in Ireland. This report does record

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<sup>53</sup> Faughnan, P. et al (2002) Patching p the System – The Community Welfare Service and Asylum Seekers, Dublin: Applied Social Science Research Centre, p. 33

<sup>54</sup> Clann Housing Association (1999) A Study of Labour Markey Progression of Refugees, with Emphasis on Related Housing Issues – a case study of refugee participants in pre-vocational training in FAS Training Centre, Baldoyle, Research on behalf of Interact Ireland. A sample group of 18 was randomly selected, and the study acknowledges that due to the small number of respondents the conclusions drawn from the data are tentative and should be read with caution

<sup>55</sup> Dibelius, C. (2001) Help or Hindrance: Accommodation and the Integration of Refugees and Asylum Seekers in Waterford City, unpublished

<sup>56</sup> 79 percent of respondent households reside in private rented accommodation in comparison to eight percent of the indigenous population, Clann Housing Association (1999) From Bosnia to Ireland’s | Private Rented Sector – A Study of Bosnian Housing Needs in Ireland, Dublin: Clann Housing Association, p. 45

a number of racist incidences including one that the local authority stated that Irish people would be prioritised on the housing waiting list.<sup>57</sup>

## **Gap Analysis**

While housing need is often identified as an important issue in the literature on refugee reception and integration, there has been little research specifically on refugees and housing (Zetter and Pearl, 1999: 71). This is particularly the case in Ireland with its more recent advent of research on refugees and asylum seekers.<sup>58</sup>

As this quote demonstrates Ireland is not unique in its data and research deficits, however this report shows that in the Irish case the problem is very significant.

There is a failure of data collecting mechanisms in Ireland to provide for a comprehensive analysis of housing and accommodation policy in relation to minority ethnic groups. As the NESF has put it:

In relation to measuring performance, there are very marked contrast between the systems in evidence in Northern Ireland and those in the Republic. The Housing Executive has a highly developed, largely computer-based performance management process for all its key activities... The pattern with the Authorities in the South is of a much less developed system.<sup>59</sup>

In relation to the provision of social housing no data is available on the composition of those households who were allocated local authority housing, what type of accommodation was offered to them, and how long they were waiting for accommodation etc.<sup>60</sup> In the case of the private sector data is even scarcer with no formal monitoring system in place in relation to the ethnic composition of households in both owner-occupied and private rented accommodation.

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<sup>57</sup> Clann Housing Association (1999) *ibid.*, p. 57

<sup>58</sup> Dibelius, C. (2001) *ibid.*, p. 4

<sup>59</sup> NESF, *ibid.*, pp. 44-45

<sup>60</sup> O'Sullivan, E, *Access to Housing: The Case of the Republic of Ireland*, p. 32

In relation to both social and private housing key data is missing, disaggregated by ethnicity, in relation to all most aspects of housing including: housing standards, geographical location, access and income and employment levels. In addition specific quantitative data needs to be generated in relation to: asylum seekers not in direct provision, illegal migrants, and the nature and frequency of racist incidences relating to housing.

Despite these constraints information on the housing needs and circumstances of asylum seekers and refugees, although sparse, is beginning to emerge, but these two groups account for only a small proportion of total migration to Ireland'.<sup>61</sup> As Clann Housing and Focus Ireland have put it ‘in housing, the statutory and voluntary housing organizations are just beginning to look at how they provide for and interact with ethnic minorities’<sup>62</sup>. The Department of the Environment, Heritage and Local Government has stated that the statutory assessment of need undertaken in March 2002 was expanded to include data on the number of households on the waiting lists who are non-nationals from outside the EU, it is expected that the data provided will assist the Department and local authorities in planning for housing needs.<sup>63</sup>

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<sup>61</sup> O’Sullivan, E. *ibid.*

<sup>62</sup> Focus Ireland and Clann Housing (2002), *ibid.*, p. 20

<sup>63</sup> Focus Ireland and Clann Housing (2002), *ibid.*, p. 24

### **3. Analysis of Direct and Indirect Discrimination**

The experiences of minority ethnic groups in other countries demonstrate that there is the potential for such communities in Ireland to be vulnerable to discrimination. In the United Kingdom research has demonstrated that minority ethnic groups have tended to be concentrated in poor areas and access low standards of housing. In addition minority ethnic groups face many of the general problems which are experienced by other disadvantaged sections in society. For example the NESF has noted that ‘public housing in Ireland has, on the whole, a poor public image.<sup>64</sup>

Given this two fold context of the experiences of minority ethnic groups in other jurisdiction and the experiences of disadvantaged groups in Ireland, it is necessary to promote a more detailed understanding of racism in the housing sector. As the NCCRI has put it:

Addressing the accommodation needs of people from different ethnic communities is a factor in tackling poverty and social exclusion. Ethnic minorities can experience discrimination in accessing adequate accommodation which can lead to the uptake of poor quality housing in deprived, possibly hostile areas where accommodation is cheaper. This can lead to the further marginalization of new communities and compound deprivation and isolation.<sup>65</sup>

In particular the problems associated with spatial segregation should provide an impetus for further research on the question of discrimination in housing. Segregation in housing has not yet evolved in Ireland but its existence in other countries and its link with poverty has reinforced social exclusion.<sup>66</sup> There are indicators that such patterns may emerge in

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<sup>64</sup> NESF, *ibid.*, p. 71

<sup>65</sup> NCCRI (2003) Submission to the National Action Plan against Poverty and Social Exclusion 2003-2005, Dublin: NCCRI, p. 11

<sup>66</sup> NCCRI (2003) *ibid.*, p. 11 This is a view which appears to be supported by the refugee communities in Ireland for example a study of Bosnian programme refugee founds that the majority of households stated that they did not want more Bosnians to live in their neighbourhoods, due to fear of ghettoisation and a

Ireland as demonstrated by the experiences of racism and discrimination highlighted in this report.

### ***Traveller Community***

The Traveller community in Ireland has had a long experience of racism and discrimination in relation to housing. Pavee Point have concluded that despite recent government initiatives:

many Travellers still live in appalling conditions without access to the most basic services including - water, toilets and electricity. Many other Travellers live in official accommodation that is poorly serviced and maintained and often situated in unhealthy or dangerous locations. As well as the obvious direct negative effect this has on quality of life, it also has a negative effect on how Travellers can access healthcare, education, social welfare and other services.<sup>67</sup>

Lack of recognition of the distinct needs of Travellers represents a serious constraint to combating discrimination. As stated in the First Progress Report of the Committee to Monitor and Coordinate the Implementation of the Recommendations of the Report of the Task Force on the Travelling Community:

the distinct culture and identity of the Traveller community is a central issue to Travellers and should receive proper recognition. It is not fully understood and accepted by officials and elected representatives at local level who are responsible for the implementation of many of the Task Force Recommendations.

Historically this failure to recognize the distinct needs of Travellers has been particularly illustrated by the lack of provisions for nomadism.

