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**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION  
FOR THE PROTECTION OF NATIONAL MINORITIES**

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**COMMENTS OF THE GOVERNMENT OF  
IRELAND ON THE OPINION OF THE  
ADVISORY COMMITTEE ON THE  
IMPLEMENTATION OF THE FRAMEWORK  
CONVENTION FOR THE PROTECTION OF  
NATIONAL MINORITIES IN IRELAND**  
(received on 23 October 2003)

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## **I. Introduction**

On 22 May 2003, the Advisory Committee, set up under the Council of Europe's Framework Convention on National Minorities, submitted an opinion to the Council of Europe's Committee of Ministers, on Ireland's implementation of the Framework Convention.

In its concluding remarks, the Advisory Committee considers that Ireland has made commendable efforts to establish a legal and institutional framework contributing to the protection and promotion of the rights of persons belonging to national minorities, notably through recent equality legislation (the Employment Equality Act (1998) and the Equal Status Act (2000)) and also through the creation of the Human Rights Commission. The Advisory Committee also considers that successive Irish Governments have made increasing efforts to improve the situation of persons belonging to the Traveller community. The Committee notes the scale of the work which remains to be done in the implementation of the Framework Convention, in particular in areas related to traveller accommodation, education, employment, health care, and access to certain goods and services by members of the Traveller community. It recognises increasing concern about racism in Ireland. It sees a need to improve the level of participation of persons from Traveller communities in full range of national life, *inter alia* by collection of further statistical information and increased involvement in policies affecting them. The Committee also recognises the potential contribution that the Framework convention can make to the implementation of the Good Friday Agreement.

These foregoing considerations will form the Advisory Committee's proposal for the Committee of Ministers' conclusions and recommendation with respect to Ireland.

The Irish Government wishes to underline its support for the Council of Europe monitoring mechanism in this important field and looks forward to continued co-operation with the Advisory Committee in the future.

The Irish Government wishes to set out the following comments on the bases of Ireland's ratification of the Convention:

Ireland's ratification of the Framework Convention is an integral part of the Irish Government's overall human rights strategy to advance justice and peace on these islands. The commitment to ratify the Convention was made by the Irish Government under the Good Friday (Belfast) Agreement (1998) which contains interlocking commitments on the part of both the British and Irish Governments with respect to a wide range of human rights issues, including national minorities.

Ireland recognises that the definition of what constitutes a national minority is not fixed in international law or in the Framework Convention. Ireland also recognises that, the Framework Convention was intended '.... to protect groups which have come about as a result of political upheaval and which have historical ties to a country'.

The Irish Government wishes to emphasise that the term national minority is not legally defined in Irish law. However, the special position of Ireland's Traveller community has been explicitly recognised in a range of legislative, administrative and institutional provisions, in order to protect their rights and to improve their situation. Irish Travellers do not constitute a distinct

group from the population as a whole in terms of race, colour, descent or national or ethnic origin. Therefore, in the preparation of equality legislation, it was considered that discrimination against Travellers would not be covered by the term “discrimination on the ground of race”. Therefore a separate ground “membership of the Travellers Community”, on which it is unlawful to discriminate was put into equality legislation. The separate identification of Travellers in equality legislation guarantees that they are explicitly protected.

The Irish Government notes that Point 43 of the Explanatory Report concerning the Framework Convention establishes that not all ethnic, cultural, linguistic or religious differences point to the existence of a national minority. As such, the Government holds the view that immigrants, refugees and asylum seekers cannot be considered to constitute a national minority under the terms of the Convention.

We also wish to offer comments and corrections for further consideration by the Committee in response to individual points made in the text of their opinion. The Government notes in particular the comments of the Advisory Committee at Paragraph 53 which suggest that public servants hinder progress on issues related to tackling the problem of Traveller accommodation. The Government strongly contests these unfounded remarks, for which no evidence has been adduced, and has asked that this inaccurate comment be withdrawn.

## **II. General Remarks**

### **Paragraph 10:**

The Government would like to clarify that the special position of the Traveller Community has been recognised in a range of domestic legislative, administrative and institutional provisions. This position is not limited to the Framework Convention.

