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## **The Irish Traveller Movement welcome the opportunity comment on An Coimisiún Toghcháin's draft Research Programme 2024-2026**

### **Background**

Founded in 1990, the Irish Traveller Movement is the national advocacy and membership platform which brings together Travellers and representative organisations to develop collective solutions on issues faced by the community to achieve greater equality for Travellers. We represent Traveller interests in national governmental, international and human rights settings. We challenge racism- individual, cultural and structural which Travellers face and promote integration and equality. We are led by our grass roots community membership, deliver expertise in shaping organisations locally and promote community leadership ensuring Traveller's voices are to the forefront of all discussions.

We are mandated by our membership of over 40 local Traveller groups to bring forward policy and related matters to national structures and are represented on national government led fora and strategies and across National Traveller policy, health, mental health, policing, accommodation, education, anti -racism and in equality, anti-racism, community and children's rights bodies.

The ITM submitted in 2022 to the Task Force on Safe Participation in Political Life, which is attached for further information.

### **In reply to the Question 1: What is your view on the five proposed research strands? Are there amendments or additions you would suggest?**

The Irish Traveller Movement notes the ambition of the Coimisiún to expand a wider research programme which takes account of past omissions and in particular a focus on the Strand of Education Public Engagement and Inclusion, which is welcomed, and an underpinning principle of your research objectives, Inclusivity and Fairness and 'a particular focus on groups who have in the past been under-reached or marginalised from political and democratic processes'.

It is especially welcome; that 'Public consultation and public surveys will be incorporated strategically in your research, and 'diversity in the researchers employed and commissioned to conduct research'.

### **STRAND A: LONGITUDINAL SURVEY RESEARCH AND DATA COLLECTION**

**In view of the intention to 'build a democratic databank'.** The plan for a proposed National Election and Democracy Study (NEDS) for Ireland and the inclusion of a 'rigorous sampling methodology', gives particular reassurance of how underrepresented and historically politically excluded groups such as Travellers might be now included.

How this will happen in practice is much anticipated, and the plan for community engagement in the process of delivering this Strand, it is hoped, will be a fundamental underpinning principle.

1. Despite exhaustive research of Traveller's lived experience, explicit inclusion of Travellers vis a vis research to inform National Government Planning Strategies and drives, is largely absent, or across public engagement matters in Irish life and in national research and design. Those fundamental exclusions have underserved Traveller need, in accommodation, housing and planning, in education, in employment, health, social and economic protection, and safeguarding of central cultural priorities.

2. The invisibility of Traveller need determined by large data projects, longitudinal surveys, and government led studies, is in practice not provided therefore for in political decisions across a variety of local, national and European settings.
3. It is important that rolling polls envisaged by the Electoral Commission, 'to be rigorous' should go beyond demographic controls to the widest framing, to ensure diversity is embedded. It has been raised by research providers of barometer surveying that Travellers remain statistically insignificant to be included in quotas and targets. However, there is a need for these polls to be broader than white/ gendered and classed, and for proportionate reflection to capture Ireland's diversity in racialised / and minority terms, to ensure inclusion and equality standards. It is acceptable that to draw analysis of public opinion and attitudes of those specific groups, cohort sampling is required, but that does not happen, and it should not be a case of either or, especially in political democracy research. It is important that equity and human rights standard setting would be devised to measure engagement and participation of marginalised and minority groups, and to ensure democracy research is inclusively designed to enable thorough analysis.

## Recommendations

- That Travellers form part of the sampling cohorts envisaged in the National Election and Democracy Study (NEDS) for Ireland, and through a consistent cohort strategy over a longitudinal basis.
- That Travellers and related sectoral organisations are consulted on a plan
- That opinion polls are inclusively designed, and that the Commission leads the approach as a high level standard across its research programmes and outputs.