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strong desire to integrate into local community. Though this view was not held by the majority of old age pensioners and one parent households, Clann Housing Association (1999) *ibid.*, p. 48

<sup>67</sup> Pavee Point, Fact Sheets, Accommodation and Living Conditions, available at: [www.paveepoint.ie](http://www.paveepoint.ie) (29.07.03)

Negative public perception toward Traveller accommodation seriously curtails its development. According to ITM this negative perception arises from:

- Racism and discrimination towards Travellers, which is reflected in the NIMBY (Not in my Back Yard) syndrome. It is in part created by the belief that the Traveller accommodation will be similar to the roadside encampments, as many communities have no experience of well-designed accommodation in their areas
- The amount of discussion on Traveller accommodation in the public arena leads to the false perception that ‘Travellers are getting everything they want’, which further fuels racism towards Travellers.<sup>68</sup>

In recent years the introduction on conflicting legislation has proved particularly controversial. For example The Housing (Miscellaneous Provisions) Act 2002 allows for Gardai to remove caravans, and to allow owners to be brought before the District Court charged with Trespass. The owner can be fined €3,800. There is evidence which suggests that an increasing number of Travellers are being evicted. In the year ending 31 May 2003 a total of 452 notices were serviced against Travellers under the amended legislation, according to a recent media report:

Of the 36 local authorities surveyed by the Irish times, 14 reported an increase in Section 10s (evictions) between 2001 and 2003 and only seven a decline... Clare County Council, which this week last year became the first local authority to enforce the trespass law, is now issuing more than three times as many such notices as in 2002; South Dublin County Council more than four times as many.<sup>69</sup>

## **Asylum Seekers**

Research in Ireland has recognised that asylum seekers in direct provision accommodation are particularly vulnerable. In the context of reduced social welfare payments, some have suggested that asylum seekers cut on food intake which is having health implications. The reduced payment hinders contacts with the wider society and the

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<sup>68</sup> ITM, ibid., p. 19

<sup>69</sup> Humphreys, J. (2003) When a Child’s Bed is a Car Boot, in: The Irish Times (19.07.03)

lack of meaningful occupation and the resulting dependency is perceived as a real source of mental distress by asylum seekers.<sup>70</sup> As Dibelus has concluded:

Poor reception conditions, substandard housing, social isolation and long periods of inaction during the asylum determination procedure are all among the factors that can influence the capacity of refugees and asylum seekers to become independent and fully participate in the economic, social, political and cultural life of the host society.<sup>71</sup>

The potential of mutual support among residents is limited by issues such as communication difficulties, cultural differences and mistrust between residents, whether from different continents, countries or even regions.<sup>72</sup>

During the consultation process on the NPAR concerns were raised about aspects of the accommodation/dispersal strand of ‘Direct Provision’, including the use of large-scale accommodation centres or isolated centres and variation of standards between centres. Views varied as to whether the system should be abandoned or revised.

In its second report on Ireland the European Commission against Racism and Intolerance (ECRI) expressed concern that,

in some cases the location of some accommodation units may lead to isolation of asylum seekers from members of their communities and from the services they need to access to proceed with their applications... It has also been reported that the accommodation provided is not in some cases of a satisfactory standard, and that on occasion sufficient sensitivity has not been shown to the differing needs of asylum seekers from various countries and backgrounds. Generally, it appears that there is a need for more co-ordination and monitoring of the accommodation provided around the country, and a

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<sup>70</sup> Dibelius, C. (2001) *ibid.*, p. 18-21

<sup>71</sup> Dibelius, C. (2001) *ibid.*, p. 12

<sup>72</sup> Dibelius, C. (2001) *ibid.*, p. 23

general reconsideration of the long-term strategies for providing for asylum seekers.<sup>73</sup>

There is evidence that asylum seekers face discrimination from the communities in which the centres are placed. According to the Controller and Auditor General's report for 2003:

up to €20million has been spent on acquiring premises to accommodate asylum-seekers which have never been used for this purposes... Its (RIA) experience proved that most communities were not prepared to accept the arrival of asylum-seekers in their midst and some were prepared to take "physical action" to support their views.

### ***Other Minority Ethnic Groups***

Given the lack of data this report takes as an analytical starting point the assumption that refugees, asylum seekers not in direct provision, migrant workers and other minority ethnic groups may have similar experiences of racism and discrimination in housing. This is in line with the finding that racism is experienced in Ireland regardless of legal status.<sup>74</sup>

In reality many of these groups are reliant on the private rented sector, as O'Sullivan points out:

Programme and other refugees once admitted have the same housing entitlements as Irish and EEA citizens. However, in practice, the majority of refugees appear to be living in the private rented sector as evidence from two small scale studies by Clann Housing Association (1999), with a small number in accommodation provided by local authority or voluntary sector housing providers.<sup>75</sup>

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<sup>73</sup> ECRI (2001) Second Report on Ireland, p. 15

<sup>74</sup> NCCRI (2003) Reported Incidences Relating to Racism, November 2002 –April 2003, Dublin: NCCRI, p. 3

<sup>75</sup> O'Sullivan, E. ibid.

Specific difficulties have been associated with accessing both private and public housing.

Barriers include:

- Language difficulties
- Lack of information
- Lack of social networks, and knowledge of local structure and processes.

In addition to these specific barriers and the barriers usually faced by low-income groups,<sup>76</sup> racial discrimination is an active barrier to ethnic minorities. The authors of the Clann Housing and Focus Ireland submission point out that: ‘interviewees spoke of the poor and below standard quality of rented accommodation they has been offered. They held the strong belief that it is offered to them because they are refugees’. In addition there is evidence that accommodation agents are exploiting these vulnerable groups, for example by offering to find accommodation at exorbitant fees.<sup>77</sup> Dibelius has concluded that refugees and asylum seeker many be particularly vulnerable to financial abuse by landlords and that foreigners tend to pay more for equal quality accommodation than local citizens.<sup>78</sup> A study of the Roma community in Ireland concluded that:

In general most of the Roma consulted, stated their perception that when they are given accommodation, landlords tend to charge them higher rates than usual. One Roma woman noted that the accommodation which was originally to be 120 a month was offered to her family for 160 a month.<sup>79</sup>

A recent study on migrant workers concluded that some migrants feel discriminated against; they feel that landlords have a preference for Irish tenants. A Ukrainian worker described difficulties in finding a place to live: ‘we try to rent some house before but landlord prefer Irish and not non-Irish’.<sup>80</sup> At a recent conference, one participant

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<sup>76</sup> Key problems identified in a report of social policy records received by the Citizen’s Information Centre in 2002 includes: Landlord refusing to provide rent books, Security of tenure, and deposits in the private rented sector. Comhairle (2002) Report on Social Policy Records received by the Citizens Information Centres in May to September 2002, available at: [www.comhairle.ie](http://www.comhairle.ie)

<sup>77</sup> Focus Ireland and Clann Housing (2002), ibid., pp. 9-11

<sup>78</sup> Dibelius, C. (2001) ibid., p. 37

<sup>79</sup> Roma Support Group et al (2002) ibid., p. 26

<sup>80</sup> Conroy, P (2002) Migrant Workers and their Experiences, Dublin: Know Racism p. 33-34

concluded that ‘most landlords are reluctant to offer accommodation to asylum-seeker and non-nationals and will not accept rent allowance from health-boards’<sup>81</sup>.

