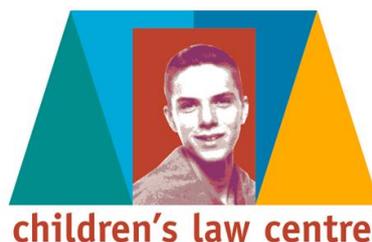


**‘PROMOTING AND PROTECTING THE
RIGHTS OF ROMA
CHILDREN AND YOUNG PEOPLE
IN NORTHERN IRELAND’**

**CHILDREN’S LAW CENTRE
CONSULTATION WITH ROMA CHILDREN
AND YOUNG PEOPLE**

**AUTHORED BY
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¹ The Xchange supports leaders to make a contribution to a stronger and more risk-taking third sector in Northern Ireland. It has been developed and supported by the Esmee Fairbairn Foundation and Henry Smyth Charity. These funders jointly created the Northern Ireland Development Fund, as the vehicle to achieve a stronger and more independent civil society and up to this point, have supported a number of individuals, under a closed funding programme.

CHILDREN'S LAW CENTRE

The Children's Law Centre (CLC) is an independent charitable organisation which works towards a society where all children can participate, are valued, have their rights respected and guaranteed without discrimination and where every child can achieve their full potential.

We offer training and research on children's rights, we make submissions on law, policy and practice affecting children and young people and we run a legal advice, information and representation service. We have a dedicated free phone legal advice line for children and young people and their parents and carers called CHALKY and a youth advisory group called Youth@clc. Within our policy, legal, advice and representation services we deal with a range of issues in relation to children and the law, including the law with regard to some of our most vulnerable children and young people, such as looked after children, children who come into conflict with the law, children with special educational needs, children living in poverty, children with disabilities, children with mental health problems and children and young people from ethnic minority backgrounds.

Our organisation is founded on the principles enshrined in the United Nations Convention on the Rights of the Child (UNCRC), in particular:

- Children shall not be discriminated against and shall have equal access to protection.
- All decisions taken which affect children's lives should be taken in the child's best interests.
- Children have the right to have their voices heard in all matters concerning them.

The UN Committee on the Rights of the Child is scheduled to examine the United Kingdom's compliance with its obligations under the UNCRC in 2016. To inform this examination, the Children's Law Centre and Save the Children NI developed and submitted a *Northern Ireland NGO Alternative Report* following a process of extensive engagement with a wide range of NGOs. In developing these reports, CLC wished to ensure that marginalised groups of children and young people in Northern Ireland, including those from the Roma community, were consulted. Mindful that such groups may not normally have the opportunity to participate in formal processes, the intentions were to: provide them with information about their rights, include their views and experiences within the *Northern Ireland NGO Alternative Report*, and ensure that these inform the examination of the United Kingdom Government by the Committee on the Rights of the Child and the Committee's Concluding Observations in relation to the United Kingdom. CLC also considered that a separate report outlining the consultation process undertaken with Roma children and young people was necessary to ensure that their views in relation to

how their rights are being protected and guaranteed in Northern Ireland are fully conveyed. It is hoped that this report will be a useful tool for civil society, public authorities, public officials, politicians and all those working with and for Roma children and young people - building understanding about their knowledge and experiences. Dr Deena Haydon was commissioned by CLC to assist in the consultation process and to prepare this report.

AUTHOR PROFILE

Dr Deena Haydon is an independent research consultant and a member of the *Childhood, Transition and Social Justice Initiative* at Queen's University Belfast. Before moving to Northern Ireland in 2003, she conducted and managed research as a Principal Officer for Research and Development at Barnardo's in the NW of England. Her previous experience included a Senior Lectureship and Head of Research post in the School of Education at Edge Hill University, Lancashire, and teaching in primary schools.

Deena's extensive experience of research/consultation has included: conducting an independent review of the legislation of the Northern Ireland Commissioner for Children and Young People ('Putting Children First' Alliance, 2006); consulting children and young people across Northern Ireland about their rights, on behalf of OFMDFM, to inform the Northern Ireland contribution to the 2007 UK Government Report to the UN Committee on the Rights of the Child (CYPUN, 2007); authoring the 2008 *Northern Ireland NGO Alternative Report to the UN Committee on the Rights of the Child and Additional Information*, attending the pre-sessional meeting and UN Committee examination of the UK Government (Save the Children NI and Children's Law Centre, 2007-2008); analysing youth workers' and service managers' responses to the *Priorities for Youth* consultation (Department of Education NI, 2009); developing a *Background Paper* to inform the *Manifesto for Youth Justice in Northern Ireland* (Include Youth, 2009); working with Siobhán McAlister and Phil Scraton on the partnership research project: 'Understanding the Lives of Children and Young People in the Context of Conflict and Marginalisation' and co-authoring the report *Childhood in Transition* (QUB, Save the Children NI, Princes Trust NI, 2009); with Siobhán McAlister and Phil Scraton conducting an action research-based evaluation of phase 1 of a Play Advocacy Programme (PlayBoard, 2010-2013) followed by evaluation of phase 2 (2014-2015). Her PhD thesis focused on *Critical analysis of rights-based approaches to children 'at risk of offending' in Northern Ireland* (QUB, 2014).

INTRODUCTION

Contextualising the views of consulted children and young people requires an appreciation of the issues they face in their everyday lives. The following sections provide an overview of relevant data and previous research relating to the Roma community in Northern Ireland against which the views of the Roma children and young people should be considered.

BACKGROUND

BME and migrant communities

Black and Minority Ethnic (BME) and migrant communities represent a diverse and dynamic population in terms of their reasons for migration, and their needs change over time.

Northern Ireland has a relatively small minority ethnic population, which has experienced a rapid change in composition over the last fourteen years. In the 2011 Census, 1.8% (32,400) of usual residents in Northern Ireland belonged to minority ethnic groups compared with 0.8% in 2001 (NISRA, 2013, p8), although it has been suggested that census figures may not exactly reflect the situation as the numbers entering and leaving are in constant flux. In addition, not all migrants complete census forms due to a lack of language support, not receiving the forms, or out of fear of reporting to the authorities (McNulty, 2014, p2). The numbers of children born in Northern Ireland to parents from abroad is also rising. Of the 24,394 births registered in Northern Ireland in 2014, 10% were births to mothers who were not born in Northern Ireland, Britain or the Republic of Ireland (Registrar General, 2015, p22).

The most established minority ethnic communities are Irish Travellers, Chinese, and Indian.² In the early 2000s, the food processing industry began recruiting workers from Portugal to fill vacancies and some Health and Social Services Trusts hired nursing staff from South Asia and the Philippines (Russell, 2011, p11). When the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia [A8 accession countries] joined the European Union in 2004, there was an increase in people from these countries coming to work in Northern Ireland.³ In 2007,

² There has been a Jewish community in Northern Ireland since the 1860s, which numbered around 1,500 in the late 1960s but has since declined; members of the Indian community first arrived during the 1920s and 1930s, and the first arrivals from China came in the early 1960s (Russell, 2011, p9-10). In the 2001 Census, the Irish Traveller population was 1,710, the Chinese population was 4,145, and the Indian population was 1,567 (ibid, p10). In the 2011 Census, 1,779,750 (98.21%) of Northern Ireland's population was White; 6,303 (0.35%) was Chinese; 6,198 (0.34%) was Indian and 1,301 (0.07%) was Irish Traveller (NISRA, 2013a, Table DC2101NI for numbers; NISRA, 2012, p15 for %).

³ Citizens from the Accession countries are freely able to travel between EU member states although they have experienced limited rights and protection in relation to work and welfare. In Northern Ireland, low skilled workers could only be legally employed in one of two schemes – Seasonal Agricultural or Sectoral Worker Schemes - which required them to apply for an accession worker card and register under the Worker Registration Scheme (WRS). They were entitled to benefits if they had

Romania and Bulgaria [A2 accession countries] joined the European Union, leading to an increase in the number of migrants from these two countries.⁴ It is estimated that, following recent political conflict and drought, 500 people from East Africa settled in the Belfast area between 2010 and 2012 (Young, 2012, p3).

These population changes have implications not only in terms of increased cultural diversity within Northern Ireland during a period of transition from conflict and devolution, but also for the planning, resourcing and delivery of housing, health and social care, education,⁵ and community-based services.

There is no common definition for the term 'migrant', which includes short-term and long-term residents, populations in transition and settled communities, people with and without legal status or papers, first/second/third generation migrants – categories vary according to an individual's legal status and nationality (Johnston, 2010, p29).⁶ Overall migration figures do not give an indication of the diversity of the populations involved, where they have migrated to/from, or their reasons for migration. Many migrants have contributed significantly to Northern Ireland's labour market, filling vacancies and skills shortages. As noted by Lynn (2013, p9) 'Northern Ireland employers have been actively recruiting migrant labour to fill vacancies which local citizens have been unwilling or unable to take up in a variety of sectors, namely agriculture, hospitality, construction and the health sector'.

The Roma community

The focus of this report is the migrant Roma community, who have historically experienced systematic discrimination, severe poverty and poor living conditions in their countries of origin. According to the Council of Europe, the term 'Roma and Travellers' refers to 'Roma, Sinti, Kalé, Travellers and aims to cover the wide

one year's continuous registration. Between 1 May 2004 and 31 March 2011, 42,525 A8 nationals registered to work in Northern Ireland (NISRA, 2013b, Table 2.34). Many provided extensive labour for the meat and food processing sectors' rural factories (Wallace et al, 2013, p15), particularly in the Southern Area of Northern Ireland. The WRS expired in May 2011 and since then A8 nationals have been entitled to live, work and receive financial assistance in the same way as other EU nationals. With the economy in recession and the rest of Europe now open to A8 nationals, concerns have been raised about the possibility of these workers migrating to other countries where their economic prospects are better (Lynn, 2013, p9).

⁴ A2 nationals only had the right to stay indefinitely if they were students, self-employed or self-sufficient. Until 2014, transitional restrictions on their access to the labour market meant that they could not work in the UK unless that work had been authorised by the UK Border Agency through the WRS. Between 1 April 2008 and 30 June 2013, 443 applications for an accession worker card were approved for A2 nationals: 375 from Bulgarian nationals, and 68 from Romanian nationals (NISRA, 2013b, Table 2.36). 1,193 applications for registration certificates were approved for those exempt from worker authorisation registration, highly skilled migrants, students, self-employed, self-sufficient and family members of applicants: 502 from Bulgarians, and 691 from Romanians (NISRA, 2013b, Table 2.37). These restrictions remained in place until December 2013.

⁵ For example, 3% of school enrolments in 2011/12 were from minority ethnic communities compared with 1.6% in 2005/6 (OFMDFM, 2013: Priority Outcome 4, 4.9). However, this proportion is not evenly distributed across geographical areas and includes individuals/ groups with diverse needs.

⁶ For example, legal status can include: permanent residents, legally-residing migrants, guest workers, expatriates; irregular, undocumented, without visa migrants; education migrants; forced migrants; refugees; asylum-seekers; refused asylum seekers (Johnston, 2010, p9).

diversity of the groups concerned, including groups which identify themselves as Gypsies' (Council of Europe Committee of Experts on Roma and Travellers, 2008).⁷

In 2011, the European Commission produced *An EU Framework for National Roma Integration Strategies up to 2020* which called on member states to prepare a national Roma Integration Strategy aimed at improving the social and economic situation of Roma. These strategies or packages of policy measures were intended to include targeted actions and sufficient funding to improve Roma access to education, employment, healthcare, housing and basic services.

