

<p>Title of Report:</p> <p>Northern Ireland Human Rights Commission Report: 'Out of Sight, Out of Mind: Travellers' Accommodation in NI'</p>	<p>Officer Presenting: Director of Health & Community</p> <p>Author: Head of Health & Community Wellbeing</p>
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1 Purpose of Report/Recommendations

- 1.1 To update members on the Northern Ireland Human Rights Commission (the Commission) report 'Out of Sight, Out of Mind: Travellers' Accommodation in NI', which was published in March 2018. (Appendix 1)
- 1.2 Seek members' approval for Senior Council Officers to meet with the Commission in the near future to discuss the implementation of the relevant recommendations outlined in the report.

2 Background

- 2.1 Having undertaken a scoping exercise in June 2016, drawing on a body of research and mapping of policy and legislation, the Commission conducted an investigation into Travellers accommodation in Northern Ireland on September 2016.
- 2.2 The Commission has published its investigation into Travellers' accommodation in Northern Ireland 'Out of Sight, Out of Mind: Travellers' Accommodation in NI' and held a launch event on 12 March 2018 at the North West Migrant Centre (UNISON) The Old Church, Clarendon Street, Derry.
- 2.3 The provision and regulation of social housing in Northern Ireland and the regulation of private housing is a devolved matter in Northern Ireland, ultimate responsibility lies with the Northern Ireland Executive. Implementing human rights laws and standards relevant to Travellers' accommodation is a responsibility of the Northern Ireland Executive and relevant public authorities.
- 2.4 For the purposes of this investigation, 'Travellers' accommodation' is any form of housing inhabited by members of the Traveller communities. This working definition includes grouped housing; Travellers' sites (serviced, serviced/transit, transit, emergency halting, co-operated and unauthorised); standard social housing; and private rented properties.
- 2.5 The issues examined included:
 - 2.5.1 A shortage of adequate stopping sites for Roma/Gypsies and Irish Travellers

- 2.5.2 A lack of social housing forcing households to move into the private rental sector
 - 2.5.3 A requirement for the NI Housing Executive to obtain site licences from local Councils for Travellers' sites
 - 2.5.4 A disparity between official figures on the Traveller population in NI;
 - 2.5.5 The existence of the Unauthorised Encampments (NI) Order 2005
 - 2.5.6 The general inadequacy of Travellers' accommodation and
 - 2.5.7 The lack of authoritative human rights analysis of Travellers' accommodation in NI
- 2.6 The Commission adopted a case study approach in four local Council areas:
- 2.6.1 Belfast City Council;
 - 2.6.2 Armagh City, Banbridge and Craigavon District Council;
 - 2.6.3 Derry City and Strabane District Council; and
 - 2.6.4 Mid Ulster District Council.
- 2.7 The Commission conducted observational visits to all of the Traveller-specific accommodation locations (serviced sites, transit sites, emergency halting site, cooperated site and grouped housing) within the four Council areas.
- 2.8 The investigation contains an overview and 14 substantive chapters which cover: Cultural adequacy; Accessibility; Habitability; Adequacy; Security of tenure; Forced Eviction; Affordability; Location; Effective Monitoring; Participation; Resources; Equality and Non Discrimination; Tolerance and mutual understanding; and Effective remedy.

3 Key Issues

- 3.1 The report outlines the Commission's 45 recommendations for both Local Councils (page 314) and Public Authorities (page 307) to implement.
- 3.2 The 4 recommendations for Local Councils are:

- 3.2.1 The NI Housing Executive, in conjunction with all relevant providers, should take steps to ensure that all required services are adequately available in practice within all Travellers' accommodation and that the provision of these services is sufficiently regulated. In particular, the NI Housing Executive should work with: the local Councils to ensure Travellers have regular refuse collections; with the electricity supplier to ensure Travellers have prompt and consistent access to electricity; and with Royal Mail to ensure Travellers have adequate access to adequate postal services.
- 3.2.2 Local Councils should take reasonable steps to prevent undue delays in the planning application process relating to Travellers' accommodation. They should also ensure that all planning processes are fair, impartial and transparent.
- 3.2.3 Local Councils should take proactive reasonable steps to ensure Travellers' sites are licenced when required. Local Councils should regularly monitor the licencing of Travellers' sites and be aware when sites require a licence, whether they are licenced and when the licence will expire. Local Councils should ensure all licences meet the minimum standard of provision and safety as required by the model licence, developed by the Department for Infrastructure.
- 3.2.4 All local Councils should be active members of the NI Local Government Partnership on Travellers Issues and should give consideration to developing or strengthening Traveller Forums to consider issues relating to Travellers, including accommodation.

4 Financial, Equality, Legal, HR, Improvement and other Implications

- 4.1 The main United Nations human rights treaty that relates to Travellers' accommodation is the International Covenant on Economic, Social and Cultural Rights (ICESCR), particularly Article 11, the right to an adequate standard of living. Broadly defined, the right to adequate housing is "the right to live somewhere in security, peace and dignity.

5 Recommendations

- 5.1 Members consider the Northern Ireland Human Rights Commission report 'Out of Sight, Out of Mind: Travellers' Accommodation in NI' and grant approval for Senior Council Officers to meet with the Commission in the near future to discuss the implementation of the relevant recommendations outlined in the report.

Background Papers

Appendix 1: Out of Sight, Out of Mind: Travellers' Accommodation in Northern Ireland (March 2018) – see links below for Executive Summary and Full Report

http://www.nihrc.org/uploads/publications/Out_of_Sight%2C_Out_of_Mind%3A_Travellers_Accommodation_in_Northern_Ireland_-_Executive_Summary.pdf

http://www.nihrc.org/uploads/publications/Out_of_Sight%2C_Out_of_Mind%E2%80%99%3A_Travellers%E2%80%99_Accommodation_in_NI_-_Full_Report.pdf