### **Paragraph 11:**

The Irish Government would like to recall that the term national minority is not defined either in national or international legislation or in the Framework Convention for the Protection of National Minorities. No groups in Ireland are recognised as national minorities. Therefore statistical data is not available on national minorities. However, the Irish Government has recognised the special position of Ireland's Traveller community and does accept that Travellers can experience discrimination. Therefore, the Government has defined membership of the Traveller community as a separate ground on which it is unlawful to discriminate under Irish equality legislation.

### **Paragraph 12:**

**The Advisory Committee notes that in the recent 2002 Census there was no general ethnicity question.**

The Central Statistics Office in Ireland can confirm that there was wide scale consultation with the public in general and the relevant representative groups in particular on the questionnaire content for the 2002 Census. While an ethnicity question was pilot tested in September 1999, the version used was found to be unsatisfactory. Although a revised version of the question was agreed between the various representative groups, the Government decided against including it in the census, as outlined in the response to Question 7 of the Questionnaire submitted to the

Advisory Committee prior to their visit to Ireland in March 2003, as it was felt it could cause a detrimental effect on census response rates and be divisive socially. As stated in this response, a specific question on membership of the Traveller Community and a question on nationality were included.

Full scale consultations will shortly take place in relation to the 2006 Census.

**Paragraph 14:**

**The Advisory Committee notes that there is little accurate data available on the status of Travellers in such key fields as employment and in the provision of health services.**

The Principal Demographic Results from Census 2002 were published in July 2003 and contain up to date demographic data on the Traveller Community. A copy of the Results has been forwarded to the Committee for information. Further analyses by education, employment status etc. will be published in January 2004 and will be made available to the Advisory Committee. Representatives of the Traveller Community have been and will continue to be consulted in relation to the relevant outputs.

**III. Specific Comments in Respect of Articles 1-19**

**Article 3**

**Paragraph 25:**

**The Advisory Committee is of the opinion that it would be possible to examine, where appropriate, the inclusion of persons belonging to other groups in the application of the Framework Convention on an article-by-article basis, and that the Irish authorities should, as appropriate, consider this issue in consultation with those concerned.**

Recognition of other groups by the Irish Government is not considered to imply an obligation to report in detail on their situation as if they were a national minority. As these groups do not form national minorities under the terms of the Framework Convention, there are no grounds for reviewing the articles of the Convention in consultation with these groups.

**Article 4**

**Government responses to comments contained in paragraphs 33, 34, 35, 38, 40, 43, 44 of the Advisory Committee's Opinion.**

**Paragraph 33:**

The European Convention on Human Rights Bill passed all stages in both Houses of the Oireachtas (Dáil and Seanad) and was signed by the President on 30 June 2003. Section 9 of the European Convention on Human Rights Act, 2003 provides that its provision will come into effect on the making of an order by the Minister for Justice, Equality and Law Reform within a period of 6 months from that date.

**Paragraph 34:**

**The Advisory Committee notes that Travellers continue to suffer discrimination in a wide range of societal settings.**

The Government sets out in the body of its response detailed updates on the Government's programmes to combat discrimination against Travellers.

**Paragraph 35:**

The Irish Government wishes to avail of the opportunity, in response to the comments of the Advisory Committee on the high level of unemployment among the Traveller Community, to inform the Advisory Committee of the following initiatives:

**1. The Traveller Economy Sectoral Partnership**

The Government shares the concern of the Advisory Committee that , unfortunately, discrimination impacts on the daily reality of Travellers' lives. Such a scenario gives rise to a situation whereby Travellers have not gained access to the astonishing increase in employment enjoyed by the Irish economy over the past five years.

The overall aim of this project would be to focus on the Traveller economy and so create the opportunity to develop innovative responses and a culturally relevant and flexible model that is attractive to Traveller men. Interventions that have proven successful with Traveller women and younger Traveller men have not proven attractive to older men.

The Development Partnership will be a sectoral partnership. At its heart will be the Traveller organisations with a history and a commitment to exploring culturally appropriate responses to Travellers economic exclusion. The other partners will bring with them an expertise in other aspects of socio-economic development and their involvement will be crucial to the eventual dissemination and mainstreaming of the model. In particular a recognition of cultural diversity in work practices and organisation and the need to develop policies and practices informed by this acknowledgement and broader equality principles.

