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Traveller Women Win Discrimination Against Hotel in Circuit Court

Case: refusal of morning refreshments for health Care workers following training session

(April 14th 2011) The Law Centre of the Irish Traveller Movement yesterday on behalf of five Traveller women were successful in their appeal, on grounds of discrimination, against the owners of the Osprey Hotel, Naas, County Kildare in a case where the women and their colleagues were refused service (mid morning light refreshments) at the hotel.

The initial case taken by the women in the District Court in November 2009 against the owner was unsuccessful. But the women believed their experience was a blatant incident of discrimination against them as Travellers and despite the potential costs involved appealed the decision to the Circuit Court.

The case concerned two separate incidents of refusal of service by the Osprey Hotel, one disallowing a group of Traveller women entry to the hotel's Nightclub and the second for refusing mid morning refreshments to a group of Traveller women and their tutors from a local training initiative.

Representing the family in Court yesterday was solicitor for the Irish Traveller Movement Law Centre Ramona Quinn, she said *"Incidents of alleged discrimination by licensed premises came previously under the remit of the Equality Tribunal however the introduction of the Intoxicating Liquor Act 2003- following a campaign by the owners of licensed premises- has changed the venue for such cases to the District Court. This has had a profound impact on the Traveller Community in that one must employ the services of a Solicitor to be adequately represented in Court and the obvious implications of a cost award. Further to this there seems to be a general reluctance on the part of the Legal Aid Board to fund such applications. These hurdles have proved insurmountable for many."*

She continued, *"Judge McDonnell was satisfied that the ladies had successfully proved a prima facie case of discrimination by the Osprey Hotel against the group and that they were treated in a manner that the settled community would never have been. Judge McDonnell acknowledged the hurt and the embarrassment that each of the women felt having being refused something as simple as tea and scones."*

According to Bridget O'Brien one of the plaintiffs, *"Discrimination is an ongoing issue for Travellers and we need to continue to challenge it. I knew we were right because we were treated so unfairly and we wanted to prove our point. It is a great feeling when justice is done even though we had to appeal the District Court decision. Many Travellers may not have been able to continue and I hope other Travellers can take heart from our success"*.

The ITM Law Centre welcomes the decision of Judge McDonnell as it may renew confidence for others Travellers who experience discrimination by services and who have no choice but pursue such cases before the Courts.

The Irish Traveller Movement Independent Law Centre was established in June

2009. The ITM Law Centre provides a specialist legal service to Travellers in Ireland and is the only one of its kind in the country. The Law Centre pursues strategic cases in line with the core issues of the Irish Traveller Movement namely, (Accommodation, Equality and Human Rights, Education, Access to Services and Ethnicity) and is open to the referral of cases of this nature.

This case was assisted by the Bar Council of Ireland's Voluntary Assistance Scheme.

The Irish Traveller Movement (ITM) established in 1990, is a national network of over 80 organisations and individuals working within the Traveller community throughout Ireland. In a partnership of Travellers and settled people the Irish Traveller Movement are committed to seeking full equality for Travellers in Irish society.

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