Focus Ireland and Clann Housing also note cases of racism and exploitation in the social housing sector:

subtler, more discrete form of discrimination is apparent, for example, through the lack of useful and appropriate information on housing issues for refugees and immigrants and in the way providers of housing services may treat housing need from this section of society.<sup>82</sup>

There is evidence which suggests that fear and resentment by local communities has sparked racial discrimination and harassment in residential contexts.<sup>83</sup> The Inter-Departmental Working Group on the Integration of Refugees in Ireland noted that “refugees who are accommodated in social housing many face problems of acceptance, particularly is it is perceived that they have been allocated accommodation ahead of Irish nationals.”<sup>84</sup>

Local Authorities have noted incidents where local populations have not wanted refugees and asylum seekers housed in their areas, for example at a conference in 2002 Fergus Galvin of Waterford City Council stated that ‘I have... had numerous approaches to me by residents groups, representatives and others seeking assurances that the Council will not house refugees in their areas and who obviously wish to preserve their mono-ethnic and mono-cultural status.<sup>85</sup> There is also an issue in respect of people who leave local authority accommodation due to harassment from neighbours in that they may be regarded as having deliberately made themselves homeless.<sup>86</sup>

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<sup>81</sup> Address by Folasade Thompson (a Nigerian refugee) to a conference on Housing and Refugees given on 1 May 2002, Clann Housing Association Ltd (2002) *ibid.*, p. 9

<sup>82</sup> Focus Ireland and Clann Housing (2002) *ibid.*, p 14

<sup>83</sup> Address by Chahal to a conference on Housing and Refugees given on 1 May 2002, Clann Housing Association Ltd (2002) *ibid.*, p. 55

<sup>84</sup> O’Sullivan, E. *ibid.*

<sup>85</sup> Clann Housing Association Ltd (2002) *ibid.*, p. 19

<sup>86</sup> Comhairle (2002) *ibid.*

Evidence is also emerging that experiences in the housing market are having a wider effect on minority ethnic groups in Ireland, Clann Housing has identified the ‘poverty trap’ as of particular significance:

Many refugees entering the labour force, start work in semi-skilled or unskilled positions... (the) ‘clawback rule’ discourages people from returning to work, and encourages dependence on the rent allowance scheme, as it does not make economic sense for households to enter into the labour market and sacrifice benefits.<sup>87</sup>

## ***What Does Supporting Diversity in Housing Mean?***

From the policy debate in Ireland and the emerging literature and research, supporting diversity in housing should be predicated on:

- Broad understanding of the relationship between housing and integration
- Recognition of the linkages between racism and discrimination in housing, and other sectors of society
- Understanding of the need to balance the desire, where it exists, of minority ethnic groups to live with other members of their community, with concerns regarding ‘spatial segregation’.

Given these broad policy considerations, initiatives which support diversity in housing should focus on three key areas:

1. **Promoting access to all forms of housing.** Promoting access includes providing detailed information on rights with regard to social housing, increased regulation of the private rented sector with a view to combating discrimination, and facilitating owner occupation by minority ethnic groups in line with general government policy on home-ownership.
2. **Facilitating appropriate forms of accommodation.** The type of available accommodation is significant generally in terms of housing standards, and more specifically in terms of the need to provide culturally appropriate housing. In Ireland this is particularly relevant in terms of the Traveller community and direct provision.

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<sup>87</sup> Clann Housing Association (1999) *ibid.*, p. 8-9

**3. Combating racism in residential environments.** Policies aimed at promoting diversity in housing should recognise the reality of residential discrimination and racism from within communities in which minority ethnic groups are living. As such intercultural awareness and anti-racism strategies need to be adopted which specifically target this form of racism.

## **4. Strategies, Initiatives and Good Practices**

In the context of social policy initiatives strategies have emerged in recent years which include a focus on the accommodation needs of minority ethnic groups. These strategies have provided a context for the introductions of key initiatives by government aimed at targeting this sector such as information campaigns. The non-governmental community has also become involved in promoting diversity in housing, for example the Traveller organisations have been active in promoting good practice in the Irish context.

### **New Policies**

The National Anti-Poverty Strategy (NAPS) provides the policy focus targeted at reducing subsistent poverty. The aim of the Strategy is to provide a coherent framework for actions to tackle exclusion and disadvantage into the future. NAPS was reviewed under the national partnership agreement: the Programme for Prosperity and Fairness (PPF). This review was published in February 2002. The overall objective in relation to Travellers is to improve their life experience through the provision of appropriate education, health and accommodation services and to remove any remaining barriers to the full participation of members of the Traveller community in the work and social life of the country. In particular the strategy recognises as a key target: ‘All Traveller families identified in the local authority five-year Traveller accommodation programmes process as being in need of accommodation will be appropriately accommodated by the end of 2004.’<sup>88</sup>

The overall objective of NAPS in relation to migrants and members of minority ethnic groups is to ensure that members of minority ethnic groups resident in Ireland are not more likely to experience poverty than majority group members. The strategy acknowledges that very little quantitative information is available on the socio-economic situation of foreign-born residents in Ireland, and concludes that consequently is not possible to define specific targets for such groups.<sup>89</sup>

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<sup>88</sup> Ireland (2002) Building an Inclusive Society: Review of the National Anti Poverty Strategy under the Programme for Prosperity and Fairness, p. 16

<sup>89</sup> Ireland (2002) *ibid.*, p. 18

The EU Commission has asked each Member States to prepare a National Action Plan against Poverty and Social Exclusion (NAPincl). The second NAPincl covers the period 2003-2005. In relation to the Traveller community it states that:

specific attention will be paid to ensuring greater progress in implementing the Traveller accommodation programme. There will be a priority focus on identifying and addressing the barriers encountered to date so as to push forward the implementation of the programme within the lifetimes of *Sustaining Progress*.<sup>90</sup>

There are no specific statements relating to migrants and ethnic minorities, and housing.

In 2003 the Department of the Environment, Heritage and Local Government initiated a review of the Housing (Traveller Accommodation) Act 1998. The review is ongoing and it is expected that the NTACC will send its report on the review to the Minister in 2004.

### ***Strategies, Initiatives and Good Practice***

The Department of the Environment, Heritage and Local Government has produced a range of guidelines for local authorities in relation to the provision of Traveller accommodation, these include:

- Memorandum on Implementation, Housing (Traveller Accommodation) Act 1998
- Guidelines for Residential Caravan Parks 1998
- Guidelines for Traveller Accommodation, Basic Services and Facilities for caravans Pending the Provision of Permanent Accommodation 1998
- Guidelines for Accommodating Transient Traveller Families 1999
- Guidelines for Group Housing Scheme 2002
- Guidelines for the Operation of the LTACCS

The Department of the Environment, Heritage and Local Government has also produced a booklet on Accommodation Options for Travellers. The aim of the booklet is to assist members of the Traveller community to assess the possibilities and options which are

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<sup>90</sup> Ireland (2003) National Action Plan against Poverty and Social Exclusion 2003-2005, p. 44

open to them. It is also intended to be of use to those advisory and support groups concerned with assisting Travellers in being accommodated. This document sets out three broad approaches ranging from supporting Travellers in providing their own private home, direct provision by local authorities, and supporting the voluntary sector.<sup>91</sup>

In addition a number of general housing information booklets produced by the Department of the Environment, Heritage and Local Government address many of the housing issues relevant to disadvantaged groups including: Shared Ownership and Affordable Housing Schemes, Local Authority Loans, Accommodation Options for Homeless Persons, Charter for Rented Housing, and Your Housing Options.