A year later the then Council of Europe Commissioner for Human Rights, Thomas Hammarberg, commissioned a review of the discrimination and human rights abuses experienced by Roma and Travellers, and the policies of EU member states. This demonstrated the deep-rooted level of 'anti-Gypsyism' (Council of Europe, 2012). Asked in 2015 about how Roma are treated, Ulrich Bunjes, the Secretary General's Special Representative for Roma Issues in the Council of Europe, stated:

"For us this is an ongoing scandal. It is one of the dark spots in the history of human rights protection in Europe. Roma communities in many of our member states are treated very badly. Roma inclusion has not proceeded very much over the last decade ... in many states, anti-Roma feelings are on the rise and Roma are once again the minority which triggers hate and prejudice."⁸

He argued that more has to be invested in European and national strategies to combat anti-Gypsyism and promote the inclusion of Roma, commenting that it is important to counterbalance negative stereotypes by showing that Roma communities have a lot to contribute – as workers, as intellectuals, to the culture and life of the community.

Migrant Roma in Britain and Northern Ireland

The UK's submission to the EU concerning development of a Roma Integration Strategy mainly focused on issues affecting Gypsies and Travellers in Britain and Northern Ireland, with minimal attention placed on migrant Roma. It stated: 'There are no reliable data on the number of Roma in the UK – entrants to the UK are not monitored by ethnic origin' (UK Government, 2012, p2). Brown et al (2013, p6) confirm that there 'currently exists an inadequate understanding of the size of the migrant Roma population residing in the UK and ... a parallel lack of awareness of the significant issues and experiences faced by members of this community'. Inaccurate data about 'ethnicity' is collected (e.g. in the UK Census, school and

⁷ This Committee was replaced by the Ad-hoc Committee of Experts on Roma Issues (CAHROM) in 2011, a Council of Europe body responsible for regularly reviewing the human rights situation of Roma and Travellers in Europe.

⁸ Podcast about International Roma Day, 8 April 2015: www.humanrightseurope.org/2015/04/podcast-international-roma-day-2/

children ‘in need’ censuses in UK jurisdictions⁹), compounded by a reluctance of individuals to self-ascribe as ‘Roma’ due to fears of discrimination.

Since the late 1990s, migrant Roma have tended to move in significant numbers from a single location in their country of origin to a single location in the UK, either at the same time or over a period of time. The high densities in specific geographical areas have been attributed to access to properties in the private rental sector coupled with strong familial bonds (Brown et al, 2013, p8). Mobility within the Roma population includes movement within areas – from one dwelling to another and also family members moving from and re-joining dwellings due to a lack of available accommodation suitable in size for large families to live in single dwellings (Brown et al, 2013, p8).

The Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities (2011, para 27; para 58) noted that some recently arrived migrants and asylum seekers belonging to minority ethnic communities, including Roma, were ‘facing destitution and experiencing substandard living conditions’ because they lack access to social support when unemployed and access to social services is limited by their lack of familiarity with the system combined with reluctance to approach the authorities.

A number of local authorities in Britain and Northern Ireland report being aware of Roma living in their areas who rarely come into contact with the authority in any way. The main contact is generally through educational or children’s services (e.g. Sure Start, health visitors, midwives, education welfare), often as a result of a crisis within the household, issues being reported by the general public or referrals being made by agencies such as housing, environmental health or the police – reinforcing a tendency to ‘problematise’ the Roma population (Brown et al, 2013, p25-27).

When considering the varied and complex needs of this group, key issues include ‘poverty, experience of entrenched discrimination resulting in an absence of trust and lack of literacy abilities (in any language)’ (Brown et al, 2013, p8). The ability of local authorities and their partners to address Roma needs has been affected by: reductions in funding as a result of wider public sector funding cuts, with loss of posts in statutory and non-statutory organisations decreasing workers’ capacity to deal with Roma issues as well as eradicating institutional memory about how to address issues when they are presented; limited representation of Roma on relevant

⁹ For example, data about ‘ethnicity’ from the NI School Census continues to be reported using the categories: White, Chinese, Irish Traveller, Indian/Sri Lankan, Pakistani, Black, Other ethnic group, Mixed ethnic group (DENI, 2014). These categories do not reflect diversity within the ‘white’ population, including some of the newcomers from A8 countries, and subsume specific groups such as Roma in ‘other’.

fora; negative media portrayal of Roma; and low levels of access by Roma of available services (Brown et al, 2013, p41-45).¹⁰

It is difficult to obtain accurate official statistics about the number of Roma in Northern Ireland because they have not generally been registered in Worker Schemes, have a low uptake of the Health Registration Card and do not have National Insurance numbers (Johnston, 2010, p41). According to Brown et al (2013, p7), in 2012 Northern Ireland's estimated Roma population was 500. However, Community Development Workers at the Romanian Roma Community Association for Northern Ireland estimated in September 2015 that the Romanian Roma population is now approx. 2,000 women, men and children - 1,500 living in Belfast and 500 in other parts of Northern Ireland. In addition, approximately 500 Roma people of Hungarian and Slovak nationality live mainly in Belfast (Meeting with member of the UN Committee on the Rights of the Child Task Force, 4.9.15).

¹⁰ The recommendations of UK local authorities about future work with Roma include: more funding and resources for both targeted and mainstream services, delivered through integrated partnership working; better understanding of Roma communities, cultures and needs; improved engagement and consultation; greater support for language development and interpretation; support for development of Roma communities, 'myth busting', and improved community relations (Brown et al, 2013, p45).

THE RIGHTS OF ROMA CHILDREN, YOUNG PEOPLE AND THEIR FAMILIES: INTERNATIONAL STANDARDS

Elimination of racial discrimination

The United Nations *International Convention on the Elimination of all forms of Racial Discrimination* was ratified by the UK Government in 1969. In 2000, the Committee on the Elimination of Racial Discrimination issued *General Recommendation XXVII on Discrimination Against Roma* (UN General Assembly, 2000) detailing measures to be adopted by state parties (i.e. states which have ratified the Convention). In addition to general measures concerning legislation to eliminate discrimination and secure effective remedies for rights violations, these include measures relating to protection against racial violence, education, living conditions, the media, and Roma participation in public life.

Specifically addressing racism experienced by children, the latest Concluding Observations of the Committee on the Elimination of Racial Discrimination to the UK Government included encouragement to 'take all necessary steps to eliminate all racist bullying and name-calling in ... schools', using the introduction of 'awareness-raising campaigns ... with a view to changing the mindset of pupils, and to promote tolerance and respect for diversity in the education sector' (CERD, 2011, para 23).

Protection of migrant workers

The UK Government has not ratified the *International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families*, adopted by the UN General Assembly in December 1990, and was encouraged to consider ratification by the Committee on the Elimination of Racial Discrimination (CERD, 2011, para 32). The Equality Commission for Northern Ireland (ECNI) has raised concern about 'a legally established hierarchy among members of the various migrant and minority ethnic communities, whereby some categories of new residents have more rights than others, both in the civil and political sphere, as well as in relation to access to social and economic equality' (e.g. A2 nationals experienced greater restrictions on their right to work than nationals of other EU countries, including A8 nationals) (ECNI, 2009, p31-32).

Protection of national minorities

The Council of Europe *Framework Convention for the Protection of National Minorities* is intended to ensure that states parties protect the rights and freedoms of people belonging to national minorities and promote mutual respect, understanding and co-operation irrespective of people's ethnic, cultural, linguistic or religious identity (Council of Europe, 1995). This was ratified by the UK Government in January 1998 and came into force four months later. In its third opinion on the UK Government, the Advisory Committee on the Framework Convention for the Protection of National Minorities (2011, para 18) noted 'a worrying level of hostility

against Gypsies, Travellers, migrants and Roma', sometimes aggravated by the media, and specifically mentioned attacks against Roma in Belfast during 2009 (ibid, para 116).

Commenting that the state party report contained no information relating to implementation of the Framework Convention in Northern Ireland (para 68), significant recommendations concerning Roma children included: the ring-fencing of funding intended to reduce educational inequalities experienced by children from minority ethnic communities (para 25); provision of programmes to combat racism among youth and racist bullying in schools (para 106), with particular efforts being made to combat hostility towards Gypsies, Travellers and Roma at the local level (para 107); continued support, financially as well as through projects and other measures, to address the difficulties faced by these groups at school (para 176).

Promotion and protection of children's rights

All children and young people from BME communities in Northern Ireland, including Roma, should enjoy all of the rights contained within the *United Nations Convention on the Rights of the Child* (UNCRC). The UNCRC is a set of non-negotiable, legally binding minimum standards and obligations in respect of all aspects of children's lives. It was signed by the UK Government in 1990, ratified in December 1991 and came into force on 15 January 1992. As a result of ratifying the Convention, the Government has committed to its implementation by ensuring that law, policy and practice relating to children in the United Kingdom and devolved administrations conforms with UNCRC standards. The UK Parliamentary Joint Committee on Human Rights described the obligations placed by the UNCRC on Government as follows:

'The Convention should function as the source of a set of child-centred considerations to be used as yardsticks by all departments of Government when evaluating legislation and in policy-making ... We recommend, particularly in relation to policy-making, that Government demonstrate more conspicuously a recognition of its obligation to implement the rights under the Convention.' (Joint Committee on Human Rights, 2003, para 25)

The UNCRC includes a number of Articles that are particularly relevant to children from BME communities, including Roma children and young people. Article 2 guarantees rights to each child 'without discrimination of any kind'. Under Article 3 there is an expectation that 'in all actions concerning children ... the best interests of the child shall be a primary consideration'. This applies to public or private social welfare institutions, courts of law, administrative authorities or legislative bodies. Article 3 affirms that states 'undertake to ensure the child such protection and care as is necessary for his or her well-being'. In addition to the inherent right to life, Article 6 obliges states 'to ensure to the maximum extent possible the survival and development of the child'. The participation rights contained in Article 12 'assure to the child who is capable of forming his or her own views the right to express those

views freely in all matters affecting the child', with their views 'being given due weight in accordance with the age and maturity of the child'.

The UNCRC stresses that parents/legal guardians 'have the primary responsibility' for the child's upbringing and development but states are required to 'render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities' and to 'take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible' (Article 18). States are expected to take 'all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation' (Article 19). Although parents/others responsible for the child 'have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development', states are expected to assist parents to implement this right and 'shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing' (Article 27).

Every child should enjoy 'the highest attainable standard of health' and 'facilities for the treatment of illness and rehabilitation of health', with states striving 'to ensure that no child is deprived of his or her access to such health care services' (Article 24). States are expected to recognise the right of every child to 'benefit from social security, including social insurance' (Article 26). Significantly, every child has the right to 'a standard of living adequate for the child's physical, mental, spiritual, moral and social development' (Article 27). Children belonging to an ethnic, religious or linguistic minority or of indigenous origin should 'not be denied the right ... to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language' (Article 30). States are expected to recognise the right of the child to 'rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts' (Article 31).

Every child has the right to primary education which is compulsory and free to all; different forms of secondary education, including general and vocational education, available and accessible to all; Higher Education accessible to all on the basis of capacity (Article 28). This Article includes measures to encourage regular attendance and reduction of drop-out rates as well as noting that states should ensure 'school discipline is administered in a manner consistent with the child's human dignity and in conformity with the Convention'. Without specifying content, Article 29 outlines what the aims of education should be. It is expected that the education of the child will be directed to: development of the child's personality, talents, mental and physical abilities to their fullest potential; development of respect for human rights and fundamental freedoms; development of respect for the child's parents, her or his own cultural identity, language and values, for the values of the country in which s/he is living, the country from which s/he originates and for

civilisations different from her/his own; preparation for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of the sexes, national and religious groups and people of indigenous origin; development of respect for the natural environment.

The UK Government has to submit regular reports to the UN Committee on the Rights of the Child¹¹ about progress in implementing the UNCRC. Representatives of the UK Government also attend an oral examination by the Committee. Following the examination process, the Committee produces a set of 'Concluding Observations' outlining its main areas of concern and recommendations aimed at improving the situation regarding the implementation of children's rights. These Concluding Observations are extremely important. They should form the basis for policy, practice and legislation in relation to children and are also referenced in litigation.