## STRAND B: ELECTORAL LAW, ELECTORAL SYSTEMS AND ELECTORAL INFRASTRUCTURE

**In view of proposed review of Representation:** 'to carry out research into the issue of representation and the manner in which the overall number of TDs is determined in the context of the rising population and the current constitutional and legal provisions in this area. '

### Context to obstacles for Travellers

**Population** – The introduction of an ethnic identifier in Ireland's Census, 2011, 2016 and 2022, provide some suggestive baseline of community demographic patterns, however is not a total count or assessment nationally. The rate of completion of the ethnic question by Travellers was enumerated in 2022 as 32, 949 people <sup>(1)</sup>. The more accurate account is found in figures compiled by the Department of Housing and estimates (November 2022) approx. 51,168 – 64,569 people. The differential being where some local authorities count Traveller families (at a rate of 4.2 people and others count Traveller households 5.3).

The need for ethnic minority representation in political decision-making has been recognised by the UN CERD in 2005, 2011, 2016 and 2019, with a recommendation for the 'State party (to) take effective measures, including special measures, to improve the representation of ethnic minority groups in political and public life'.

Travellers encounter many obstacles from participating equally in political democracy such as

- structural obstacles related to population size.
- exclusion from traditional pathways to politics, such as through social, recreational and cultural arenas
- in contesting elections - competing in an environment of anti-Traveller sentiment with increased likelihood of discrimination and racism
- getting onto a ballot paper is arduous, which also includes overcoming bias in nominations by most political parties and groups.

These are also worsened by a legacy of marginalisation by the political system as a duty bearer, which has underserved Traveller need, and thus has impacted on lower voter participation and political awareness.

The absence of guardianship of Travellers from racism expressed publicly, and in the practice of decision making by public officials, locally and nationally, has cultivated a culture of bias against Travellers as constituents and potential political candidates, and conveys of politics that

- ❑ it operates to protect its own interests and is above reproach
- ❑ permits top down racism, sometimes by Government parties, which contradicts national policy objectives
- ❑ it undermines racism and discrimination as needing regulatory safeguards in political spaces and by public officials
- ❑ undermines candidacy by Travellers to political office, without those safeguards
- ❑ undermines Ireland being a signatory to UN and EU treaties, where related recommendations are long fingered or dormant.

## Representation recommendations

- ❑ **The need to also reflect on representation beyond a numbers exercise and constituency ratios.** For example, whether a review of requirements might be considered for people elected and a coherence with certain duties / criteria attached to that office within a constituency. Travellers, and other marginalised groups are rarely consulted or included in local political and decision making settings. Research to identify if political structures are serving all communities locally would pin point where improvements could be made. and support inclusiveness by design.
- ❑ **Understanding the needs of constituents** via transparency of constituency matters. For example, this might involve the establishment of constituents' councils including with minority / and underrepresented groups. Also the publication a more transparent monitoring of matters raised with elected representatives, would spot light the type and demand centred issues arising in constituencies, in order to inform national thinking and planning.
- ❑ **In the context of elections, local, national, European and referenda,** Traveller's experience is mostly defined by statistical insignificance, which also under rates the need for Traveller voter education and engagement both as a community and at an individual level. Many Travellers have not been canvassed for a vote where they live, and there is no national strategy to date to support Traveller and underrepresented groups, with voter engagement tools and encourage their participation in democracy and voting processes, by dint of exclusion. We recommend the development of a voter engagement plan for Travellers, in consultation with local and national Traveller groups.
- ❑ **Electoral Register:** Many Travellers are not registered to vote, despite efforts of local Traveller support groups. This impacts across elections and other areas, for example the Citizens Assembly was designed to inform legislation and public policy, but does not take account of minority interest in its composition of Assembly Members, who are currently selected at random from the electoral register. Participation processes should be managed and supported by the Commission, across a national strategy. This should also be devised in an accessible way and take account of digital and literacy exclusions.
- ❑ **Minority Representation:** The system which determines election to the Seanad disadvantages Travellers and the likelihood for a Traveller as President is remote, worsened by obstacles in the first stage where a candidate must be endorsed by either twenty members of the Oireachtas or four local authorities. Up to now the apparatus for Seanad minority panel has not been advanced, but has had support by some political groups.
  - a) Amendment to the Electoral Act, to allow for an electoral minority quota, should be considered, and research in this area would be important to undertake with affected groups.
  - b) Also to examine the Proportionate Representation model, i.e. if and how it disadvantages minority ethnic communities in Ireland, and a plan for how those groups can be protected within the current system with a fair chance of contesting elections.