NGOs have also been active in providing information on rights in relation to housing. These sources are often of particular relevance to minority ethnic groups, though they tend not to be specifically targeted at them. For example Threshold has produced a booklet on rights and entitlements in the rental sector. This booklet contains a section on the provisions of the Equal Status Act 2000.<sup>92</sup>

The Equality Authority has worked with the City/County Development Boards to support new approaches to incorporating a focus on equality in strategic planning. In most counties this has resulted in the identification of the Traveller Accommodation Plan as a priority. One strategic plan proposes to develop a measure to monitor the implementation of the Traveller Accommodation programme and continue to identify new needs in that county. In 2002 for the first time the Department of the Environment, Heritage and Local Government identified refugees as a specific target for local authorities.

Traveller organisations have been particularly focused on promoting good practice in housing strategies. For example ITM has produced a document entitled ‘The Development of Traveller Tenant Participation in the Management of Accommodation’. This document is aimed at Traveller organisations and local authorities and outlines

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<sup>91</sup> Department of the Environment and Local Government, Accommodation Options for Travellers, available at: [www.environ.ie](http://www.environ.ie)

<sup>92</sup> Threshold (2002) *ibid*.

tenant participation in decision making from a Traveller perspective. It recognises that tenant participation in estate management is a key arena for the development of more participative structures at local level.<sup>93</sup>

As this discussion illustrates strategies and initiatives aimed at promoting diversity in housing have tended to focus on the Traveller community. Even where identified in government initiatives strategies targeting minority ethnic groups are vague and do not identify targets. However in recent years some initiatives have begun to emerge. For example Clann Housing have focused on refugees, and in cooperation with Focus Ireland they produced a submission on racism for the NPAR. In addition organisations such as Threshold have begun to record complaints in relation to housing from minority ethnic groups.

The majority of initiatives relating to minority ethnic groups have focused on the question of asylum seekers in direct provision. As detailed above a range of research initiatives and policy recommendations have emerged in relation to this issue, and it remains a strong focus of many policy campaigns. To date the campaigns for the reform or abolition of the direct provision system have not been successful, though they have led to increased public debate on the role of direct provision in the asylum process.

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<sup>93</sup> According to ITM ‘traveller tenant participation if the formal and structured involvement of Traveller tenants in decision-making related to the management and development of their own accommodation’, ITM (2001) *The Development of Traveller Tenant Participation in the Management of Accommodation*, Dublin: ITM, available at: [www.itmtrav.com](http://www.itmtrav.com) (10.09.03)

## **Conclusion**

Given the current market situation in Ireland, traditional housing policies and the lack of social housing option in some cases, the private rented sector is often the only immediate option open to many minority ethnic groups in Ireland. To date the unregulated nature of this sector has provided the context where minorities are most vulnerable to racism and discrimination. Focus Ireland and Clann Housing have concluded that:

Irrespective of market conditions and an immigrant's ability-to-pay, an increasingly established dimension to the problem of accessing housing is the emergence of active discrimination against minority ethnic groups and the serious problem of racism in Irish society. For ethnic minorities in Irish society, ability to pay is no guarantee of access to housing via the market.<sup>94</sup>

The proposed Residential Tenancies Bill 2003 may provide a mechanism for protecting vulnerable groups in the private rented sector.

A recognition of the importance of effective housing strategies for the integration and well-being of minority ethnic groups has emerged in the political dialogue in recent years. This commitment has taken legislative form through mechanisms such as the Equal Status Act 2002. However the question of racism in housing in Ireland is a relatively new one and little is known about the range of experiences faced by minority ethnic groups. Specific housing targets exist for the Traveller community but similar initiatives have not been extended to other vulnerable groups. Any analysis of discrimination relies heavily on qualitative and anecdotal evidence.

While the main sources of statistical data in Ireland do not provide information relating to the experiences of minority ethnic groups, data is available relating to the Traveller Community and asylum seekers in direct provision. Data on other minority groups is largely reliant on anecdotal evidence. Such evidence has pointed to experiences of racism and discrimination in the Irish housing sector. Harassment and abuse are the most

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<sup>94</sup> Focus Ireland and Clann Housing (2002) *ibid.*, p. 7

common experiences, though there are also complaints relating to discrimination by housing providers.

Despite the existing data gaps this issue is identified as an important one by both governmental and non-governmental actors and the recognition that action is needed is reflected in a number of strategies and initiatives which have been adopted. For example accommodation emerged as a central issue during the consultations on the NPAR.

Designing policy responses, for both the private and public sector, to experiences of racism in housing is a complex and multifaceted task which involves building on, and reviewing, existing procedures, as well as implementing new strategies and supports. Responses to these challenges are emerging in Ireland though, as is clear from the provisional analysis given in this report, much remains to be done in order to provide the framework where experiences of housing promote the vision of an intercultural Ireland.

## Annex 1: Tables

**Table 1: The Right to Adequate Housing: International Law and Ireland's Obligations**

Instrument	Article	Ireland's Position
Universal Declaration of Human Rights	Article 25.1: Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control	
International Covenant on Economic, Social and Cultural Rights	Article 11.1: The States Parties to the present Convention recognise the right of everyone to an adequate standard of living for himself and his family, including adequate for, clothing and housing, and to the continuous improvement of living conditions	Ratified 8 March 1990
International Convention on the Elimination of all Forms of Racial Discrimination	Article 5.e.iii: notably in the enjoyments of economic, social and cultural rights in particular... the rights to housing	Ratified 28 January 2001
Convention on the Rights of the Child	Article 27: to assist parents and others responsible for the child to implement the right to an adequate standard of living, and: in case of need [to] provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing'	Ratified 28 October 1992
Convention Relating to the Status of Refugees 1951	Contracting States are required to accord refugees treatment as favourably as possible, and not less favourable than that accorded to aliens generally in the same circumstances with regard to housing	Ratified 29 November 1956
Council of Europe – Revised Social	Article 31: With a view to ensuring the effective exercise of the right to housing, the Parties	Ireland has stated that 'In view of the general wording of

Charter	undertake to take measures designed: 1.to promote access to housing of an adequate standard; 2. to prevent and reduce homelessness with a view to its gradual elimination; 3. to make the price of housing accessible to those without adequate resources'	Article 31 of the Charter, Ireland is not in a position to accept the provisions of this article at this time... with a view to their acceptance by Ireland at a later date.'
International Convention on Protection of Rights of Migrant Workers	Article 42: Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to... (d) Access to housing, including social housing schemes, and protection against exploitation in respect of rents. Ireland has not signed this Convention	Not ratified

**Table 2: Traveller Families Accommodated 1999-2001, Source: NTACC**

Year	Accommodated	On the Roadside	Total
1996	3,278	1,040	4,318
1997	3,394	1,127	4,521
1998	3,515	1,148	4,663
1999	3,429	1,207	4,636
2000	3,642	1,093	4,735
2001	3,920	1,017	4,937

**Table2(a): Geographical location of Traveller families 2002, Source: NTACC, Annual Report 2001**

	Accommodation provided with Local Authority assistance	On the Roadside - Indigenous	On the Roadside - Transient	Total
Carlow	38	11	12	61
Cavan	48	1	0	49
Clare	79	43	20	142
Cork (city)	199	12	36	247
Cork (county)	126	23	12	161
Donegal	109	21	0	130
Dublin (city)	406	46	0	452
Dun Laoire/Rath	102	19	0	121
Fingal	153	106	12	271