The project aims to identify models of economic activity that are based on practices in the Traveller economy and in so doing help to contribute to the recommendation of the Task Force on the Traveller Community that the distinct culture and identity of the Traveller community be recognised and taken into account.

**2. FAS<sup>1</sup> activity for the Travelling Community**

Travellers are included on a range of FÁS Programmes and in addition there are a number of special initiatives which have been developed in response to approaches from Traveller support groups locally.

FÁS is a partner with PAVEE Point (Traveller representative group) on an Equal Project exploring the Traveller Economy. This pilot project will run for 3 years working with Traveller

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<sup>1</sup> FAS is the Training and Employment Authority in Ireland

men, supporting the Traveller economy and Traveller men who want to develop or formalise new business.

As of June 2003 there were 5 Community Employment Schemes in operation for Travellers and there are currently 152 registered on the schemes.

**Paragraph 38:**

**The Advisory Committee advise changing the criteria for keeping the medical card so that long-term employment, which brings with it the threat of losing the medical card, does not become a deterrent for Travellers dependent on the free health care.**

As the Committee was advised, in response to Question 19 of the Questionnaire completed by the Government prior to the visit of the Advisory Committee, since 1996, provision has been made for long term unemployed persons to retain their medical cards for 3 years when they, or their spouse, return to paid insurable employment. The purpose of the provision was to remove disincentives to labour force participation by long-term unemployed persons.

This provision also applies to participants on a range of approved schemes applicable to the long-term unemployed e.g. the Social Economy Programme where participants retain their medical card entitlements for the duration of the course.

**The Committee also advise on improving access to proper childcare facilities in order to would remove one of the barriers to the participation Traveller women in the workforce.**

The issues noted by the Advisory Committee in this paragraph are not Traveller specific issues but apply to others in a similar economic and social position. However, the Government through the Equal Opportunities Childcare Programme 2000-2006 is committed to spending 437 million euro on the childcare sector in Ireland. Some of that money has been committed to Traveller projects. Moreover, the Department of Education and Science funds pre-school facilities for Traveller children.

**Paragraph 40:**

**The Advisory Committee states its concern about the health status of Travellers.**

In line with the commitment made under the Government's *Programme for Prosperity and Fairness*, "Traveller Health – A National Strategy 2002 – 2005" was launched in February 2002. This Strategy provides a clear statement of policy, which focuses on the underlying problems associated with the poor health status of the Traveller community and sets out a realistic and practical plan for specific improvements in that status. The Government has approved total additional funding of €8.2m for the implementation of the Strategy over the period 2002 – 2005.

The Department of Health and Children, in consultation with the Traveller Health Advisory Committee, has undertaken and/or completed the following actions proposed in the Strategy:

- The Traveller Ethics, Research and Information Working Group has been established and has met regularly to consider applications for ethical approval and the formulation of ethical guidelines for research being conducted into Travellers Health. This Working Group is independently chaired by Dr Kevin Balanda, Institute of Public Health in Ireland.

- A Sub-group of the Traveller Ethics, Research and Information Working Group has been established to progress the pilot to introduce an ethnic identifier question on the Hospital Inpatient Enquiry/Perinatal Systems.

- A Study Group incorporating the members of the Traveller Ethics, Research and Information Working Group and representatives from relevant organisations in Northern Ireland has been established to progress an All-Ireland Traveller Needs Assessment and Health Status Study. The Institute of Public Health in Ireland is currently designing the Study and it is envisaged that the Study will commence in early 2004. This Study will comprise two key elements:

1. Measurement of the health status of Travellers including mortality and life expectancy, neonatal and infant mortality, morbidity and other health status indicators.
2. Evaluation of health needs, as identified by Travellers and service providers, and other health-related issues

The Study will involve both quantitative and qualitative research methods and will inform the appropriate actions required in the area of Traveller health including meeting the National Anti-Poverty Strategy (NAPS) target of reducing the gap in the life expectancy between the Travelling community and the whole population by at least 10% by 2007.