- c) The UN Committee on the Elimination of Racial Discrimination CERD also recommended that the State party 'collect and provide updated statistics on the ethnic composition of its population based on self-identification, including in political life'.<sup>(2)</sup>

❑ The Irish Traveller Movement welcomed the report and valuable work undertaken by the **Forum on a Family Friendly and Inclusive Parliament**, and related recommendations of note include;

- a) to allow for an ethnic minority quota, and at the next General Election (parties) will set targets for ethnic minority women within their "gender quota"
- b) to establish quotas for Traveller and Roma women in formal political structures with specific seats reserved in the Dáil, Seanad, Constitutional Convention and on Local Councils.

❑ The Irish Traveller Movement also welcomed **and agree with Recommendations of the National Action Plan Against Racism Action 3.6** in particular:

- a) establish public office mentoring programmes and introduce positive measures to support the selection of minority ethnic candidates
- b) research barriers to minority ethnic electoral participation;
- c) promote the Council of Europe Convention on political participation by minority ethnic groups and to promote voting by minority ethnic groups

## **STRAND C: INTEGRITY OF ELECTORAL EVENTS and STRAND D: EDUCATION, PUBLIC ENGAGEMENT AND INCLUSION**

It is noted as proposed that 'Post Electoral Event Reviews will be undertaken towards the enhancement and safeguarding of Ireland's electoral processes' which are welcome, and plans 'to protect Ireland's democracy and electoral events from online electoral interference, disinformation, misinformation and cyber-attacks'. In view of these and the three research focuses outlined, we submit the following:

### **Context for Travellers**

Overall, the elimination of discrimination barriers, structural obstacles, improvements to facilitate a Traveller and underrepresented group voter engagement plan, and making politics more accessible, locally and nationally by defeating racism in political structures and among candidates, will help elevate the potential for Traveller participation broadly.

Candidates interviewed for ITM's report to the Task Force on Safe Participation in Political Life Travellers contesting recent elections, note their experiences as characterised by fielding abuse, online and in person, and defending anti-Traveller rhetoric and hate, with a lens on devaluing and undermining the candidate's right to run for and or, be elected. Most notable was the requirement of 'exceptional or abnormal resilience' to surmount the exhausting obstacles, with hate as its basis. Overcoming institutional, systemic and societal discrimination was also evident across their experiences

Participating in politics as a minority person impacts at multi levels and is especially onerous within an intersectional identity. For example, being Traveller and female results in a specific type of harassment. The Council of Europe identifies three types of online and technology-facilitated violence against women, including online sexual harassment, online stalking and psychological violence.

Traveller Female candidates testified to having experienced very specific gendered hate, one example 'I posted a message of endorsement from a well-known Irish commentator on my professional FB page and received comments such as, 'a pikey running', 'she's a 'knacker', 'prostitute and whore'. Sexism bias for Traveller men culminated too in very specific violent and aggressive threats with one man's family being targeted in online posts, his young daughter demeaned in vile hateful and threatening language. He said 'It was a very specific 'macho' type of abuse, stereotyping Traveller men to be able to handle it'

### **The Common themes experienced by Traveller candidates were**

- a) Traveller identity-based hate and abuse

- b) The absence of safeguarding overall, or confidence in policing and security
- c) An expectation of being treated less favourably in the digital space, without recourse and the exhaustive demands of managing and reporting complaints, complicated by the need to be in digital spaces for discourse on important campaigning topics and to maintain a political profile