Following its last examination of the UK Government, the UN Committee on the Rights of the Child produced 'Concluding Observations' in October 2008 to the 'State party' (i.e. the UK Government and devolved administrations), some of which were particularly relevant to the Roma community and remain pertinent:

- The Committee was 'concerned that in practice certain groups of children, such as: Roma ... children... continue to experience *discrimination and social stigmatization*' (para 24). It recommended that the State party ensure full protection for children against discrimination on any grounds, including by strengthening its awareness-raising and other preventive activities against discrimination and, if necessary, taking affirmative actions for the benefit of vulnerable groups of children, including Roma children. It also recommended that the State Party take all necessary measures to ensure that cases of discrimination against children in all sectors of society are addressed effectively, including with disciplinary, administrative or - if necessary - penal sanctions (UN Committee on the Rights of the Child, 2008, para 25).
- The Committee 'regrets that the principle of the *best interests of the child* is still not reflected as a primary consideration in all legislative and policy matters affecting children' (para 26). It recommended that the State Party take all appropriate measures to ensure that, in accordance with Article 3 of the UNCRC, the principle of the best interests of the child is adequately integrated in all legislation and policies which have an impact on children (para 27).
- The Committee was 'concerned that there has been little progress in enshrining *article 12* in education law and policy' (para 32). It recommended that, in accordance with Article 12 of the UNCRC, the State party should

¹¹ The UN Committee on the Rights of the Child is a body of independent experts that monitors implementation of the UNCRC by States Parties (i.e. the states which have ratified the Convention).

promote, facilitate and implement, in legislation as well as in practice, within the family, schools, the community, institutions, administrative and judicial proceedings, the principle of respect for the views of the child; support forums for children's participation; continue to collaborate with civil society organisations to increase opportunities for children's meaningful participation (para 33).

- The Committee was 'concerned that ... *inequalities [in access to health services]* remain a problem, as demonstrated by the widening gap in infant mortality between the most and least well-off groups' (para 54). It recommended that the State Party address inequalities in access to health services through a coordinated approach across all government departments and greater coordination between health policies and those aimed at reducing income inequality and poverty (para 55).
- The Committee was 'concerned that *poverty* is a very serious problem affecting all parts of the United Kingdom ... and that it is a particular concern in Northern Ireland, where over 20 per cent of children reportedly live in persistent poverty'. It was also 'concerned that the Government's strategy is not sufficiently targeted at those groups of children in most severe poverty' (para 64). The Committee stated it 'would like to highlight that an adequate standard of living is essential for a child's physical, mental, spiritual, moral and social development and that child poverty also affects infant mortality rates, access to health and education as well as everyday quality of life' (para 65). It recommended that the State Party should: (a) adopt and adequately implement the legislation aimed at achieving the target of ending child poverty by 2020, including by establishing measurable indicators for their achievement; (b) give priority in this legislation and in the follow-up actions to those children and their families in most need of support; (c) when necessary, besides giving full support to parents or others responsible for the child, intensify its efforts to provide material assistance and support programmes for children, particularly with regard to nutrition, clothing and housing (para 65).
- The Committee was 'concerned that significant inequalities persist with regard to *school achievement of children living with their parents in economic hardship*' (para 66). It recommended that the State Party should continue and strengthen its efforts to reduce the effects of the social background of children on their achievement in school, and invest considerable additional resources to ensure the rights of all children to a truly inclusive education which ensures the full enjoyment to children from all disadvantaged, marginalised and school-distant groups (para 67).

- The Committee noted that several groups of children ‘have problems being enrolled in school or continuing or re-entering education, either in regular schools or alternative educational facilities, and cannot fully enjoy their *rights to education*, notably ... Roma children ...’ (para 66), recommending that the State Party ensure that all children out of school get alternative quality education (para 67).
- The Committee recognised that *bullying* ‘is a serious and widespread problem, which may hinder children’s attendance at school and successful learning’ (para 66). It recommended that the State Party intensify its efforts to tackle bullying and violence in schools, including through teaching human rights, peace and tolerance (para 67).

The United Kingdom is scheduled to next be examined by the Committee on the Rights of the Child in May/June 2016. In June 2015, the Children's Law Centre, Save the Children NI and Youth@clc (the Children’s Law Centre’s youth advisory panel), supported by the Centre for Children's Rights at Queen's University Belfast, prepared and submitted a *Northern Ireland Young People's Report* and *Northern Ireland NGO Alternative Report* to inform the Committee's examination of the United Kingdom's compliance with its obligations under the UNCRC.

With NGOs from Britain and the four UK Children’s Commissioners, staff from CLC and Save the Children NI, plus a group of young people from Northern Ireland, travelled to Geneva to attend the Committee’s pre-sessional hearing in relation to the United Kingdom on 7th October 2015. Both organisations gave evidence at the pre-sessional hearing about the situation regarding children’s rights in Northern Ireland and the young people presented evidence to the Committee during a separate meeting.

KEY ISSUES RAISED IN PREVIOUS RESEARCH ABOUT ROMA CHILDREN AND YOUNG PEOPLE IN NORTHERN IRELAND

Wallace et al (2013, p9) note an 'absence of robust, reliable statistical or administrative analysis' of data concerning the circumstances and needs of minority ethnic communities in Northern Ireland. With the exception of Irish Travellers, 'little, if anything, is known about ethnic minorities' outcomes in relation to health, education, housing and benefit receipt' (Wallace et al, 2013, p51).

The Roma community has been described as 'a marginalised and vulnerable community, with very complex health and social care needs', which is 'hard to reach with existing services' (Johnston, 2010, p41). Systemic barriers to Roma involvement in decision-making and ability to access services exist both within the Roma community and in current mainstream provision (Long, 2014). A few recent studies have identified key issues affecting Roma children, young people and their families in Northern Ireland.

STANDARD OF LIVING

Poverty

Many migrants receive low wages for the work they carry out (ECNI, 2009), with 'some evidence that recent migrants earn below the average local wage, and below that of other lower-grade employees' (Wallace et al, 2013, p4). Labour market restrictions and the process of certification have 'led to some A2 nationals ... being exploited, or being left vulnerable to exploitation' (ECNI, 2013, p8).

Research has highlighted poor working conditions, low pay, restricted movements, verbal and physical abuse experienced by migrants working in the fishing, mushroom and catering industries and among Roma migrants who exist on unskilled, insecure self-employment in exploitative conditions where they may earn as little as £3 per day selling newspapers for long hours. This exploitation was associated with a combination of workers' lack of English language skills; isolation; lack of local knowledge, advice and information (Allamby et al, 2011). Family, friends and community contacts are important sources of information about employment opportunities. For Roma, the 'bulibasa' (community leader) organises employment such as selling the *Big Issue*, car washing and selling flowers (Wallace et al, 2013, p44-45).

These circumstances obviously have significant impacts on children and their families. Roma women have reported the hardships endured as a result of living on 'barely subsistence incomes', and the coping strategies they describe include unheated housing, children missing school and going without meals, borrowing money from friends or family (Wallace et al, 2013, p43). In research by Geraghty et al (2010, p39), participants made reference to Roma children 'who come to [primary]

school hungry with no lunch or money' and 'with inadequate equipment (for example, no swimwear) or school uniform'; families lacking basic provision, such as food or heat (ibid, p45), and living in 'sparse, but clean' homes where some children 'have never seen or played with toys' (ibid, p52).

Limited access to benefits

Families may be unaware of their right to claim certain benefits (NICEM/NHSSB, 2007; McQuaid et al, 2010). Until 2014, A2 nationals had to work for a year before they became eligible for social security benefits, with 'no safety nets available in the event of unemployment' (Geraghty et al, 2010, p52-53).

For many migrant families, their child's school is 'the first official point of contact in their adoptive country', leading to school staff providing informal advice to parents about 'a wide range of issues such as how to apply for income support or free school meals – issues that have obvious ramifications for the well-being of the entire family' (Geraghty et al, 2010, p38). Staff in primary schools with high numbers of newcomer children report supporting parents to complete official paperwork, explaining how parents can access health and social care systems, and directing them to cheaper uniforms (Kernaghan, 2015, p54). Some teachers and Principals have expressed concern about fulfilling a 'duty of care' and providing a signposting service which extends beyond their remit (Geraghty et al, 2010, p38-40).

HOUSING

Since 2007, the majority of Romanian Roma in Northern Ireland have settled in South Belfast, leading to a significant change in the population of this area which previously consisted mainly of university students and 'local' residents.

Overcrowding

Roma families generally rent accommodation together in small terraced houses. Where more than one family share a house, each set of parents and their youngest children sleep in one room, with their other children sleeping together in another room. The families share common access to a kitchen and bathroom. Alternatively, a household may include a family plus members of their extended family. Roma women report that living in multiple-occupancy households enables them to cover the rent (Wallace et al, 2013, p47). However, overcrowding can lead to health and safety issues in the home (Wright, 2011).

Exploitation and discrimination

The Equality Commission for Northern Ireland notes that members of the BME community, particularly migrant workers, are 'extremely vulnerable to exploitation and discrimination in housing' (ECNI, 2013, p15). For some in the private rented

sector 'this has resulted in overcrowding, insecurity of tenure and being forced to accept poor health and safety standards' (ibid).

Research about the relationship between poverty and ethnicity in Northern Ireland found that the majority of people from minority ethnic groups were housed in the private rented sector and reported 'overcrowding, unaffordable rents and poor management by landlords' (Wallace et al, 2013, p5). While their housing experiences were similar to those of other low-income households, 'problematic access to benefits, uncertainty about rights and language difficulties can compound difficult situations' (ibid).

The difficulties faced by migrant workers in relation to housing include: accommodation being 'tied' to a particular job, which is then under threat if that job is lost; overcrowding; exploitation by some landlords; absence of tenancy agreements; having little or no choice about the location of accommodation (Holder, 2007; Allamby et al, 2011).

Until 2014, Roma families had to register with the Worker Registration Scheme and be in continuous employment for a year or self-employed before they were eligible for assistance with social housing and/or housing benefit.¹² Consequently, some were exploited by private landlords (Geraghty et al, 2010, p41). Roma families have described how they were 'not always accepted as tenants and on many occasions landlords increased the rental rate on learning of their ethnicity' (Wallace et al, 2013, p47).

Intimidation

In the summer of 2009, a number of Roma homes in Belfast were attacked. Around 100 members of the Roma community were intimidated out of their homes and decided to return to Romania because they were too afraid to remain. According to the BBC News (23 June 2009), the Housing Executive paid for their return using emergency funds. After a few months, many decided to return to Belfast (mainly because of the poor conditions experienced in Romania).

EDUCATION

The Department of Education's *Supporting Newcomer Pupils* Strategy defines a 'newcomer' child as 'a child or young person who has enrolled in a school but who does not have satisfactory language skills to participate fully in the school curriculum

¹² A2 nationals who lost their job or stopped working within 12 months of starting work in the UK were not eligible for housing or homelessness assistance. Those looking for work, or not registered as an authorised worker when they should be, were not entitled to any benefits, homelessness assistance or access to social housing until they started work and received authorisation to work from the Home Office (ECNI, 2013, p20).

and does not have a language in common with the teacher' (DENI, 2009, piii).¹³ The Department has subsequently issued guidance establishing the term 'newcomer' as a replacement for children who speak 'English as an Additional Language' (EAL) in recognition that 'the school life of a child encompasses much more than language acquisition' (DENI, undated, p3). In addition to curricular and linguistic needs, it is recognised that schools need to address pastoral care and intercultural barriers to ensure that children feel welcome and are encouraged to participate in school life.¹⁴

The number of newcomer children registered in Northern Ireland schools (including nurseries, primary, post-primary and special schools) increased from 1,366 (0.39% of all pupils) in 2001/02 to 11,565 (3.5% of all pupils) in 2014/15 (DENI, 2015). Alongside an increase in the range of languages spoken,¹⁵ there is a greater diversity of prior educational experiences among the school population.