Galway (city)	187	12	0	199
Galway (county)	276	69	10	355
Kerry	192	12	0	204
Kildare	52	7	11	70
Kilkenny	60	6	4	70
Laois	69	22	0	91
Litrim	32	0	1	33
Limerick (city)	61	2	0	63
Limerick (county)	167	31	10	208
Longford	153	8	1	162
Louth	171	6	0	177
Mayo	126	47	1	174
Meath	142	9	5	156
Monaghan	61	2	3	66
Offaly	94	46	5	145
Roscommon	42	0	11	53
Sligo	56	10	16	82
South Dublin	332	66	0	398
North Tipperary	93	23	5	121
South Tipperary	71	16	0	87
Waterfod (city)	99	5	8	112
Waterford (county)	28	2	9	39
Westmeath	83	11	4	98
Wexford	156	83	0	239
Wicklow	79	26	18	114
Total	4133	803	214	5150

**Table 3: Distribution of Homeless Persons in Single Person Households Classified According to Whether Born in Ireland, Source: Homeless Agency**

Born in Ireland?	Service Users			On Local Authority List Only			All Single Person Households		
	Male	Female	Total	M	F	T	M	F	T
No %	10	10	10	3	3	3	8	8	8
Total 2002	90	20	110	20	10	30	110	30	140

**Table 4: Age Profile of Asylum Seekers in Direct Provision as of 30 September 2003, Source: RIA**

Age	No. in Direct Provision
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0-4	1,067
5-12	418
13-18	290
19-25	879
26-35	2,016
36-45	611
46-55	147
56-55	22
66+	6
Total	5,456

**Table 5: Duration of Stay in Direct Provision, Source: RIA**

Months	0-3	3-6	6-9	9-12	12-18	18-24	24+
No.	1,274	1,243	1,101	651	676	286	365

**Table 6: Casework Activity of the Equality Authority under the Equal Status Act 2000 relating to the provision of accommodation 2002, Source: Equality Authority**

Accommodation:	Race	TC	Total recorded
Private	3	0	19
Public Housing	6	12	25

**Table 7: Travellers Classified by Sex, Age Group and Marital Status 2002, Source: CSO**

Age Group	Total	Single	Married	Separated	Widowed
0-4 years	3,408	3,408	–	–	–
5-14 years	6,593	6,593	–	–	–
15-24 years	4,850	3,725	1,040	79	6
25-34 years	3,386	976	2,090	291	29
35-44 years	2,332	335	1,688	250	59
45-54 years	1,458	187	1,069	132	70
55-64 years	878	97	604	68	109
65 years and over	776	116	347	21	292
Total	23,681	15,437	6,838	841	565

**Table 8: Persons Usually Resident and Present in the State on Census Night Classified by Nationality 2002, Source: CSO**

Nationality	Persons	Males	Females
Total Irish	3,584,975	1,778,590	1,806,385

<i>of which</i>			
Irish	3,535,676	1,754,716	1,780,960
Irish-English	20,491	9,997	10,494
Irish-American	12,387	5,721	6,666
Irish-European	4,172	2,046	2,126
Irish-Other	12,249	6,110	6,139
Non Irish	224,261	112,593	111,668
<b>EU</b>	<b>133,436</b>	<b>64,647</b>	<b>68,789</b>
<i>of which</i>			
Austria	553	222	331
Belgium	789	391	398
Denmark	631	287	344
Finland	876	285	591
France	6,363	3,059	3,304
Germany	7,216	3,200	4,016
Greece	253	149	104
Italy	3,770	2,145	1,625
Luxembourg	16	9	7
Netherlands	3,108	1,638	1,470
Portugal	687	428	259
Spain	4,436	1,732	2,704
Sweden	1,262	425	837
UK	103,476	50,677	52,799
<b>Rest of Europe</b>	<b>23,105</b>	<b>12,863</b>	<b>10,242</b>
<i>of which</i>			
Romania	4,978	2,836	2,142
Russia	2,703	1,399	1,304
Poland	2,124	1,275	849
Lithuania	2,104	1,091	1,013
Latvia	1,797	974	823
Ukraine	1,420	828	592
Czech Republic	1,103	713	390
Other	6,876	3,747	3,129
<b>Africa</b>	<b>20,981</b>	<b>11,039</b>	<b>9,942</b>
<i>of which</i>			
Nigeria	8,969	4,271	4,698

South Africa	4,185	2,167	2,018
Other	7,827	4,601	3,226
<b>Asia</b>	<b>21,779</b>	<b>12,014</b>	<b>9,765</b>
<i>of which</i>			
China	5,842	3,424	2,418
Philippines	3,900	1,383	2,517
Pakistan	2,939	1,891	1,048
India	2,534	1,668	866
Malaysia	1,686	907	779
Other	4,878	2,741	2,137
<b>America</b>	<b>15,383</b>	<b>7,223</b>	<b>8,160</b>
<i>of which</i>			
USA	11,384	5,196	6,188
Canada	1,932	870	1,062
Brazil	1,087	713	374
Other	980	444	536
<b>Australia</b>	<b>3,706</b>	<b>1,752</b>	<b>1,954</b>
<i>of which</i>			
New Zealand	1,637	858	779
<b>Other Nationalities</b>	<b>1,894</b>	<b>1,096</b>	<b>798</b>
<b>Multi Nationality</b>	<b>2,340</b>	<b>1,101</b>	<b>1,239</b>
<b>No Nationality</b>	<b>847</b>	<b>482</b>	<b>365</b>
<b>Not Stated</b>	<b>48,412</b>	<b>24,558</b>	<b>23,854</b>
Total	3,858,495	1,916,223	1,942,272

**Table 9: Population Classified by Religion and Sex, Source: CSO**

Religious Denomination	Persons	Males	Females
Roman Catholic	3,462,606	1,702,522	1,760,084
Church of Ireland(inc. Protestant)	115,611	56,894	58,717
Christian (unspecified)	21,403	10,115	11,288
Presbyterian	20,582	10,516	10,066
Muslim (Islamic)	19,147	11,726	7,421
Orthodox	10,437	5,666	4,771
Methodist	10,033	5,012	5,021
Jehovah's Witness	4,430	2,031	2,399
Buddhist	3,894	2,052	1,842

Evangelical	3,780	1,721	2,059
Apostolic or Pentecostal	3,152	1,473	1,679
Hindu	3,099	1,970	1,129
Lutheran	3,068	1,164	1,904
Baptist	2,265	1,097	1,168
Jewish	1,790	913	877
Pantheist	1,106	523	583
Agnostic	1,028	626	402
Quaker (Society of Friends)	859	413	446
Latter Day Saints (Mormon)	833	428	405
Lapsed Roman Catholic	590	287	303
Atheist	500	356	144
Baha'i	490	248	242
Brethren	222	122	100
Other stated religions	8,920	4,903	4,017
No religion	138,264	82,262	56,002
Not stated	79,094	41,124	37,970
Total	3,917,203	1,946,164	1,971,039