- Cultural awareness training is being provided to health board staff in all health boards
- Primary Health Care projects are currently in place or are being organised in all health boards
- The Department in consultation with the Traveller Health Advisory Committee has completed a review of the operation of Traveller Health Units in all health boards.
- Initial discussions have taken place with the Department of the Environment and Local Government regarding issues common to both Departments.
- The Traveller Health Policy Unit of the Department is liaising with other Divisions within the Department to ensure the implementation of the Strategy.

#### **Paragraphs 43 and 44:**

**The Advisory Committee notes its concern about the level of discrimination that is apparent in terms of access by Travellers to places of entertainment.**

The District Court is extensively involved in licensing matters under the intoxicating liquor code. It has an involvement in the annual renewal of intoxicating liquor licences; in the grant of special exemption orders to licensed premises; in the application of sanctions and penalties for breaches of the licensing laws, including temporary closure of premises in certain cases. For these reasons, the Government agreed to the District Court's jurisdiction being extended to include the adjudication of cases taken against licensed premises under the Equal Status Act.

The Government brought into effect from 29 September 2003, section 19 of the Intoxicating Liquor Act 2003 which provides that a person who claims that discrimination has been directed against him or her in any licensed premises may seek redress before the District Court. The forms of redress available to the District Court under the Equal Status Act were extended under section 19 to include temporary closure of the premises concerned. Moreover, where the District

Court is satisfied that a person is entitled to redress and makes such an order, any person may object to the renewal of the licence of the premises concerned. Provision was also made in subsection (6) for the Equality Authority to apply to the District Court for redress in certain cases, while subsection (7) provides that the Authority provide assistance to persons applying to the courts for redress.

The Government has complete confidence in the professionalism and integrity of the Equality Tribunal. The proposed changes will free up resources in the Tribunal, enabling it to tackle their serious backlog and concentrate on complaints of discrimination in other areas.

Transferring jurisdiction from the Equality Tribunal to the District Court is not an exemption from the requirements of the anti-discrimination legislation. That legislation is fully enforceable through the Courts.

## **Article 5**

**Government responses to comments contained in paragraphs 48, 50, 52, 53, 54-57 of the Advisory Committee's Opinion.**

### **Paragraph 48:**

**The Advisory Committee is concerned by the lack of available accommodation and the standard of accommodation at the disposal of Travellers.**

While accepting that there is a backlog in the provision of Traveller accommodation the Irish Government is satisfied that the permanent accommodation being provided, both standard local authority accommodation and Traveller specific accommodation, is of the highest standard. Design guidelines issued by the Department of the Environment Heritage and Local Government set the standards which are to be attained by local authorities in relation to such accommodation. In the first three years of the current Traveller Accommodation Programmes (2000-2002), it has spent over €65 million on new or refurbished accommodation, in accordance with published guidelines. A further €30 million has been allocated for Traveller-specific accommodation in 2003. The Government are of the view that far from discriminating negatively against Travellers, Traveller Accommodation Programmes, put in place by each appropriate local authority, under the Housing (Traveller Accommodation) Act 1998, are a positive development.

### **Paragraph 50:**

**The Advisory Committee welcomes that different types of accommodation may be offered to Travellers. However, the Committee is nonetheless concerned that the provision of grouped housing should not lead to separation and isolation of Traveller families from the majority community.**

Both the Government and Traveller support groups consider group housing to be Traveller specific accommodation. As such the intent is of course to reflect the particular requirements of Traveller families and not to isolate Travellers from the majority community. The specific designs of Group Housing, including boundary treatment, are matters for the local authorities



concerned having regard to local circumstances. It is important to note that Travellers are offered a number of different types of accommodation.

**Paragraphs 50 and 52:**

**In paragraph 50 the Advisory Committee states " ...the provision of grouped housing should not lead to separation and isolation of Traveller families from the majority community" while in paragraph 52 the Committee states "that the Traveller community allege that failure by the government to meet targets in the provision of new halting sites contributes to the process of assimilation".**

The Irish Government is of the view that these statements are contradictory. The policy of the Government is that members of the Traveller community should be offered a choice of accommodation. The options include a local authority standard housing scheme, a Traveller specific group housing scheme or a halting site scheme.