A paper produced by the Northern Ireland Strategic Migration Partnership (NISMP) states that the first record of Romani speakers in the primary education sector was in 2008, when 11 children were registered. This rose to 50 children in 2010, decreased to 22 in 2012, and in 2014 one of the primary schools in Belfast had 70 Roma children on its register (NISMP, 2014, p3). In the post-primary sector, 8 Romani speakers were recorded in 2011, 9 in 2012 (NISMP, 2014, p12).

Funding for additional support

The *Supporting Newcomer Pupils* Strategy includes the funding of an Inclusion and Diversity Service to work with schools in providing support to newcomer children and their families. However, school staff have expressed mixed views about this Service. Feeling that it was 'most useful when providing schools with tools to introduce and settle newcomers', they found it was 'of limited support in terms of providing advice for classroom practice' concerning more complex issues such as special educational needs and age appropriate resources (Kernaghan, 2015, p7). Teachers have suggested that the Service 'should be able to offer more extensive training courses for staff with examples of a model lesson for classes with newcomer pupils and strategies to deal with the broad range of abilities and languages present in the classroom' (ibid, p39). Some also suggested that the Service 'should engage with newcomer pupils themselves to provide support' (ibid). NGOs consulted during

¹³ In 2011/12, 2.5% of pupils had English as an additional language compared with 0.8% in 2005/06 (OFMDFM, 2013: Outcome Priority 4, 4.48). Although this figure had trebled, it was still a small proportion of the overall school population.

¹⁴ The criteria for being designated a 'newcomer' pupil is that a child was born in a country other than the UK, needs to learn the language of instruction, does not have a language in common with the teacher, and does not normally speak English or Irish at home and/or does not have the satisfactory language skills to participate fully in the school curriculum and the wider environment (DENI, undated, p5 and Annex C).

¹⁵ In the 2011 Census, the proportion of all usual residents aged 3 and over whose main language was English was 96.8%. The proportions using another main language were: Polish: 1.02%; Lithuanian: 0.36%; Irish (Gaelic): 0.24%; Portuguese: 0.13%; Slovak: 0.13%; Chinese: 0.13%; Tagalog/Filipino: 0.11%; Latvian: 0.07%; Russian: 0.07%; Malayam: 0.07%; Hungarian: 0.06% (NISRA, 2012, p17).

development of the *Northern Ireland NGO Alternative Report* were keen for the Inclusion and Diversity Service to be reviewed. A key concern was the Service's focus on enhancing the child's English without addressing other diversity issues, such as the right of children from minority ethnic backgrounds to have their linguistic and cultural heritage acknowledged, nourished and supported (CLC and Save the Children NI, 2015, p32).

Additional support is funded through the Common Funding Scheme, which allocates an additional 0.5 of the basic 'age weighted pupil units' of funding for each full-time newcomer pupil designated in the school census, and a further 0.5 of the basic age weighted pupil units funding for Roma pupils (who are recognised as having similar additional needs to Traveller children).

Access to additional funding to support newcomer pupils is dependent on primary and post-primary schools completing the annual school census each October. Children arriving after this date in the school year are not reflected in the statistics for that year, or in the funding made available to their school. Further, concerns have been raised about funds allocated to schools for the integration of minority ethnic pupils not being ring-fenced (Wallace et al, 2013, p48).

The 'language barrier'

While adults tend to focus on the 'need for English in terms of either giving or receiving information, especially to or from officials or for accessing services', children tend to emphasise need for fluency in English 'to get on well with schoolwork, to understand instructions from teachers and progress academically' as well as 'to develop and sustain friendships with peers' (Geraghty et al, 2010, p30-31). For newcomer children starting primary school, not being able to make friends and interact with others because of the language barrier is a central concern (Kernaghan, 2015, p41). Ability to speak English enables children to join in activities, make friends, comprehend what is going on around them and, conversely, difficulties with English can have an isolating effect (Geraghty et al, 2010, p31).

Frustration/disaffection/truancy

Newcomer children have described feeling frustrated about misunderstandings caused by the language barrier, such as getting into trouble for not doing work when they do not understand what they are expected to do or being told they may have a hearing problem when they do not respond to a teacher (Kernaghan, 2015, p50).

Teachers of newcomer children in primary school have reported that frustration at being unable to communicate can be manifested in bad behaviour in class or anger and disruption in the playground (Kernaghan, 2015, p50). Inability to access the curriculum 'is likely to lead to school disaffection and truancy' at post-primary school (NISMP, 2014, p13). Those who have not disengaged with the education system

have been 'described as sitting at the back of the room, keeping their head down and with the class operating around them' (NISMP, 2014, p16).

Difficulty assessing children who are not proficient in English

Recognising the difficulties involved in assessment when children are not proficient in English, the Northern Ireland Strategic Migration Partnership paper refers to schools' concern about 'identifying and differentiating between gaps in a child's knowledge or skills which were the result of a language barrier, those which were due to a lack of previous schooling and those which were because of a special educational need' (NISMP, 2014, p15; see Kernaghan, 2015, p53).

Schools have also raised concern about 'how to accurately assess attainment levels of children who are unable to understand the exam questions and give adequate explanation of reasoning because of their low levels of English rather than because of inadequate subject knowledge' (NISMP, 2014, p15). Lack of ability to explain their reasoning in English can lead to children being penalised in subjects they understand well; misrepresenting their understanding and contributing to inaccurate end of key stage results (NISMP, 2014, p17).

Acquiring an additional language

For Roma children, English is often their third language. Romani 'is almost exclusively an oral language and their written literacy in Romanian, their second language, is limited at best' (NISMP, 2014, p14). It has been noted that second language acquisition is 'more difficult after puberty' and that those unable to acquire proficiency in English prior to secondary school 'will have an impaired ability to access the "higher order" English that is needed' (NISMP, 2014, p13).

Rooney and Fitzpatrick (2011, p19) note that, on average, those learning English as a second language take 2 years to converse *socially* in English on a par with people whose first language is English but it takes on average 5-7 years for someone with English as a second language to engage *academically* on an equal basis. They suggest that this distinction between conversational and academic proficiency helps to explain why newcomer children appear to be fluent in English yet perform relatively poorly in exams (ibid, p20).

Lack of prior educational experiences

Parents may miss out on a free nursery place if they are unaware of the deadlines for completion and submission of application forms (Geraghty et al, 2010, p37).

Teachers have identified lack of pre-school or nursery education as a reason for some newcomer children having low levels of 'school readiness' (Kavanagh, 2015, p44-45). One of the key issues identified in relation to Roma children is the 'limited formal educational experiences' of this newcomer group, which 'affects literacy and numeracy levels, attainment in other academic subjects, understanding of school

norms and in some instances gives rise to concerns around behaviour and attendance' (NISMP, 2014, p4). Some are 'inexperienced in holding a pen or pencil or understanding the conventions of how to write on a page' (ibid, p15). The older the child the 'greater the disparity with the expected age related attainment' (ibid, p7).

However, 'placing 3 year old children in a nursery is contrary to Roma practice where 3 year olds are considered too young to be separated from their mother' (Mediation NI and South Belfast Roundtable, 2015, p6). If mothers are invited to playgroups or nurseries with their children they are more likely to attend, especially if services include representations of Roma life in the visual images on display, toys available, story books used and days celebrated (ibid, p10).

Current policies relating to newcomer children do not address these issues. It has been recommended that the *Supporting Newcomer Pupils* Strategy be reviewed to take account of these needs and that guidelines for the integration of newcomer pupils with interrupted experiences of education be produced by the Department of Education (NISMP, 2014, p40-41; CLC and Save the Children NI, 2015, p32).

Difficulties accessing post-primary education

Those who are unsure how post-primary schools are accessed may be disadvantaged since completion of the transfer form for children moving from primary to secondary education is by the parent. Access to help and advice about this process from the primary school teacher or Principal is dependent on funding for interpreters and for teacher release time (NISMP, 2014, p18).

The difficulties faced by children of migrant workers and newcomers in accessing grammar schools (selective post-primary schools) have been noted as an issue. In 2010/11 only 13.7% of newcomers attended a grammar school compared with 42.5% of non-newcomers (Rooney and Fitzpatrick, 2011, p15). The suggested reasons for this disparity include lack of knowledge about the education system and how to apply as well as use of tests to determine admission in over-subscribed schools.

Limited Further and Higher Education provision for those with 'English as a second language'

In Further and Higher Education, provision for those with 'English as a Second Language' (ESOL, the term used in this sector) has been described as "patchy" (Geraghty et al, 2010, p34).

Support for school leavers who wish to pursue a vocational career is available through initiatives targeted at those identified as Not in Education, Employment or Training (NEET). However, 'there is no identified provision for those who would like to pursue a more academic route and remain in the formal education system but are prevented from doing so because of their poor English skills' (NISMP, 2014, p18).

Low levels of English and limited experience of formal education among Roma parents

The Northern Ireland Strategic Migration Partnership paper notes that many Roma parents have low levels of English and written literacy in Romanian, alongside limited experience of formal education. In addition to 'hindering communication with families' (e.g. through notes in homework diaries or letters sent from school), this also affects the level of home support that parents are able to provide for their children (NISMP, 2014, p17).

Irregular attendance

Roma parents may be 'less familiar with school norms and the timing of the school day' and 'less concerned about regular attendance, or the importance of children transitioning to secondary education' (NISMP, 2014, p14).

Attendance of migrant children can be affected by long visits to their home country, child minding responsibilities, and parental encouragement to work instead of attending school (Geraghty et al, 2010, p38). However, 'exploring why children are not at school is more appropriate than condemning parents because of non-attendance' (Mediation NI and South Belfast Roundtable, 2015, p13).

Non-registration

Belfast Education and Library Board¹⁶ has a dedicated Education Welfare Officer who provides support in registering and maintaining attendance at school of Roma children. Concern has been expressed about the number of Roma children who are not registered in schools (NISMP, 2014, p3), with the Educational Welfare Office reporting difficulties in placing children due to the distance required to travel to school, fear of racist attacks and the failure of some families to attend scheduled interviews at prospective schools (ibid, p12).

Respect for Equality and Diversity

In March 2011, the *Community Relations, Equality and Diversity in Education Policy* (CRED) was published by the Department of Education. Recognising the increasingly diverse nature of Northern Ireland society, particularly the greater representation of children and young people from different ethnic groups in classrooms or youth settings, the policy aimed to 'contribute to improving relations between communities by educating children and young people to develop self-respect and respect for others, promote equality and work to eliminate discrimination, and by providing formal and non-formal education opportunities for them to build relationships with those of different backgrounds and traditions within the resources available' (DENI, 2011, p20). The objectives of the policy included

¹⁶ From 1st April 2015, the Belfast Education and Library Board was replaced by the Education Authority.

ensuring 'that learners have an understanding of and respect for the rights, equality and diversity of all without discrimination'. It also sought to 'develop learners who understand and respect the rights, equality and diversity (including linguistic diversity) of all section 75 groups' and 'develop the skills, attitudes and behaviours that enable them to value and respect difference and engage positively with it' (ibid, p20-21).