**Table 10: Average Annual Estimated Net Migration per 1,000 Population, Source: NCCRI**

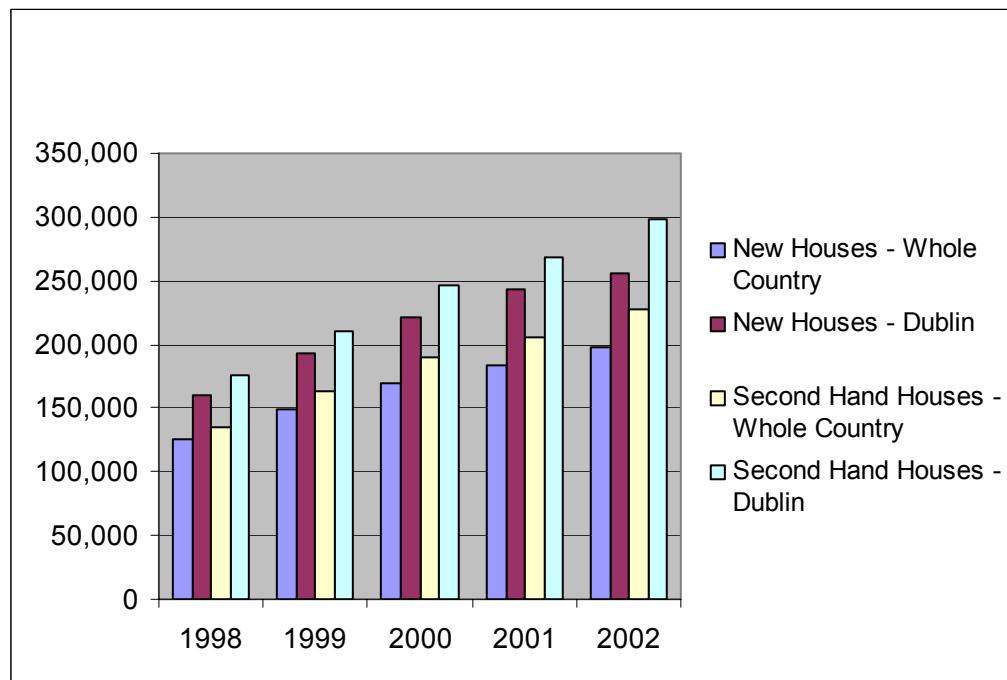
Intercensal Period	Per 1,000 Population
1926-36	-5.6
1936-46	-6.3
1946-51	-8.2
1951-56	-13.4
1956-61	-14.4
1961-66	-5.7
1966-71	-3.7
1971-79	4.3
1979-81	-0.7
1981-86	-4.1
1986-91	-7.6
1991-96	-0.5
1996-2002	6.8

**Table 11: Population – Total, Natural Increase and Net Migration, 1996-2002. Change on Previous Years in Thousands, Source: CSO**

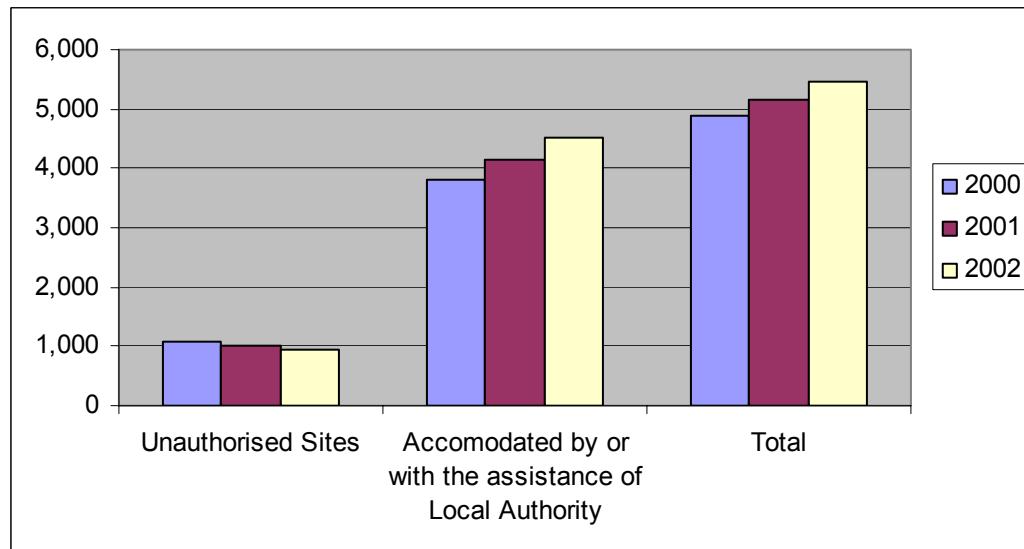
Year	Population (000s)	Total Change	Natural increase	Net Migration	Out migration	In migration
1995	3601	15	17	-2	33	31
1996	3626	25	17	8	31	39
1997	3661	35	20	15	29	44
1998	3705	44	21	23	21	44
1999	3745	40	21	19	29	48
2000	3787	42	22.3	20	22	42
2001	3839	52	26	26	20	46
2002	3897	58	29	29	19	47

## Annex 2: Charts

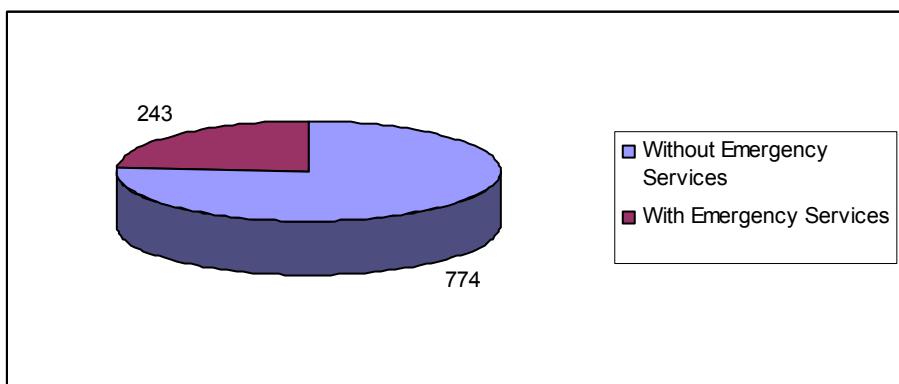
**Chart 1: Cost of New and Second Hand Houses 1998-2002. Source: Department of Environment, Heritage and Local Government**



**Chart 2: Traveller Housing Need 2000-2002, Source: NTACC**



**Chart 3: Traveller Families on the Roadside in 2001, Source: NTACC**



## **Annex 3: Current Immigrant and Minority Populations**

There has always been cultural diversity in Ireland, despite the widely believed myth that Ireland has been and still is a homogeneous and a mono-cultural society or the defining of diversity solely along religious grounds (Protestant and Roman Catholic). In addition to the Traveller community there is a long established Jewish community and growing Islamic, Asian and Chinese communities in Ireland. However, there has been a significant broadening of cultural diversity in recent years, both in terms of numbers of people, and national or ethnic origin. In Ireland there are now more visible populations of black Irish and other EU and non-EU citizens.

The Traveller community is Ireland's only nomadic community. Its members live a nomadic or semi-nomadic life, although some are settled. The 2002 Census indicates that close to 24,000 Irish Travellers, representing 0.65% of the population.<sup>95</sup> The Traveller community are a distinct group from the Roma community in Ireland; the growing Roma community is a relatively new phenomenon which reflects wider changes in Irish society. Table 7 provides a break down of the Traveller population by sex, age and marital status, this demonstrated that the Traveller community is a relatively young population 77 percent are under 34 years of age.

There are approximately 160 different nationalities living in Ireland. The number of non EEA nationals registered in the State in 2002 was 116,588 (Table 8: Persons Usually Resident in the State on Census Night 2002 by Nationality). The 2002 Census of population indicates that non-nationals makeup 5.8% of the population, of which almost half were UK nationals (2.7%). The 2002 Census does not however provide a complete picture of ethnic diversity in Ireland because the ethnicity question, which is a separate question to nationality in the 2002 Census, was limited to a question on the Traveller Community.

