



# **ITM LAW CENTRE**

**Workshop**

## **“USING THE LAW TO REALISE TRAVELLER RIGHTS”**

**AGM**

**Athlone, 15-16 June 2009**

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**NEW**

## **Part 1: Your ITM Law Centre**

- Legal Outreach Clinics
- Policy Work
- Legal Education
- Strategic case work

# Legal Outreach Clinics

✓ Personal Service

✓ Visits to Regional Centres



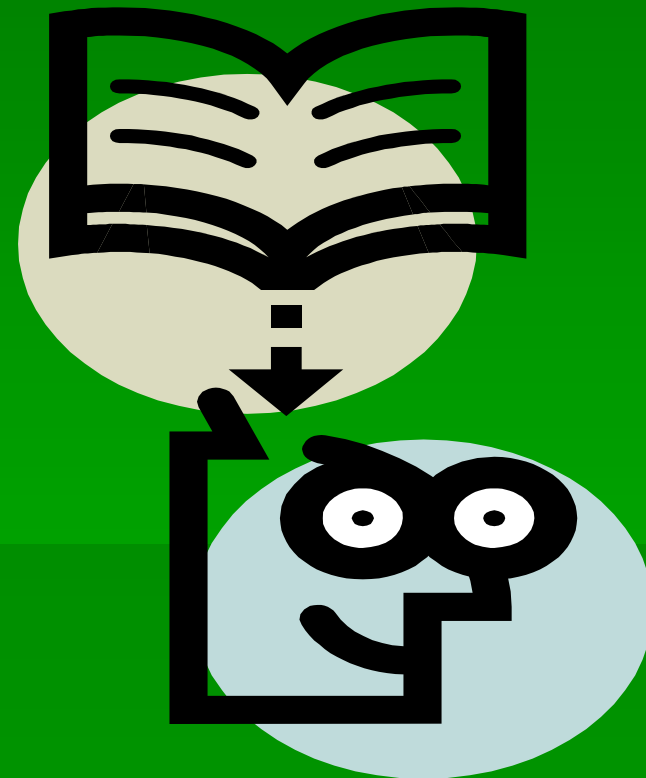
# Policy Work

- Oireachtas Committee
- Shadow Reports to International Human Rights Bodies
- Legal input on policy documents



# Legal Education

- Courses for Travellers on law and rights – Community Legal Education
- Creation of Legal Pack for lawyers
- Discussion of Traveller Rights at conferences



A yellow, torn-edge sign with the word "WANTED!" in a bold, black, serif font. Below the text is a large, empty rectangular box. The sign is mounted on a green background with small black dots.

WANTED!

# Strategic Cases

- Education
- Accommodation
  - Challenges to criminal trespass legislation
  - Provision and standard of permanent/temporary/transient accommodation
- Recognition as an Ethnic Minority
- Equality in Access to Services

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WANTED!

# What is a strategic case?

- establishes and protects the human rights of Travellers
- is of widespread benefit to Travellers
- *“It only takes one good case and one great client to change the law for everyone”.*

# How does the Legal Working Group select cases?

- Involves ITM aims
- Client committed to case
- Potential to change the law
- Beneficial impact on Traveller community “*Winning the war not just the battles*”

# Legal Advice vs. Legal Representation

## ▪ Legal Advice

- ✓ Available to all
- ✓ Advice only
- ✓ Advances ITM goals

- ✓ Unlimited amount of cases
- ✓ Benefits individual Travellers

## ▪ Legal Representation

- ✓ Available only in strategic cases
- ✓ Representation - ITM Law Centre takes case

- ✓ Advances ITM goals
- ✓ 10-12 cases per year
- ✓ Benefits Travellers in general



# Part 2: Human Rights and Travellers





# Sources of Law

## *IRISH LAW*

- Constitution and Cases
- Equal Status Act 2000
- Intoxicating Liquor Act 2003

## *COUNCIL OF EUROPE*

- European Convention Human Rights
- European Social Charter



# Sources of Law

## *EU LAW*

- EU Race Directive

## *INTERNATIONAL LAW*

- Convention Elimination Racial Discrimination
- Convention on Economic social Cultural Rights
- Convention on Rights of Child
- Framework Convention National Minorities



# Case Study 1

- Peter and Brigid and their 6 children are Travellers. Despite being on the housing list for many years, they have only been offered one poorly serviced site, which they refused due to concerns for their children's health. They set up their caravan on an empty local authority site. The next day they receive an eviction notice under s.10.1 of the Housing Act 1992.





## Case Study 2

- Mary, a settled woman, is the coordinator of a Traveller Project. All the other workers on the project are Travellers, except Mary. The project decides to go out for lunch to the local pub and Mary goes up to the bar to order the drinks. The bar man asks her if she is with the women from the project. When she says she is he tells her he cannot serve her.





# Case Study 3

- Jane, a Traveller, is 8 years old and in primary school. Jane struggles with reading and writing. Her parents discover that the teachers at Jane's school let her and other Travellers attending the school colour all day instead of participating. They are told Jane and the other Travellers will be put in a special class next year.





# Case Study 4

- The local authority has provided a halting site for Travellers in Ennis. It was designed to hold 10 caravans, however they have allowed 25 caravans onto the site and electricity and running water only works periodically.

Halting site for Travellers



Travellers halting site



Good accommodation for Travellers means good neighbourhoods.



**IRISH TRAVELLER  
MOVEMENT  
LAW CENTRE  
2009**