Evidence gathered through the 2012 *Young Life and Times Survey* in relation to CRED (www.ark.uk.ac.uk/ylt/2012/CRED) indicated that, of the 16 year olds surveyed, 59% had undertaken work on encouraging understanding of particular groups in society and promoting the equal treatment of different groups in their school, 29% had undertaken this work in a youth project or youth club, and 29% had not done this work in either setting. Amongst those who had undertaken such work within schools, 75% reported that this had been done in relation to 'people from different ethnic groups'. The equivalent figure for youth projects and youth clubs was 61%. 78% thought that *members of their class* felt more positive towards people from different ethnic groups as a result of what they had been taught or discussed. The same figure was reported in relation to other members of youth projects or youth clubs. 82% of those that had undertaken such work within schools reported feeling *personally* more positive towards people from different ethnic groups as a result of what they had been taught or discussed and the same figure was reported in relation to young people who had undertaken this work in youth projects and youth clubs.

In 2014, CRED was examined once more within the *Young Life and Times Survey* (www.ark.ac.uk/ylt/2014/CRED). Again, 59% of 16 year olds surveyed indicated that they had undertaken work on 'encouraging understanding of particular groups in society and promoting the equal treatment of different groups in their school'. 24% had undertaken this work in a youth project or youth club and 27% had not done this work in either setting. Amongst those that had undertaken such work within schools, 79% reported that this had been done in relation to 'people from different ethnic groups' and the equivalent figure for youth projects and youth clubs was 65%. 81% thought that *members of their class* felt more positive towards people from different ethnic groups as a result of what they had been taught or discussed while 80% reported that other members of youth projects or youth clubs felt more positive towards people from different ethnic groups as a result of what they had been taught or discussed. 86% of those who had undertaken such work within schools reported feeling *personally* more positive towards people from different ethnic groups as a result of what they had been taught or discussed and the equivalent figure in relation to young people in youth projects and youth clubs was 77%.

Despite evidence of the positive impact that CRED was having on attitudes towards ethnic minorities amongst young people, in 2015 the Department of Education withdrew all funding for this policy (Email to CLC member of staff from Department of Education, 7th May 2015).

Racist bullying in schools

Racist bullying in schools is a significant issue. In a school survey by the National Children's Bureau (NI) and among respondents to the 2008 *Young Life and Times Survey* of sixteen year olds, young people from minority ethnic groups were significantly more likely than their counterparts to have personally experienced and witnessed racist attacks and bullying - both in and outside school (NCB(NI) and ARK YLT, 2010, p52-58). In 2011, 14% of Year 6 and 7.6% of Year 9 pupils indicated that they had been bullied 'with mean names or comments' about their race or colour (RMS McClure-Watters, 2011, p7). In the 2014 *Young Life and Times Survey* of 16 year olds, 39% had witnessed racist bullying or harassment in their school ([www.ark.ac.uk/ylt/2014/Minority Ethic Groups](http://www.ark.ac.uk/ylt/2014/Minority_Ethic_Groups)).

In a survey by the Northern Ireland Council for Ethnic Minorities (NICEM), 53.7% of respondents reported they had been bullied by another pupil on the basis of their ethnic background while in post-primary school - of those who had been bullied, 76% experienced name-calling, 25% exclusion from social activities, 25% verbal threats, 23% pushing and jostling, and 16% physical attack (Rooney and Fitzpatrick, 2011, p27). Schools 'tend to lack knowledge of how to effectively confront the issue and in some cases have difficulty acknowledging that a serious problem exists', often implementing unsatisfactory responses where action is taken (ibid, p29).

Issues identified by schools

Schools receiving Roma children in the South Belfast area have developed their own approaches to supporting this group. While responses are individual to each school, the Principals and staff interviewed by the Northern Ireland Strategic Migration Partnership identified common issues (NISMP, 2014, p4-5):

- financial and logistical challenges of meeting translation and interpretation needs (especially when required in a short timeframe), despite the contribution and on-going support provided by the Inclusion and Diversity Service
- need for assessment tools which assess literacy and numeracy levels in the child's mother tongue, to provide a more complete picture of her/his academic ability than the Common European Framework of Reference¹⁷
- employment of dedicated English as an Additional Language (EAL) teachers who support children either individually or in small groups outside mainstream classes
- funding and development of additional transitional programmes for children most in need, where a small class is established to provide targeted support over a period of time and children attend mainstream classes for part of the

¹⁷ This is a set of global benchmarks for language proficiency currently recommended for the assessment of newcomer children but which are considered beyond the capability of many Roma children when they start school and unsuitable for non-European languages or use in primary schools.

day to build confidence in a classroom setting, help establish friendships and develop social skills

- fostering of links with parents, to support them improve their own English language skills and better understand school norms as well as social skills relevant to the cultural environment in Northern Ireland.

Issues identified by Roma parents

Roma parents interviewed by the Northern Ireland Strategic Migration Partnership appreciated the efforts made by schools to integrate their children into the education system. However, they raised a number of concerns (NISMP, 2014, p19-21):

- Roma children being perceived as an homogenous group, with insufficient attention paid to the strengths, weaknesses, abilities and needs of each individual
- children not being stretched at school, and receiving work below their capabilities
- less provision of English language support in post-primary schools
- bullying at post-primary level - including being called names, spat at and hit by other children - leads to some children being very unhappy. Despite employing a range of strategies, it is difficult for parents to encourage children to attend in these circumstances. Parents acknowledged that schools may be unaware of the prevalence of this racist abuse as they are not accustomed to reporting such incidents or had not reported them because they were anxious that this might lead to the situation worsening
- parents not being able to support their children with school work at home
- ongoing worry about expectations and expenses related to full engagement with school life and academic success (e.g. costs of transport, school assumptions about children's access to the internet at home, pressure to provide pocket money so children could fit in with their peers)
- misunderstandings related to cultural norms (e.g. in Romania a doctor's note is sent with the child once s/he has resumed school after a period of sickness, while in Northern Ireland the custom is to let the school know on the day the child becomes sick).

HEALTH

The children of migrants 'ordinarily resident' in Northern Ireland are entitled to the same level of health and social care as all other under-18s.¹⁸

¹⁸ The Provision of Health Services to Persons not Ordinarily Resident Regulations (Northern Ireland) 2005 were replaced in 2015. The 2015 regulations confirm that all people who are 'ordinarily resident' in Northern Ireland are entitled to free health services – eligibility therefore relates to whether a person is ordinarily resident rather than to their nationality. DHSSPS Circular HSS(PCD)10/2000 providing guidance to the 2005 legislation described a person who is 'ordinarily resident' as someone who is 'lawfully living in Northern Ireland voluntarily and for a settled purpose as part of the regular

Barriers to accessing health services

Barriers to Roma parents and children accessing health services include:

- health care workers' lack of knowledge about the entitlements of Roma and their own level of responsibility for providing health care (Wright, 2011)
- the prejudice and/or racism of some individuals working in health, social care and local councils, plus lack of willingness on the part of some service providers to facilitate access to services (Holder, 2007; Wallace et al, 2013, p4)
- low levels of registration with GPs, especially among those with no permanent address (Johnston, 2010, p31)¹⁹
- communication difficulties and not having the correct documentation (ECNI, 2009)
- ineffective translation of written information about available services into different languages, a particular issue if parents are illiterate in their first language (Geraghty et al, 2010, p33)
- Roma suspicion of authorities and experience of social exclusion (Wright, 2011)
- need for interpreters (Wright 2011).

Interpreting services

Although procedures for providing interpreting have been developed, services sometimes 'struggle to establish which language is the correct one' for clients (Geraghty et al, 2010, p32). In addition, there is need for interpreting services specifically for children and young people, which use child-friendly language and also give the exact words spoken by a child to ensure an accurate assessment of their needs (Geraghty et al, 2010, p33).

Difficulties identifying Roma health needs

Despite being a relatively small population, the health needs of the Roma community are complex. Specific issues identified by Geraghty et al (2010, p44-45) include an increased incidence of TB among Roma children. However, accessing all children

order of his or her life for the time being' (suggesting that anyone coming to live in Northern Ireland for less than 6 months is unlikely to be 'ordinarily resident'). Under the 2015 regulations, those who are 'ordinarily resident' or visitors within specified exemption categories are entitled to both primary care (e.g. GP) and secondary care (e.g. hospital) free of charge. The exemption categories include visitors who have resided legally in the UK for the past 12 months; visitors exercising European rights; refugees and asylum seekers (including refused asylum seekers); children who have been taken into care (Law Centre NI), 2015)

¹⁹ Some professionals appear to misunderstand migrants' eligibility to register with GPs, assuming that they have no entitlement to treatment and have to pay for GP visits, despite advice from the Law Centre NI (2008, p1) stating that 'entitlement to free treatment (in the health service) is not ... determined by nationality or whether the patient has paid national insurance contributions' but on whether a person is 'ordinarily resident' in Northern Ireland.

who need this test can be difficult as it is hard to determine a child's age if no records exist of their date of birth and visits from health visitors 'can be seen as an unwelcome intrusion'. For many Roma children, there are no immunisation records or background information about previous screening/treatment in their country of origin (Geraghty et al, 2010, p81).

Rather than establishing 'exchange-based' relationships between service providers and the Roma community, successful community development projects have emphasised the need to cultivate 'communal' relationships based on 'concern for the wellbeing of children, their parents and their extended support network' (Mediation NI and South Belfast Roundtable, 2015, p4). In addition to showing 'genuine respect and sensitivity', service providers need to be 'open and aware of [Roma] fears about engaging with "outsiders"', to 'recognise that a change of approach may be required' and to 'commit to long-term support' built on trust and strong alliances with the community (ibid, p15-16).

IDENTITY AND CULTURE

Northern Ireland policy

The policy framework concerning 'ethnicity' in Northern Ireland is relatively recent, with responses to issues of ethnicity 'undermined by the history of sectarian conflict' (Wallace et al, 2013, p17).²⁰ The *Race Relations (Northern Ireland) Order 1997* was introduced 21 years after the *Race Relations Act 1976* in Britain. This was amended by the *Race Relations Order (Amendment) Regulations (Northern Ireland) 2003*, which gave effect to the *European Union Racial Equality Directive*, and was updated in 2009 to clarify that indirect discrimination is also unlawful.

The 1998 Belfast (Good Friday) Agreement committed Northern Ireland to being a 'shared society'. Section 75 of the subsequent *Northern Ireland Act 1998* is intended to mainstream equality and human rights in public policy making. It places a positive duty on public bodies to have due regard to the need to promote equality of opportunity for people belonging to nine categories, including people of different racial groups, and to promote 'good relations' between people of different religious belief, political opinion and racial group. Despite the potential created by this duty, there is no effective enforcement mechanism. Further, the Equality Commission for Northern Ireland has noted that individuals in Northern Ireland have 'less protection against racial harassment and discrimination than people in other parts of the UK' since the introduction of the *Equality Act 2010* in Britain (ECNI, 2013, p3).

²⁰ During the conflict, key issues in Northern Ireland were considered through the lens of religious, cultural and political differences between those identifying as Catholic/Republican/Nationalist and those identifying as Protestant/Unionist/Loyalist. The minority ethnic population was perceived to be small, and 'race' and racism were considered unproblematic (Wallace et al, 2013, p17). A 2002 paper considering the implications of the MacPherson Report (about institutionalised racism in England) for institutions in Northern Ireland 'highlighted that many had yet to look at racial equality in a serious fashion' (ECNI, 2013, p13).

The *Criminal Justice (No. 2) (Northern Ireland) Order 2004* introduced legislation concerning 'hate crime' and led to more detailed monitoring by the Police Service of Northern Ireland (PSNI). In 2014/15, the number of recorded racist incidents was 1,356, a significant increase on the 2013/14 figure of 982. Recorded racist crimes had also increased significantly from 691 to 921 (PSNI, 2015a). In 2014/15, there were 69 racist crimes recorded against under-18s in Northern Ireland, the highest level recorded between 2007/08 and 2014/15 (PSNI, 2015b). However, many hate crimes are not reported and 'hate crime legislation is used less often in Northern Ireland than in other parts of the UK' (ECNI, 2013, p12).