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<sup>95</sup> This figure is likely to be an underestimation and population estimated closer to 28,000 have been posited

The number of asylum seekers entering Ireland in 2002 was 11,634. Most asylum applications came from persons originating in Nigeria (41%), followed by Romania (11%), DR Congo (4%), Moldova (3%) and Iraq (3%).<sup>96</sup> In 2002, applications were received from persons originating in 103 different countries.<sup>97</sup> However of the overall increase in inward migration to Ireland in recent years only 10% are asylum seekers and almost half of all recent migrants to Ireland are returning Irish emigrants.

There were 40,321 work permits issued in 2002 to immigrants seeking work in Ireland which was an increase of 11% over the previous year. The top five countries from which these work permits originated are: Latvia, Lithuania, Philippines, Poland and Romania. The top five categories of employment sought were the service sector, hotel and catering, agriculture and fisheries, industrial, and medical and nursing.<sup>98</sup>

The number of Muslim people in Ireland has also changed significantly over the last 10 years. The number of Muslim people in Ireland has quadrupled to 19,147 from the 1991 census, making Islam the fifth largest religious denomination in Ireland. The Muslim community is well organised with a number of mosques, schools and societies. According to the ECRI report on Ireland (2001), Muslims are faced with prejudice and discrimination on the basis of their religion, and it has been reported that Muslim girls wearing the hijab have been refused entry in schools.<sup>99</sup>

The number of Orthodox Christians has increased from 400 in 1991 to 10,437 in 2002, representing migrants from Eastern Europe and the former Soviet Union, the sixth largest religious denomination in the State. The 2002 Census demonstrated that there is now a Jewish population of 1,790 living in Ireland (Table 9: Population Classified by Religion and Sex 2002). A report conducted for the EUMC covering the period May/June 2002 found that:

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<sup>96</sup> Integrating Ireland (2003), Sanctuary No. 23 (May 2003), available at: [www.integratingireland.ie](http://www.integratingireland.ie), (22.07.03)

<sup>97</sup> Know Racism (2003), Cultural Diversity in Ireland

<sup>98</sup> Know Racism (2003), *ibid*

<sup>99</sup> ECRI (2001), *ibid.*, p. 18

there is no discernible increase in anti-Semitic violence or rhetoric...many incidences reported are considered to be once off and unusual occurrences, with no evidence of systematic targeting of the Jewish community in Ireland.<sup>100</sup>

Incidents of anti-Semitism, relations between settled society and Travellers, and the North-South divide, all point to historic and ongoing societal difficulty with the idea of religious and social diversity. The EU survey, the ‘Eurobarometer’ (2001) shows that there is a degree of suspicion in Irish society towards ethnic diversity. Amnesty International’s Report on Racism in Ireland (September 2001) paints a stark picture: 78% of members of ethnic minorities have experienced racism, while over 80% of respondents agreed that racism is a serious problem in Ireland.

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<sup>100</sup> NCCRI (2002), Recent Anti Semitic Acts and Attitudes in Ireland, report to the EUMC, unpublished.

## **Annex 4: Legislation and Policy on Immigration**

Ireland is traditionally a country of emigration, however emigration levels have declined significantly since the late 1980s and Ireland has become a country of net inward migration for only the second period since the foundation of the State in 1929 (Table 10: Average Annual Estimated Net Migration per 1,000 Population, see also Table 11: Population, Total, Natural Increase and Net-Migration 1996-2002).<sup>101</sup>

The pattern of inward migration in relation to the origin of migrants has also changed significantly in recent years and is continuing to change. Returning Irish nationals still account for almost half (46% in 2002) of all immigration into Ireland, although this proportion has declined from a highpoint of 55% in 1999. There has been a period of active recruitment of workers from both the EEA and non-EEA countries.

According to the NCCRI,

Irish policy on immigration has developed in a rather piecemeal way over several decades. In effect, in recent years the admission of immigrants has moved away from an almost zero immigration control policy to a largely market-led approach, with a relaxation and liberalisation of the rules taking place in 2000/2001, followed by a retightening of the rules in 2002 as a result of fears and forecasts of a significant downturn in the Irish economy.<sup>102</sup>

The Department of Justice, Equality and Law Reform is responsible for immigration law and immigration controls in Ireland. This department is also primarily responsible for the Irish contribution to developing EU and international policy on immigration and related issues, though other departments also have a role to play. The Department of Enterprise, Trade and Employment is responsible for the issuing of work permits. The Department of Foreign Affairs is responsible for certain operational aspects of the Ireland's immigration and visa regulations outside the country. In one specific field, that of programme

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<sup>101</sup> NCCRI (2002), Migration Policy in Ireland Reform and Harmonization, Dublin: NCCRI p. 6

<sup>102</sup> NCCRI (2002), *ibid.*, p.14

refugees<sup>103</sup> the Department of Foreign Affairs has been involved in a key capacity, while it also retains a 'watching brief' on human rights-related aspects of Ireland's immigration policy in general.

Historically the most significant legislation governing the admission of foreigners into Ireland was the Aliens Act 1935. In this Act the word "alien" meant a person who was not a citizen of Saorstát Eireann (the Irish Free State, forerunner to the present state of Ireland). The Act was extremely wide-ranging and conferred sweeping executive powers on the Minister for Justice. The Aliens Order 1946 extended the powers given to police and other authorities. Since that time various measures have been introduced which defined new rights for certain classes of people wishing to come to Ireland, such as the Common Travel Area (CTA) between Britain and Ireland. The CTA continues to this day and largely explains why Ireland and Britain have jointly stayed out of the most of the arrangements put in place after Schengen.<sup>104</sup>

The Irish Nationality and Citizenship Act 1956 (modified in 1986) codified rights to Irish citizenship through birth, descent and naturalisation, including the right to citizenship through an Irish grandparent. The Act created a general although discretionary eligibility for citizenship through naturalisation after a period of five years. With Ireland's membership of the European Community on 1 January 1973 came the right of freedom of movement of workers and, more recently (the Treaty of Maastricht 1993), the right of freedom of movement of all citizens of the European Union. Moreover, all citizens of EEA countries, which apart from EU member states also include Liechtenstein, Iceland and Norway, have had essentially similar rights since 1992.<sup>105</sup>

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<sup>103</sup> In the period 1999-2002 Ireland has resettled 124 individuals under the UNHCR's Refuge Resettlement Programme. The Irish government currently has a quota of ten cases per annum under the scheme.

<sup>104</sup> Ireland and the UK are in a unique position in the European Union because on the one hand they need to ensure bilateral harmonisation of immigration policy in order to preserve the CTA between Britain and Ireland and on the other hand they need to ensure multilateral harmonisation with other EU States in order to preserve existing commitments arising from EU Treaties.

<sup>105</sup> Mac Éinrí, P. (2001), Immigration into Ireland: Trends, Policy Responses, Outlook, available at: <http://migration.ucc.ie/irelandfirstreport.htm> (19.07.03)

In May 2002, following the general election, the Irish Government renewed its promise to review immigration and residence policy. The government subsequently published the Immigration Bill 2002, which was enacted in July 2003. This new law facilitates a number of changes in Irish Law governing immigration and asylum, including the introduction of a carrier liability provision, and provision for the Minister for Justice, Equality and Law Reform in consultation with the Minister for Foreign Affairs to ‘designate a country as a safe country of origin’.<sup>106</sup>

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<sup>106</sup> Ireland (2003) Immigration Act 2003. The carrier liability and the introduction of the SCO principle through last minute amendments, have been criticised in the media and by lobby groups and NGOs. The Minister subsequently designated the ten EU accession states and Hungry and Bulgaria as ‘safe’.