**Paragraph 53:**

**The Advisory Committee states that it understands that the introduction of new and improved accommodation arrangements are hampered by, among other matters, planning regulations, neighbourhood objections, lack of local political support and in some instances also by lack of support from Travellers themselves, or local officials and civil servants nationally involved.**

The Government would like to underline that the same planning procedures apply to Traveller-specific accommodation as to any other development proposed by local authorities. With the exception of specially defined cases, such as emergency situations, all local authority developments have to follow the same planning procedures. The suggestion that the delivery of services to Travellers, particularly accommodation services, is hampered by a lack of support by local officials and civil servants nationally involved is unfounded. Such officers are required to ensure any projects funded from public money meet value for money criteria and technical standards. The Government wishes to state that it cannot support these unfounded and inaccurate remarks, and has asked that this comment be withdrawn.

**Paragraph 54:**

**The Advisory Committee welcomes that a review of the operation of the Housing (Traveller Accommodation) Act (1998) is scheduled.**

The Minister for Environment and Local Government has asked the Second National Traveller Accommodation Consultative Committee which has representatives from Traveller organisations to advise him on the operation of the Housing (Traveller Accommodation) Act, 1998 including progress on the implementation of the programmes.

**Paragraphs 55 – 57:**

**Re: The Housing (Miscellaneous Provisions) Act (2002)**

**The Advisory Committee is greatly concerned by the introduction of the Housing (Miscellaneous Provisions) Act (2002) and the provisions therein relating to trespass.**

The Housing (Miscellaneous Provisions) Act 2002 included a number of wide ranging provisions relating to Housing generally. It is presumed that the Advisory Committee, in expressing its concern at the introduction of this Act, is not expressing concern in relation to the Act generally. In relation to the specific provision in relation to unauthorised entry on land, **Section 24**, it should be noted that this applies to unauthorised entry onto both public and private land and applies to all sectors of the community.

Currently there is no Constitutional challenge in the High Court to the Part IIA of the Criminal Justice (Public Order) Act, 1994 as inserted by Section 24 of the Housing (Miscellaneous Provisions) Act, 2002. However, it is expected that any review of this legislation would take account of any outcomes of any appeals already heard in the District Court on behalf of the Travellers challenging the impounding of their caravans.

## **Article 6**

### **Government responses to comments contained in paragraphs 61, 62, 65, 67 of the Advisory Committee's Opinion.**

#### **General Remarks of the Irish Government on Article 6:**

Article 6 of the Framework Convention is quite broad but must in accordance with the general principles of interpretation of treaty law be interpreted in the light of the general scope of application of the Convention which only relates to the protection of national minorities. The general question of discrimination against others who do not belong to a national minority, as raised by the Advisory Committee, is thus outside the scope of the application of the Framework Convention in the opinion of the Irish Government.

#### **Paragraph 61:**

**The Advisory Committee recalls that Article 6 of the Framework Convention has a wide personal scope of application, covering also asylum seekers, migrants and other persons belonging to groups that have not traditionally inhabited the country concerned.**

As established in Point 43 of the Explanatory Report concerning the Framework Convention, not all ethnic, cultural, linguistic or religious differences point to the existence of a national minority. As such, the Government of Ireland does not hold the view that immigrants and asylum seekers constitute a national minority.

#### **Paragraph 62:**

**The Advisory Committee highlights reports of unfair practices by employers who can exert pressure on immigrant groups and asylum seekers through their control of work permits.**

The Irish Government underlines that employees from overseas enjoy the same employment rights and protection as Irish employees in a similar situation. However, it has been possible for disreputable elements among employers and the recruitment industry to exploit some migrant workers who were either not aware of their rights or who were too vulnerable to seek to

vindicate them. As well as seeking restitution where specific cases of wrong-doing have been documented and proven, the Department of Enterprise, Trade and Employment has refused to grant work permits to employers where the public interest demands this course of action.