Northern Ireland's first *Racial Equality Strategy* was published in 2005 and a new strategy has recently been released. The Racial Equality Strategy 2015 – 2025 states that: 'While we do not wish to have a proliferation of strategies or a strategy for every minority ethnic group, we recognise there may be a need to develop and implement specific programmes of work to address particular challenges and vulnerabilities facing particular groups such as Irish Travellers and the Roma' (OFMDFM, 2015, p31).

Prejudice and racism

The Equality Commission for Northern Ireland's 2011 *Equality Awareness Survey* demonstrated little change in negative attitudes towards migrants and ethnic minorities since 2008. While most negative attitudes were expressed towards Travellers, respondents also articulated negative views towards Eastern European migrant workers and BME individuals (ECNI, 2012, p16, 20, 45).

In the 2013 *Northern Ireland Life and Times Survey*, 34% of respondents agreed with the statement that 'the needs of migrant workers' children put a strain on schools', and 25% agreed that 'migrant workers come to Northern Ireland just to get social security benefits'. 33% agreed with the statement that 'the number of migrant workers moving into Northern Ireland means there is a shortage of local housing' (www.ark.ac.uk/nilt/results/mineth.html). The 2014 Survey found that 37% of respondents thought there was 'a lot' of prejudice towards minority ethnic communities in Northern Ireland (compared to 26% in 2013 and 31% in 2012), with 45% stating that there was 'a little' prejudice, compared to 51% in 2013 and 47% in 2012. 52% of respondents in 2014 considered that 'there is more racial prejudice now than there was 5 years ago', compared to 35% in 2013 and 41% in 2012. 24% of respondents indicated in 2014 that they would not 'willingly accept a person from another minority ethnic group as a resident in their local area', compared to 21% in 2013 and 18% in 2012. 28% indicated that they would not 'willingly accept an Eastern European as a resident in their local area' in 2014, compared to 27% in 2013 and 21% in 2012. 21% of respondents described themselves as a 'little prejudiced' against people of minority ethnic communities in 2014, compared to 23% in 2013 and 25% in 2012.

The proportion of young people responding to the *Young Persons Behaviour and Attitude Survey* who worried about being assaulted due to their race or skin colour was 7.5% in 2013 compared with 13% in 2007, although the proportion who reported actually being the victim of an assault because of their race or skin colour was 2% in 2013 compared with 0.7% in 2007 (OFMDFM, 2013: Priority Outcome 3; NISRA, 2013c, p150-153). The proportion who worried about being called names or harassed because of their race or colour was 8.2% in 2013 compared with 12% in 2007, and the number who reported being a victim of name calling/harassment for this reason was 3.7% in 2013 compared with 2.0% in 2007 (OFMDFM, 2013: Priority Outcome 3; NISRA, 2013c, p150-153). Thus, while the proportion *worried about* racist assault and name calling or harassment had decreased since 2007, the proportion *experiencing* these incidents had slightly increased.

Identifying the pervasiveness of prejudice and racism, migrant children have described being bullied at post-primary school, in public spaces and on public transport (Geraghty et al, 2010, p47-48).

Cultural identity secondary to other needs

Emphasis on the language needs of migrant children can lead to other needs, including cultural identity, being ignored (Geraghty et al, 2010, p35).

Noting that the Romani language is ‘fundamental to Roma identity and culture’, linked to individuals’ confidence and self-worth, Mediation NI and South Belfast Roundtable (2015, p11) have commented that ‘Diminishing Romani in order to learn English may reinforce a sense of shame’. They affirm the importance of recognising that Roma people are multi-lingual and ensuring that children are not denied the opportunity to speak their own language (ibid).

NGOs consulted by CLC and Save the Children NI in the development of the *Northern Ireland NGO Alternative Report* to the UN Committee on the Rights of the Child highlighted similar concerns and drew attention to the rights of children from minority ethnic backgrounds to have their linguistic and cultural heritage acknowledged, nourished and supported in line with UNCRC Article 30 (CLC and Save the Children NI, 2015, p32). Cultural awareness and competence amongst service providers ‘is about openness, critical thinking, knowing where to find sources of information and how to use them ... curiosity to explore traditions, respect for them’ as well as a responsibility to respond non-judgementally and practically (Mediation NI and South Belfast Roundtable, 2015, p11).

‘Collective isolation’

Although individual children may not experience isolation, the closeness and strong sense of community between Roma families has been described as contributing to ‘collective isolation’ of this minority ethnic group (Geraghty et al, 2010, p50).

KEY FINDINGS OF THE CHILDREN'S LAW CENTRE CONSULTATION WITH ROMA CHILDREN AND YOUNG PEOPLE

PROCESS

The UN Committee on the Rights of the Child is scheduled to examine the United Kingdom's compliance with its obligations under the UNCRC in 2016. To inform this examination, the Children's Law Centre and Save the Children NI developed and submitted a *Northern Ireland NGO Alternative Report* following a process of extensive engagement with a wide range of NGOs. Youth@clc, the Children's Law Centre's youth advisory group, also led the development of a young people's report which was submitted separately to the Committee.²¹

In developing these reports, CLC wished to ensure that marginalised groups of children and young people in Northern Ireland, including those from the Roma community, were consulted. Mindful that such groups may not normally have the opportunity to participate in formal processes, the intentions were to: provide them with information about their rights, include their views and experiences within the *Northern Ireland NGO Alternative Report*, and ensure that these inform the examination of the United Kingdom Government by the Committee on the Rights of the Child and the Committee's Concluding Observations in relation to the United Kingdom.

CLC also considered that a separate report outlining the consultation process undertaken with Roma children and young people was necessary to ensure that their views in relation to how their rights are being protected and guaranteed in Northern Ireland are fully conveyed. It is hoped that this report will be a useful tool for civil society, public authorities, public officials, politicians and all those working with and for Roma children and young people - building understanding about their knowledge and experiences. Dr Deena Haydon was commissioned by CLC to assist in the consultation process and prepare this report.

Consultation with Roma young people

CLC arranged consultation with Roma children and young people through organisations working with the Romanian Roma community in South Belfast. An Information Sheet for young people and a Parental Consent Form were provided to workers who visited Roma families to explain the consultation process and encourage young people's involvement. These Romanian Community Development Workers knew the families, having established relationships with them through various projects aimed at assisting the Roma community in Northern Ireland.

²¹ Both reports, submitted to the UN Committee on the Rights of the Child in June 2015, are available to view at www.childrenslawcentre.org.uk

Young people were invited to a consultation meeting on the evening of 19th February 2015. Food and drinks were provided. Of the nine young people who attended, 4 were female and 5 were male. Their ages ranged from 13-18, and the majority had lived in Belfast for 6 or 7 years. Although a few were confident English speakers, most required translation by the facilitating Community Development Worker or one of the two Romani-speaking assistants present. The group was asked questions about: family life, housing, education, friends, health, identity and culture. Some responses were followed up with questions to individuals (mainly asking whether they could provide examples or further detail about a specific topic).

Follow-up interview with Community Development Worker

The young people were generally reluctant to talk about personal experiences or present negative views (highlighting the importance of recognising the social/cultural contexts underpinning group dynamics and the limited opportunities for in-depth exploration of issues via one-off consultations). Consequently, the facilitator provided background information about particular issues at the end of the session when the young people had left. A follow-up interview with this Community Development Worker was conducted four days later to clarify points made by the young people as well as gather additional information concerning specific topics.

Subsequent meetings

Following submission of the *Northern Ireland NGO Alternative Report* to the UN Committee on the Rights of the Child in June 2015, CLC jointly hosted, with Save the Children NI and the Northern Ireland Commissioner for Children and Young People (NICCY), a visit by two members of a Task Force appointed by the Committee to examine implementation of the UNCRC in the UK.

In preparation for this visit to Northern Ireland on 4th-5th September 2015 by former Chair of the Committee, Kirsten Sandberg, and current Vice Chair, Amal Aldoseri, a meeting was arranged with children and young people from the Romanian Roma community using the same approach undertaken previously. Having been contacted by Community Development Workers, twelve individuals (4 females, 8 males) aged 11-17 met with Dr Haydon on 3rd September 2015. Food and drink were provided. The process of reporting to the UN Committee, including the previous consultation with Roma young people and development of the *Northern Ireland NGO Alternative Report*, were explained. Facilitated by two Community Development Workers - one Romanian and the other Roma - this second group of young people gave their views about the issues raised by the initial consultation group.

One of the UN Committee members - Ms Amal Aldoseri - met with Roma young people on 4th September 2015. This third group of seventeen, aged 8-17, included 6 females and 11 males. Nine of those present had been involved in the initial consultation or the meeting on 3rd September. Food and drink were again provided

while the reporting process was described. Having heard about the issues raised by the two previous groups, those attending were encouraged to contribute their perspectives. This gave children and young people from the Roma community a unique opportunity to represent their views directly to a member of the UN Committee on the Rights of the Child, informing its examination of the situation regarding children's rights in Northern Ireland.

For each session, detailed written notes of comments made by children, young people and staff were recorded contemporaneously and immediately afterwards by the facilitators. Once word-processed, these were compared, verified and retained. The following findings present views and experiences gathered from all three groups of Roma children and young people (totalling 28 individuals).²² Direct quotes have been represented in italics. To ensure the confidentiality of those involved, the only detail referenced is their gender. Where relevant, the perceptions of Workers involved with the children and their families have also been included. This 'snapshot' consultation reflects the range of issues raised during interactions, offering valuable insights. Combined with previous research, these provide a sound basis for discussion about how the needs of Roma children and young people can best be addressed in ways that promote and protect their rights.

MAIN FINDINGS:

FAMILY LIFE

All but one of the nine young people in the initial consultation group said that they lived with their parents and a sibling (5 had two or three siblings). Two mentioned living with other relatives (including a sister-in-law, nephews, niece, aunt, uncle, grandmother).

Overcrowding

The Community Development Worker pointed out that, in addition to their immediate family, most Roma children and young people were likely to share their house with at least one other family. While leading to pressure on facilities within each house (e.g. use of the bathroom and communal areas), this also leads to a lack of privacy. She commented that none of the young people would have a room of their own, instead sharing with the rest of their family or other children. They consequently have limited space to do their homework and minimal time without younger children being present.

For some, sharing a house with other families puts pressure on relationships in the family. When sharing accommodation, nothing belongs to anyone. For example, the Roma Support Worker explained that a parent may buy food for the children but

²² All of those consulted were aged under 18 and therefore 'children' according to the UNCRC. However, recognising that those aged 13-18 generally dislike being defined as 'children' the term 'young woman' or 'young man' has been used when referring to individuals within this age group.

when they go to the fridge it has been eaten by others. Young people talked about there being “no space” and “no chance to share family experiences”.

STANDARD OF LIVING

Asked whether they had everything they needed in their family, the initial group of consulted young people responded: “Yes”. However, the Community Development Worker noted that this was in comparison with poor living conditions in Romania.

Poverty

This Worker also suggested that young people may be unaware of their parents’ financial difficulties. She had observed some families not having enough to eat and children/young people not engaging with activities because they felt they could not present themselves in the way they thought they should (e.g. not having the ‘right’ clothes).

Limited parental employment

Discussing the impacts of poverty, one young man stated: “*If they work, they should have money.*” The Community Development Worker pointed out that this was in the context of Roma workers being underpaid (e.g. earning £35 for a 12 hour shift in a carwash - as they have no contract of employment, they are not entitled to additional support).

Another young man commented: “*People say the Roma are taking their jobs because they do work at [a local poultry producer and food company] and work for low pay.*”

The types of work those consulted described their parents doing included “*car washing*”, “*building*”, “*working in the salad factory*”. One young woman said “*Wherever they find a job*”, adding: “*It’s hard to get a job if you don’t have English or experience.*”

Another young person noted that “*some families don’t work*”.