### Challenges included

- a) Getting posts taken down and onerous burden of proof where false accounts created in the candidate's name, required additional evidence to be submitted to social media companies, passport and driver licences. 200 reports were made by one person to social media companies of threatening and or abusive posts and comments, and on online news sites, and one person closed all of their professional social media accounts.
- a) Investigating the trolls and faceless bots, and making Garda complaints, but which could not be upheld due to difficulty tracing people, and worsened where mistrust of the Gardaí, as well documented, the candidates could not be confident of their support.
- b) Counter defeating hate speech and correcting narrative created online about the candidate, necessitating negotiation with traditional media, but interviews were then predicated on defending those same positions.
- c) Two candidates spoke of concealing their identity during campaigns to overcome residual bias in services associated with 'pursuing political office'.

### Offence and harm within politics

**Travellers have no protection from harmful discourse within politics and are reliant on the higher authority of parties and groups to act to protect their interests where racism and offense has been caused by a member of their party**

Recognition of Traveller ethnicity in the main definitions in the forthcoming Hate Crime legislation, provides reassurance. The UN CERD<sup>(3)</sup> raised concerns 'about the frequent incidents of racist hate speech made by politicians, especially during election campaigns' in Ireland and recommended the State;

1. 'Effectively investigate and, as appropriate, prosecute and punish acts of hate speech, including those committed by politicians during election campaigns' and
2. 'Ensure that the mandate of the Electoral Commission, once established, includes provisions on the prohibition of racist hate speech in the context of elections.

**Example of need to redress:** In 2022 a Galway based Councillor, expressed anti-Traveller rhetoric in a radio broadcast, which caused grave offence in the community and beyond. The Irish Traveller Movement, the Galway Traveller Movement and civil society groups raised complaints both to the Fianna Fáil party, and to the Standards in Public Office about his comments which concluded; Traveller culture was "not conducive" to living with most settled communities, saying the city council should not go ahead with plans to accommodate Travellers in a house it bought. We contended the Councillor should be suspended having breached several of the key principles of the Code of Conduct for Councillors; who should;

- Act with integrity to uphold public service values;
- Act in a way that enhances public trust and confidence;
- Serve their local authority and its citizens honestly, conscientiously and impartially;
- Promote equality and avoid bias;

**Despite intervention by the Party leadership to induce an apology, which was subsequently made, the Councillor remained in office without sanction.**

### Recommendations

- 1) The Irish Traveller Movement welcomed Recommendations of the National Action Plan Against Racism Action 3.6 in particular: 'to expand the Electoral Commission: to develop a more detailed regulatory framework for electoral advertising with the aim of ensuring that equality and non-discrimination standards in political discourse'
- 2) For the EC to seek a mandate to include provisions on the prohibition of racist hate speech in the context of elections broadly and synergised with the forthcoming Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Act, to effectively investigate, act to prosecute acts of hate speech committed by politicians during election campaigns, and in carrying out political roles.

- 3) **Work with Standards in Public Office Commission** to make anti-racism protocols mandatory of all standing candidates, parties and groups, and recommend penalties of expulsion where contravened.
- 4) Implement recommendations of the Report of a Family Friendly and Inclusive Parliament and the **National Action Plan Against Racism**
- 5) That the post electoral reviews proposed, would be commissioned deeper and wider than that envisaged, i.e. via internally by staff or members of An Coimisiún through election observation, in the context of the matters outlined.
- 6) That a Traveller be appointed to the envisaged Research Advisory Group.

- 1) <https://www.cso.ie/en/releasesandpublications/ep/p-cpp5/census2022profile5-diversitymigrationethnicityirishtravellersreligion/irishtravellers/>
- 2) <https://inar.ie/wp-content/uploads/2019/12/CERD-2019-Concluding-remarks.pdf>
- 3) [https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/IRL/INT\\_CERD\\_COC\\_IRL\\_40806\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/IRL/INT_CERD_COC_IRL_40806_E.pdf)

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