**Paragraph 65:**

**The Advisory Committee considers that there is a need to continue efforts to raise awareness, amongst Garda at all levels, of human rights and intercultural issues.**

As a result of the EU-funded TRANSFER Project, designed to compare and contrast training models in relation to intercultural awareness in use in four European Police Forces, including Ireland, Garda materials/approach to awareness-raising of human rights issues amongst the Garda will be further enhanced.

In addition, training inputs have been deployed and are delivered on human rights, ethics and diversity to Students/Probationers, promotion courses for Sergeants and Inspectors and Garda teachers/trainers. An audit of Garda policies, practices and procedures is being undertaken by a firm of consultants to assess the organisation's compliance with Council of Europe human rights policing guidelines. The consultants' report is due in October and its recommendations will assist future policymaking.

**Paragraph 67:**

**The Advisory Committee is concerned about allegations of racism and intolerance in the media towards persons belonging to the Traveller community and also towards migrants, refugees and asylum seekers.**

The Broadcasting Commission of Ireland (BCI) underlines that all BCI licensees must operate in compliance with relevant statutory obligations and their respective contracts with Commission. Output is monitored to ensure fairness and balance and where problems are identified action is taken. The Commission monitors a random sample of the output of all independent broadcasters on a regular basis,

The BCI is also in the process of developing programming and advertising codes as required under Section 19 of the Broadcasting Act 2001. These will apply to all broadcasters licensed in the Republic of Ireland. One code will deal specifically with taste and decency issues.

**Article 9**

**Government response comments contained in paragraphs 72 and 73:**

**The Advisory Committee notes that the structure, personnel and content of the broadcast media still predominantly reflect the majority public interest and that there are only a few programmes for and by Travellers and other groups. The Committee acknowledges that there have recently been expressions of interest for broadcasting by the Dublin Community Media Forum and hopes the authorities will give full consideration to such a proposal.**

A function of the Broadcasting Commission of Ireland (BCI) is to provide a range of independent broadcasting services, which will provide listener choice and diversity. Licensing

includes, on an on-going basis, a national radio service and local, community, community of interest and institutional services.

The BCI recently commended a new round of community and community interest licensing. On foot of the expressions of interest received the Commission has decided to seek applications for new services in three phases during 2003 and 2004. Six applications under phase one are currently under consideration. The Commission has also sought expressions of interest in new sound broadcasting services in Dublin and over 40 such expressions were received by the closing date, September 12 2003.

The BCI also commenced consultation with groups including Dublin Community Media Forum about the development of community television policy. This process is expected to be concluded by early 2004 and following this, applications for community content contracts will be sought.

## **Article 12**

Government responses to comments contained in paragraphs 79, 80, 81, 82, 84 – 85, 87.

### **Paragraph 79:**

**The Advisory Committee is aware of alleged incidents of Traveller children being rejected, exclude or bullied in schools. The Advisory Committee is aware that the Government recognises the importance of acting when such incidents are notified to it and encourages the education authorities to act promptly to deal with such complaints.**

### **Exclusion**

Section 29 of the Education Act 1998 provides for an appeal to the Secretary General of the Department of Education and Science where a Board of Management of a school or a person acting on behalf of the Board refuses to enrol a student, suspends a student for twenty (20) days in an academic year or expels a student from the school. The Board of Management is bound by the result of any appeal.

As outlined in the response to the Questionnaire (Question 35) the Visiting Teachers' Service has also been charged with the responsibility of assisting with the resolution of school refusals of Traveller children at local level, when these regrettably occur. The Equal Status Act 2000 outlaws discrimination, including on the basis on being a member of the Traveller Community and Traveller families have recourse under this act as well.

### **Anti-bullying**

The Department of Education and Science has placed a renewed emphasis on school planning and school self-review. This is a collaborative process involving the identification of school development goals and teaching and learning priorities. The school development process aims to improve the quality of teaching and learning for all children through the successful management of innovation and change in the school and to ensure that the needs of minority groups such as Travellers are recognised in this process. In designing and revising School Plans in line with the Education Act 1998, minority groups such as Travellers must be affirmed. Policies such as anti-

bullying, anti-discriminatory and equality statements must reflect the diversity of pupil intake in a sensitive way and help protect all children.