HOUSING

The consulted young people all lived in rented housing, mainly in South Belfast.

High rents

One young woman noted that “*rents are very high*”. She commented “*families would like to be by themselves, but have to be with other families to be able to afford the rent*”.

Poor condition of houses

A young woman highlighted the poor condition of some houses:

“Some need paint, the bathrooms are not finished, roofs need repair. Some families don’t look after their houses and the landlords rent them out like that.”

Asked whether landlords fix such problems she replied: *“Some do”*, implying that others do not.

The area of Belfast where most Roma families live is predominantly populated by university students. Consulted young people stated that some students leave the houses in a mess and landlords rent these houses to Roma without making necessary repairs.

Discrimination

The Community Development Worker provided examples of landlords not giving Roma families rental agreements, thereby avoiding obligations to respond to requests or address problems, or saying that a house was no longer available when they discovered that it was a Roma family who wanted to rent the property.

A young man who regularly telephoned landlords seeking accommodation on behalf of Roma families commented:

“I try to talk good English, but they can tell I’m not from here. They ask me ‘Where are you from?’ and when I say ‘Romania’ then they say the house is not available.”

A young woman whose large family includes a lot of children, said:

“Landlords tell you they are afraid you are going to be hassle, that you will be disturbing others when there are so many of you”.

One child explained that, because landlords refused to rent to Roma, his family had to move to the Shankill area of Belfast where there were no friends or family nearby. After a while, the family moved again to be closer to other Roma.

In the last year, five families had moved from South Belfast to East Belfast. One young person stated: *“We are happy there because the houses are better looked after and more affordable”.*

Intimidation

Many of the consulted young people had been living in South Belfast in 2009, when Roma houses were attacked and 100 returned to Romania (later coming back to Belfast, mainly due to the poor conditions in Romania). Young people commented: *“It’s better now ... Some of them got to know us.”*

However, describing the intimidation by local residents experienced by some Roma, the Community Development Worker recounted how the neighbour of one family does not say anything but spits towards the children, curses at them, or encourages

her dog to chase and scare them. In two groups, children described how one local man, of whom the younger children are afraid, shouts 'Go back to your country' and another walks around the streets letting his dog loose on Roma children.

Disturbance as a result of anti-social behaviour by local students

Although most students are friendly towards them, the Community Development Worker commented that some Roma families are disturbed by 'anti-social' behaviours such as students playing music until 3-4 o'clock in the morning, "running about naked", or "using the outside of houses as toilets". Stating that this was more the result of drunkenness than racist behaviour targeted at Roma families, she asserted: "but it's not pleasant behaviour". One consequence was that being kept awake by noise affected children's capacity to wake up for school the following morning.

EDUCATION

Primary education

Limited pre-school experience

Many consulted young people had not been to school in Romania before they came to Belfast. The school starting age in Romania is 7, whereas in Northern Ireland children can start school aged 4.

Language barrier

A young woman stated that, when first attending school, "*You didn't know how to respond back to teachers because you didn't know English at all*". Asked whether they understood what the teachers were saying or asking them to do, another young person responded: "*Not at the start.*"

Under-achievement

Most of those consulted had attended the same Primary School in Belfast. One commented: "*I loved it.*" Two young people described being "*taught ... colours, using the laptop, letters and spelling*" and being "*helped ... to write and speak English*".

The Community Development Worker noted that the school received funding to provide additional support for Roma children. She recollected that when some of the consulted young people had first started Primary School (in 2011/12), all the Roma children had been taught separately in one class. Employed at the time by a voluntary organisation to provide an after-school educational project intended to complement in-school learning, the Worker was concerned that, after 2 years of additional support, children still struggled to keep up with their peers when in mainstream classes. Acknowledging fluctuating school attendance, and that the children required targeted interventions, she considered that their progress in learning English and in other areas of development was minimal.

Funding for uniforms

In response to a question about whether they had everything they needed for school, one group of consulted young people said that they got their uniforms *“from the school”*. In fact, the Community Development Worker revealed that, while one school offered uniforms through its own funding, a local voluntary organisation had raised funding for uniforms in other schools - this was either given to the school, which purchased uniforms and gave them to parents, or the Roma Education Welfare Officer accessed the funding to purchase uniforms.²³

Limited involvement in extra-curricular activities

In the initial group of nine consulted young people, most did not attend after-school clubs and one stated that he had not wanted to go on school trips.

Post-primary education

Discussing post-primary education, one young person commented: *“You met new children”* while another remarked: *“The first few months were harder. It was very different.”*

Additional support

At post-primary school, there was *“more help for all the Roma children, with tests and exams”*. However, one of the young people noted that *“extra help”* was provided during class time so the children missed work in some subjects while receiving additional support and then had to catch up in their own time. Others agreed that *“having additional support is good, but there is pressure to catch up on lessons you’ve missed”*.

Emphasis on learning English

The children described being taught separately for a few hours each day until they had learnt English. Some felt that *“There’s too much emphasis placed on learning English and not other subjects.”*

Asked whether they were ever taught in their own language, the children responded *“No”*. One stated

“We’re not allowed to speak the Roma language in schools because the teachers say they want us to learn English. And they don’t want us to be talking about other children.”

²³ This situation regarding funding for uniforms mainly related to the period before January 2014, when Romania joined the EU. After January 2014, some families obtained an entitlement to free school uniforms linked to benefit payments. However, accessing uniforms can remain a concern as not all families may be in receipt of the benefits required.

Negative assumptions and attitudes

One young person appreciated the fact that: *“Teachers talked slower, explained things twice, to help”*, but another considered that such responses were based on negative assumptions about the ability of Roma children:

“We were treated differently, taught easier, the classes were lighter ... some teachers assumed we were stupid.”

A young woman considered homework to be too easy, suggesting this was mainly because teachers assume that Roma children cannot do harder work.

Responding to a question about whether Roma are treated differently in school, one young woman commented:

“Children from every other country are treated differently – there is a negative attitude to Roma, but also to Chinese, Polish, ethnic minorities”.

Others considered this to be the case in *“most”* schools, *“from teachers and other children”*.

Homework

Asked by the Community Development Worker whether homework was an issue, one young man responded: *“If you pay attention in class then it should be easy.”* A young woman stated: *“If there’s extra help in class, there should be no problem.”* However, another felt that *“Some Roma are given easier homework because they can’t speak English.”*

Non-attendance

Only two of the seven young people aged under-16 in the initial consultation group were attending secondary school. One young woman, aged 15, had been living in Belfast for three years and never attended school.

Asked what they did during the day if they were not in school, one young person replied *“Stay at home”*. A young man described taking his clothes in a bag, changing out of his uniform into these at school and then leaving - either to go into the city centre or get on a bus. A young woman said that she also used to *“just get on a bus and see where it went”*. In response to being asked whether anyone ever questioned why they were not in school they both laughed and said *“No”*, amused at the thought that this might happen.

The reasons given by two young men who had stopped attending after the first year, were: *“It was the summer, too nice to be in school!”* and *“I didn’t like it”*. The Community Development Worker stated that the parents of both young men had been very concerned about their son’s non-attendance. They were visited by Education Welfare Officers and threatened with court action (which was not followed

through). The Worker suggested that bullying had been a significant issue for these individuals. Neither returned to school or received alternative educational provision.

The Worker noted that a small number of Roma young people had recently enrolled at a College which had a “fresh attitude” compared with other secondary schools. This institution was described as “very open, proactive”, having established an outreach officer for Roma students.

Bullying

Although a few said they had not been bullied, most of those consulted acknowledged that it happened or affirmed that they had experienced bullying. One young man reported telling his teacher, which he considered had been helpful. Another stated that he had never told anyone as he felt confident about confronting the bullies.

The Community Development Worker commented that Roma young people are often bullied on the bus journey to/from school or when walking between the school and bus stop. One young man commented that bullying occurred more on the bus journey home *from* school – if bullied on the way *to* school, children would complain to the teachers and the bullies would be more likely to get into trouble.

One young woman stated: *“Because we are treated differently, other children think ‘Why are they different?’.”* Commenting that high schools are aware of bullying, another said: *“sometimes they do something about it, sometimes they don’t”.* However, in the view of this young person, responses often do not address the issue:

“They might talk to the bully and the person who is being bullied. But the bully blames the Roma. If they talk to other people about what happened, there are more of them, so the Roma is blamed.”

Further/Higher Education

Limited involvement in Further Education

There was agreement that Roma children rarely finish high school. Some of those consulted planned to “do courses”, “go to Tech” or “work” when they reached 15-18.

Two young people aged 17 and 18 had been to Tech. (Technical College) but left before the end of their vocational courses. One of them was working as an assistant in a health project.

Limited employment opportunities

One young woman commented that she wanted “to do a job like be an interpreter”, but did not realise that this requires qualifications.

Those consulted stated: *“There should be more jobs for Roma young people”* and *“more information about jobs”*. One young woman suggested that *“shops should contact the Roma Community Association if they have jobs”*.

Specific issues concerning education

The Community Development Worker was clear that Roma children need to learn English and require extra support to achieve this objective. Schools receive additional funding for this purpose, but she was concerned that the funding is subsumed within a school’s budget and therefore not necessarily spent on the children for whom it is received.

This Worker argued that, beyond fluency in English, a number of social, cultural and economic issues affect the educational attainment and progress of Roma children and young people:

- Roma children do not have any pre-school or Nursery education. This means that they arrive at school with gaps in their knowledge and experience which have nothing to do with their inability to speak English. In the local Roma community in Northern Ireland, a commonly held view amongst a number of people is that a woman’s purpose in life is to have children. The role of the mother is highly valued, as is close attachment during the early years. Further, in Romania (as in many other European countries) children do not start school until they are aged 7 so, if parents are aware of it, Northern Ireland’s school starting age is perceived to be very early. These issues are not taken into consideration within the education system. At the same time, in the view of the Community Development Worker, early years services and family support projects do not proactively try to involve members of the Roma community.
- The Community Development Worker considered that, at primary school, teachers often perceive Roma children as ‘a problem’ rather than children who may have problems - assessments focus on their learning of English, to the exclusion of identifying other needs, and over-emphasis on learning letters and colours leads to boredom for some children.
- Many Roma young people are bullied at secondary school. The Community Development Worker suggested that most stop attending when they reach the age of 12/13 because nothing makes sense to them, they are bored and feel stupid in addition to being bullied. Education Welfare Officers have an ‘enforcement’ role; focused on ensuring attendance rather than on identifying and addressing the needs of the child or ensuring that schools are inclusive. In the Community Development Worker’s view, there needed to be more focus on addressing the needs of the child in a holistic way.
- On a practical level, the Community Development Worker was aware that the parents of Roma children are unable to support them with their homework. There is no space for children to study in their homes. They may be late for school as a result of over-sleeping after being kept awake at night by

neighbours or because, when their parents have gone to work early, the person looking after the babies and young children has to dress everyone and take them all to drop one or two children at school.

- The Community Development Worker highlighted that Roma people value 'education', which is different from 'schooling'. They place importance on preparation for life and development of practical skills or knowledge. Other cultural expectations may also have an impact. For example, at age 16 Roma young people are traditionally expected to be looking into entering married life, so education is not a long term objective (although this is changing as they gain access to different opportunities and observe lifestyles in which young women work or are unmarried in their early twenties).

Echoing other research, it was this Worker's view that these issues are not being adequately identified or addressed. For her, it is vital that those working with Roma children and families have 'cultural competence' (i.e. understand Roma culture), promote an inclusive ethos, and have high expectations of Roma children/young people.

HEALTH

All of the consulted young people stated that they were registered with a Doctor.

Access to interpreters

In a group questioned about whether there was a translation service at their Doctor's surgery, one young person said they had "*never asked*" and another "*sometimes*".