## **Annex 5: Overview of Integration and Diversity Policies**

This report advocates an intercultural approach to accommodating cultural diversity rather than the more dated ‘integration’ concept or the discredited assimilation approach. However this report recognises that the term ‘integration’ continues to be used at both national and EU level.

The Government established an Interdepartmental Working Group in November 1998 to examine the best means of integrating recognised refugees and others granted permission to remain in this country. Representatives of the Departments of Environment and Local Government; Social, Community and Family Affairs; Education and Science; Enterprise, Trade and Employment; Health and Children; Justice, Equality and Law reform, and Foreign Affairs came together to formulate a framework for integration policy in Ireland. DASS, which was established by the Government in November 1999, is responsible for co-coordinating and implementing the recommendations in the Working Group’s Report (2000), and for developing a comprehensive strategy for the integration of all refugees in Ireland.

The RIA is responsible for co-ordinating the services provided to asylum seekers. These services include the provision of accommodation, health care, and education. It also has responsibility for the integration of refugees into Irish society.

Government officials have highlighted the role of the NPAR in promoting integration. The NPAR is expected to be published by the end of 2003.

There continue to be real concerns about the nature of Irish integration policy, for example Mac Éinrí argues that, failure to address the integration needs of migrants and other minority groups, as well as refugees and asylum seekers, will undermine the objective of achieving an intercultural society.<sup>107</sup> In its 2001 report on Ireland the ECRI concluded that:

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<sup>107</sup> Mac Éinrí, P. (2001), *ibid.*

Although integration measures such as language training exists for recognised refugees, the Report of the Interdepartmental Working Group on the Integration of Refugees revealed a lack of co-ordinated national integration policy, with programmes described as being only ‘partially successful’.<sup>108</sup>

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<sup>108</sup> ECRI, (2001), *ibid.*, p. 15

## **Annex 6: Part 2, Section 6 of the Equal Status Act 2000**

- (1) A person shall not discriminate in—
- (a) disposing of any estate or interest in premises,
  - (b) terminating any tenancy or other interest in premises, or
  - (c) providing accommodation or any services or amenities related to accommodation or ceasing to provide accommodation or any such services or amenities.
- (2) *Subsection (1)* does not apply in respect of—
- (a) the disposal of any estate or interest in premises by will or gift,
  - (b) the disposal otherwise of such an estate or interest where—
    - (i) the person making the disposal or another person who has an estate or interest in the premises or a person who is a near relative of either of them intends to continue to reside, or in the immediate future to take up residence, in the premises or a part thereof, and
    - (ii) the premises in question are small premises,
  - (c) any disposal of such an estate or interest, or any provision of accommodation or of any services or amenities relating to accommodation, which is not available to the public generally or a section of the public,
  - (d) the provision of accommodation in premises where—
    - (i) the person providing the accommodation or a person who is a near relative of that person intends to continue to reside, or in the immediate future to take up residence, in the premises or a part thereof, and
    - (ii) the premises in question are small premises, or

(e) the provision of accommodation to persons of one gender where embarrassment or infringement of privacy can reasonably be expected to result from the presence of a person of another gender.

(3) References in *subsection (2)* to the disposal of an estate or interest in premises or the provision of accommodation or of any services or amenities relating to accommodation include references to the termination of any tenancy or other interest in those premises or ceasing to provide such accommodation, services or amenities.

(4) Premises shall be treated for the purposes of *paragraphs (b)* and *(d)* of *subsection (2)* as small premises if—

(a) in the case of premises comprising residential accommodation for more than one household, there is not normally accommodation in the premises for more than three households, or

(b) in any other case, there is not normally residential accommodation in the premises for more than six persons in addition to a person mentioned in those paragraphs and any persons residing with that person.

(5) Where any premises or accommodation are reserved for the use of persons in a particular category of persons for a religious purpose or as a refuge, nursing home, retirement home, home for persons with a disability or hostel for homeless persons or for a similar purpose, a refusal to dispose of the premises or provide the accommodation to a person who is not in that category does not, for that reason alone, constitute discrimination.

(6) Nothing in *subsection (1)* shall be construed as prohibiting—

(a) a housing authority, pursuant to its functions under the Housing Acts, 1966 to 1998, or

(b) a body approved under section 6 of the Housing (Miscellaneous Provisions) Act 1992,

from providing, in relation to housing accommodation, different treatment to persons based on family size, family status, marital status, disability, age or membership of the Traveller community.

## **Annex 7: Racist Incidences Reported to the NCCRI May 2001 – October 2002**

Between May and October 2002 there 67 racist incidences reported to the NCCRI. Examples relating to housing and accommodation include:

- There was a suspected arson attack on a Nigerian family in a city centre location. The entrance to the apartment block where the family were living was set on fire in the middle of the night. The fire brigade was called and the fire was put out. Two days later, the landlord asked the family to leave the apartment as he had received a call from the perpetrator of the attack, clearly indicating that the attack was motivated by racism. The family were forced to move as a result.
- A family living in Tallaght have been subjected to sustained levels of harassment from some other residents in the area, including damage to property and physical abuse. This involved the throwing of stones at cars and house windows and the shouting of abuse.
- A Nigerian living in Dundalk had fire extinguisher powder sprayed through his letterbox.
- 20 Traveller families living in a temporary site near Laytown, County Meath were attacked during the night by a person driving agricultural machinery. Their trailers were covered with effluent from the spray unit and there was substantial damage to their property.
- There were issues arising from the Housing Provision (Miscellaneous) Bill 2002 on the Travelling Community, which provides for fine or imprisonment for trespass of private or public land. Travellers' organisations have detailed instances where the legislation is being used against individual families who are on council accommodation waiting lists. In other words some Councils are effectively evicting people who are already homeless due to the lack of site and other provision. This is contrary to the Governments stated intent when the legislation was introduced.

- In the south-western part of the country a landlord offered accommodation to a Nigerian man. The estate agents handling the property blocked the agreement, saying that they had found a more suitable tenant. An organisation working with minority ethnic groups in the area commented that this type of situation is not uncommon.

From October 2001 to March 2002 40 racist incidences were reported to the NCRI. One of these is particularly relevant to the scope of this report:

- Continuing harassment experienced by a Bosnian woman single parent living in a housing estate in a western suburban area of Dublin. The windows of her house have been broken on a regular basis by local youths and graffiti has been painted on her door.

From May to October 2001 41 racist incidences were reported to the NCCRI, including:

- A Congolese woman who lives in Dublin 22 received sustained harassment by some neighbours over a three-week period. Every weekend a group of teenagers throw stones and bottles at her house. They have broken the windows of her car.
- A man of Chinese ethnic origin, an Irish citizen, and his Irish wife and two young children had been singled out for racist harassment in a private housing estate in Dublin 9 over a number of months by one particular neighbour.
- A Cameroon family with one 4-month-old child who are asylum seekers living in Drogheda, County Louth were evicted from their house. They returned to find their possessions in black plastic bags outside their house. Their landlord claimed he evicted them because he was putting the house on the market. However an auctioneers sign subsequently appeared in the garden which was placed without the knowledge or consent of the auctioneer.

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