**Paragraph 80:**

**The Advisory Committee notes with concern that while initial enrolment rates at second level are improving considerably, very few Traveller children complete second level education and a handful of Travellers go on to third level education. The Advisory Committee considers that the authorities should step up their efforts to improve this situation, including through providing investment and support for community and school based strategies.**

Legislative changes requiring every pupil to be in full time education until they are sixteen, including three years of post-primary education, pose particular challenges for Travellers and post-primary schools with Travellers. It is acknowledged that the drop out rate for traveller children has been unacceptably high.

Greater efforts will be made with the assistance of the National Educational Welfare Board (NEWB) and programmes implemented to directly tackle early school leaving, to prevent early school leaving among traveller children.

**The functions of the NEWB include the following:**

**ensure each child in the State attends a recognised school or otherwise receives a certain minimum education**

assist/advice schools on managing school attendance and meet their obligations, development and implementation of codes of behaviour and attendance strategies

enter appeals on behalf of pupils (expelled/refused enrolment) under section 29 of the Education Act, 1998 and make submissions in relation to appeals entered.

work collaboratively with schools and other appropriate persons/agencies at local level.

An ex-quota allocation of 1.5 teaching hours per week is allowed per Traveller child enrolled and additional full time equivalent teachers are appointed as a result.

The Government would also like to recall the **School Completion Programme** which has been implemented to directly target those in danger of early school leaving and is a key component of the Department of Education and Science's strategy to discriminate positively in favour of children and young people who are at risk of early school leaving.

The focus of the School Completion Programme is on young people between the ages of 4 and 18 years who are educationally disadvantaged and at risk of leaving school early. It entails targeting individual 'at risk' young people of school going age, both in and out of school, and arranging supports to address inequalities in education access, participation and outcomes. Traveller children are among the target group of School Completion Programme Projects.

**Paragraphs 80 and 88:**

**The Advisory Committee considers that an independent evaluation of Traveller education within the education process could contribute to the creation of a full strategy for tackling issues in this field.**

The Government through the Department of Education and Science is committed to developing a 5 year **Traveller Education Strategy**, including an evaluation of existing initiatives in this area. Work has commenced in developing a framework for the strategy and it is expected that the Scope and Organisational Structure for the Strategy Exercise will be agreed shortly. An external expert has been appointed to lead the process and he will work under the broad direction of the statutory Educational Disadvantage Committee (EDC), and a joint working group drawn from the EDC and the Advisory Committee on Traveller Education (ACTE) will have a detailed involvement in the process.

The main focus of the Traveller Education Strategy exercise will be to review/evaluate existing activities, the wide range of inputs, the quality of outcomes and the experience of traveller learners within the education system, to make recommendations on the future development of the service and recommend a phased implementation plan. Clear objectives will be set and it is envisaged that any baseline data required to support implementation of the Strategy will be identified and the required arrangements to benchmark performance against this baseline data during the five year implementation period will be outlined.

The outcome should provide a more integrated approach across all sectors and improved value for money from the considerable investment in this area.

**Paragraph 81**

**The Advisory Committee is concerned that, while statistics are not available on attainment levels of Traveller children, there is evidence that the levels of literacy of some children remains particularly low.**

Under the National Anti Poverty Strategy (NAPS) in relation to child literacy, the Government is committed to halving the proportion of pupils with serious literacy difficulties by 2006. Child literacy is also a key focus of the new Partnership Agreement, Sustaining Progress, which includes a Special Initiative to tackle educational disadvantage.

In order to ensure progress is made towards the NAPS target the Department of Education and Science has undertaken the following steps:

The first fully representative survey of reading literacy in disadvantaged schools was conducted this year in order to establish much needed baseline data on current reading standards in such schools. This survey will be followed in 2004 by a national assessment of reading in first and fifth classes.

The Teacher Guidelines that accompany the new English curriculum for primary schools recommend a range of teaching methods designed to improve children's reading and writing abilities. The Primary curriculum Support Service has been engaged in disseminating the content and methodologies recommended in these guidelines.