The Community Development Worker explained that it is possible to request an appointment with an interpreter present but translation is not otherwise provided. She also noted that most interpreters are Romanian and speak Romanian, offering a limited service to Roma whose first language is Romani and who may speak Romanian, but may not be proficient in it.

Drinking and drug use

The Community Development Worker suggested that some Roma young people are starting to drink alcohol and take drugs as a way of 'integrating' with other young people. This is causing increased tension between them and their parents.

Limited use of early years provision

Consulted young people in one group affirmed that, if a female relative was pregnant, she would "*go to the maternity hospital*". However, once the baby was born she would not generally attend local groups for parents and babies/ toddlers.

IDENTITY AND CULTURE

Relations with friends and neighbours

Most of the consulted young people in one group said that, before they arrived, they had no idea what life would be like in Belfast.

In response to the question 'Are most of your friends people you know from school or Roma children who live near you?', one young person in a group of nine replied that at secondary school it was "a mix", another said: "I was alone" (as the only person in the group who went to the College he attended), and the rest responded: "only Romanian friends".

Asked whether anything stopped them making friends with people who were not Roma, those consulted answered: "The language barrier" and "because people aren't used to interacting with people of different skin colours or who have different habits".

One young person was very positive about living in Northern Ireland: "I love it here. I've made lots of friends – from Romania, from here, from different countries." Talking about his community, he commented: "Where I live, it's really quiet, nice."

In contrast, having said "We used to have good relations with our neighbours. Now, it's OK. Some drink too much", a young woman stated: "I don't go out at night. People are drunk and I don't feel too safe."

Safety in numbers

The young people described going into the city centre and around Belfast, but "always with friends or cousins – someone else". Some suggested that the reason for staying in a group was because "It's boring to be on your own" or "for company". However, others implied that this was actually a safety measure. Young people commented that there was no problem using their own language, practising their religion, or going anywhere. But this was with the caveat that they would remain in groups for their own safety.

A young man said: "If I'm going into town, I would go with my Mum or Dad to be safe". Asked whether he would go to the Lower Ormeau Community Centre, which was nearby and well known to the Roma community, a younger child said that he would not feel comfortable going on his own because he would be afraid of local boys beating him up.

Racism

Responding to a question about whether they had experienced racism, one young person stated: "Sometimes you are treated differently". A second said: "People don't respect Roma", while another commented: "Other people think Roma are stupid".

The Community Development Worker considered that the young people would not necessarily understand the term 'racism', although they would be used to being called names and treated badly.

Expressing frustration at the reluctance of the young people in one group to talk about negative experiences, an adult Roma woman present during the consultation stated: "*no-one wants Romanians around*", describing how they regularly face people shouting at them and calling them names. In a different group, the Workers, children and young people described how Roma children are regularly excluded from local shops, sometimes chased out by guards on the door.

The Community Development Worker gave examples of Roma adults being stopped from entering specific shops in the city centre by guards at the door and being refused travel on public transport. She commented that individuals were unwilling to challenge such responses for fear of reprisals or causing trouble for their community.

Community liaison

Asked who they would contact if they were in trouble or needed help, the young people in one group replied that they would "*call the police*" or "*ring the emergency number*". Most stated that they would trust the police, although one young woman was less positive.

A Roma Support Worker described how he and local community workers co-operated, with adults accompanying children to activities until positive relationships developed. He explained that, 3 years ago, a number of joint activities for 12-17 year olds (such as football, circus skills, photography) and residentials were arranged with the Hammer Youth Club in the Shankill area. A few of the Roma young people involved in these activities had stayed in contact with local young people via Facebook and said they would hug them if they saw them on the street, although they did not generally socialise together.

RECOMMENDATIONS

Proposed actions and recommendations arising from the consultation process

The consultation process undertaken with children and young people from the Roma community informed the development of the *Northern Ireland NGO Alternative Report* to the UN Committee on the Rights of the Child, which was endorsed by fifty-eight NGOs and individuals. Within the Alternative Report it was suggested that, following its examination of the UK Government's compliance with the UNCRC, the Committee make a series of recommendations to the Northern Ireland Assembly and Executive to further protect and implement children's rights in Northern Ireland. Those recommendations of most relevance to the Roma community are highlighted below in bullet points at the end of each section:

Discrimination

The Committee on the Rights of the Child (2003, para 48) has clearly identified the importance of collecting sufficient and reliable data on children, disaggregated to enable identification of discrimination and/or disparities in the realisation of rights, as an essential element in implementation of the UNCRC.

It is difficult at present to obtain accurate statistics about the size of the Roma population in Northern Ireland, or the number of Roma children. Overall migration figures do not give an indication of the diversity of the populations involved and the size of the Roma population is likely to be underestimated. To adequately plan, resource and deliver the services required by Roma children and young people, much more information needs to be gathered about this group. Disaggregated data collection would also allow any discrimination in the provision of services to be identified and rectified.

Section 75 of the *Northern Ireland Act 1998* places a positive duty on public bodies to have due regard to the need to promote equality of opportunity for people belonging to nine categories, including people of different racial groups, and to promote 'good relations' between people of different religious belief, political opinion and racial group. However, schools are not designated as 'public authorities' for the purposes of Section 75. Extension of the Section 75 duty to schools would assist in ensuring that equality of opportunity is promoted for children and young people from the Roma community. Compliance with, and enforcement of, this statutory duty would ensure that the procedures and ethos of all schools are inclusive, celebrate diversity and challenge negative stereotypes. A vital aspect of ensuring compliance with the statutory equality obligations placed on public authorities by Section 75 is collection of disaggregated data to monitor the promotion of equality of opportunity.

The Roma community in Northern Ireland has been the subject of attacks, notably in 2009. Previous research has found that BME communities are vulnerable to

exploitation and discrimination in the provision of housing. Racist bullying within schools is a significant issue, with parents of Roma children highlighting that this can lead to poor attendance. Surveys suggest that the perceived level of prejudice against ethnic minorities in Northern Ireland is growing. The consulted Roma young people provided examples of discrimination in the provision of housing, negative attitudes being displayed towards Roma children in the areas where they lived, and racist bullying. Whilst some were positive about their relationship with other children and neighbours, they remained in groups for their own safety when out in the community. Evidently, more remains to be done to address discrimination against children and young people from the Roma community in schools and in their local communities.

- **Establish systems for the collection of disaggregated data on children across Government.**
- **Extend Section 75 of the *Northern Ireland Act 1998* to schools.**
- **Take measures to address discrimination against all groups of children, in schools and the community.**

Health

Research has found that the Roma community has complex health needs and can face barriers to accessing health services in Northern Ireland as a result of discriminatory attitudes amongst individuals in some service provision, low levels of registration with GPs, communication difficulties, and Roma suspicion of 'outsiders' or 'authorities'. It can also be difficult to assess the health needs of children and young people from the Roma community if they do not possess immunisation records or information about previous treatment. Health visitors and other service providers need to establish 'communal' relationships with Roma parents and other caregivers. Involvement of Roma workers in projects targeting Roma communities will ensure that planned programmes are acceptable, appropriate and taken up.

Whilst all the consulted young people stated that they were registered with a Doctor, difficulties in accessing translation services were identified. In addition, previous research has identified the impacts of poverty on children and young people within the Roma community, including lack of food and heating, overcrowding and the poor condition of housing. According to the consulted children and young people, these are on-going issues. Health inequalities and the effects of poverty on the well-being of Roma children and young people must be addressed.

- **Take action to end inequalities in children's health and access to health services in Northern Ireland, particularly through reducing child poverty.**

Poverty

Those consulted described Roma families sharing housing in order to cover costs. Whilst considering that they had everything they needed in their families, this was in the context of comparison with living conditions in Romania. By contrast, the Community Development Worker highlighted instances where families do not have enough to eat and children do not engage with activities due to poverty. Child poverty remains a significant issue for the Roma community and the particular difficulties faced by them must be considered by Government in Northern Ireland.

- **Immediately appoint a representative to the Social Mobility and Child Poverty Commission to garner expertise, share best practice and improve delivery on child poverty outcomes.**
- **Improve data collection and measure levels of persistent poverty.**
- **Assess the impact budget cuts and the proposed *Welfare Reform Bill* will have on children and low-income families ... and take proactive measures to protect children and families from poverty.**
- **Prioritise implementation of the *Child Poverty Act 2010*, publish a comprehensive, costed and integrated *Child Poverty Strategy* that addresses all aspects of poverty (including fuel and food poverty) and take meaningful actions to eradicate child poverty in Northern Ireland.**
- **Provide adequate benefits to all migrant families, to ensure that they are not vulnerable to poverty. The condition that a claimant must be living in the UK for three months before being eligible to access child benefit and child tax credit should be reversed and a crisis fund to assist destitute migrants and asylum seekers should be made permanent.**

Education

Since 2009, the number of children from the Roma community in schools in Northern Ireland has grown significantly, particularly in South Belfast. NGOs have argued that education policies which relate to newcomer children and young people should be reviewed. To address the needs of Roma children, and ensure that their linguistic and cultural heritage is maintained, it is vital that those working with Roma children and families have 'cultural competence', promote an inclusive ethos, and have high expectations of Roma children/young people based on accurate assessment of individual strengths and needs.

In ensuring that Roma children and young people enjoy the rights to access and participate in primary and post-primary education, a balance must be achieved between raising proficiency in English whilst maintaining the child's linguistic and cultural rights. It is also important for teaching staff to be able to differentiate between gaps in a child's knowledge or skills which are the result of a 'language

barrier', those rooted in a special educational need, and those which are due to lack of previous schooling.

Specific consideration must be given to children, including Roma, with limited formal educational experience given the effect this has on literacy and numeracy levels, attainment in other academic subjects, understanding of school norms, behaviour and attendance. Concerns have been expressed about the number of Roma children who are not registered in schools - an issue reflected with one consulted group. Roma children are clearly at risk of educational under-achievement so additional resources must be ring-fenced to support their right to education. Also significant is provision to support access to Further or Higher Education for Roma young people who wish to pursue vocational or academic careers.

Racist bullying, both in schools and on the way to/from schools, is an issue which needs to be addressed consistently across all schools. For Roma children, bullying discourages attendance and can be under-reported. It is important that, where Roma children and young people are out of school, the reasons are identified and understood, and that they receive alternative education which takes account of their needs and abilities.

Despite evidence of its positive impact on attitudes towards ethnic minorities, the Department of Education has withdrawn all funding for the *Community Relations, Equality and Diversity in Education Policy* (CRED). It is vital that adequate funding is provided to ensure that positive attitudes are fostered towards minority ethnic children, young people, families and communities.

Development of positive links with Roma parents is an important aspect of educational provision, including accessible information about admission and registration procedures, attendance, reporting of absence, school anti-bullying policies and how parents can support their children's learning.

- **Allocate additional resources to enable inclusion and access, and reduce the effect of a child's social background ... on their achievement within school.**
- **Review the *Supporting Newcomer Pupils Strategy* and the Inclusion and Diversity Service.**
- **Produce guidelines in relation to children with limited formal educational experience and adequately fund support for them.**
- **Provide support for newcomer children to learn English before they start school and put in place measures for 16-18 year olds who are not in school to learn English.**

- **Ensure that children out of school receive timely, quality alternative education.**
- **Increase the level of provision and the breadth of courses available and provide education which takes account of a child's special educational needs.**
- **Ensure consistency in anti-bullying policies and their application across all schools.**
- **Introduce uniform mechanisms to record all forms of bullying.**
- **Ensure that education on children's rights is central to the statutory curriculum.**
- **Take measures to strengthen children's participation in schools.**
- **Ensure that all 'NEET' children can access youth training and are sufficiently supported when transitioning to further education or training.**

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