To complement the work of mainstream teachers, all primary schools now have access to the services of a learning-support teacher to help children who have low achievement in literacy and numeracy. In addition, more than 2,300 resource teachers have been assigned to children with special needs and 519 Resource Teachers for Travellers. A dedicated support team has been recruited and has completed a national programme of in-service training for learning support teachers and resource teachers which will help them to set appropriate learning targets for children who have learning difficulties, to plan individual programmes to address their needs and to continually monitor children's progress. Seminar days are being held on implementation of the Guidelines for Learning Support Teachers, published in 2000, for whole staffs in schools in areas designated as disadvantaged. The purpose of the seminars will be to ensure a whole-school approach to tackling literacy difficulties. These seminars include a presentation of the NAPS targets and schools will design a literacy framework for their school so that swift progress will be made towards the achievement of the targets.

In consequence of the success of the Reading Recovery programme, which had been piloted in the Louth, Monaghan and Cavan area, the programme has been extended to 15 schools, mainly in the central Dublin area. Reading Recovery provides intensive individual support to children who are experiencing literacy difficulties. The further extension of the programme will be considered in light of its success in the 15 schools in the Dublin area.

### **Adult Literacy**

**Within adult literacy, of the 33 VECs, 19 have specific adult literacy programmes for Travellers as part of their overall suite of literacy options**

#### **Paragraph 82:**

**The Advisory Committee considers that further steps should be taken to foster knowledge of the culture, history, language and religion of minorities and the majority in Ireland.**

The Government can confirm that the National Council for Curriculum and Assessment (NCCA) Committee was established to examine all issues around inter-culturalism at primary and post-primary levels. The committee expects to have draft guidelines completed for primary schools and post-primary schools shortly and it is envisaged that the guidelines will be piloted in certain schools in the school year 2003/2004.

#### **Paragraphs 84 and 85:**

As the Advisory Committee note, segregated teaching of Traveller children has largely been phased out. At present, there remain three special schools and three Junior Training Centres catering specifically for Traveller children.

The Department of Education and Science intends to phase out segregated provision for the education of Travellers as its policy is to fully integrate Travellers into the education system by enrolling them in the ordinary schools, both primary and post-primary. Where necessary, extra resources will be provided in these schools to enhance the education of the Traveller children.

**Paragraph 86:**

**The Advisory Committee understands that the Department of Education and Science is awaiting a Composite Pre-School Evaluation Report which should form the basis of discussions and further policies in this area.**

The Government can confirm that the report on the evaluation, which was undertaken by the Department's Evaluation, Support and Research Unit, has recently been published and a copy is has been forwarded to the Committee for information. The report makes very significant recommendations in relation to many aspects of pre-school education including management issues, quality of provision, attendance levels, accommodation, teacher qualifications and in-service supports. The report should make a valuable contribution to the formation of policy in relation to early childhood education and the provision for educationally disadvantaged groups

The Department's Inspectorate intends to evaluate the provision made for education of Travellers in both primary and post-primary schools, with priority being given to the primary evaluation initially. It is hoped that the planning and consultation stage for this evaluation will be completed before the end of 2003 and that the evaluation work will commence in 2004 and be linked with the overall Traveller Education Strategy exercise.

**Paragraph 87:**

**The Advisory Committee understands that there are active discussions concerning a mentoring programme to support Travellers interested in teaching but feels that further efforts are required to ensure the graduation of qualified teachers from the Traveller Community in the future.**

The Government views this as an important issue for consideration as part of the planned Traveller Education Strategy as outlined above and wishes to outline to the Advisory Committee the following key points:

**Adult Education**

Significant investment is provided under the National Development Plan to increase investment in the area, with a view to providing services over the lifetime of the Plan for some 110,000 adults.

**Back to Education Initiative**

Provides a major expansion of part-time options under PLC, Youthreach and VTOS programmes, principally aimed at young people and adults in the population with less than upper secondary education. This will also provide for an increase in Foundation Level 1, Leaving Certificate or equivalent options.

**Community Education**

Community education, particularly in the form of community-based women's groups has been one of the most dynamic and distinctive elements of Adult Education sector in recent years.

**Article 15**

**Paragraph 93:** The Government refer the Committee to the response provided to Paragraph 35 above.