

**Submission to the Joint Oireachtas Committee  
on Justice, Equality and Defence**

on

**Integration, Multiculturalism and Combating Racism**

**Challenges to Building an Intercultural Ireland  
*A Limerick Perspective***

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## **Executive Summary**

Doras Luimní (Doras) is an independent non-governmental organisation working to support and promote the rights of migrants living in Limerick city and county. The core areas of our work are direct support, legal advice and advocacy, and integration planning and anti-racism. Based on our experience we feel that there is a pressing need to address the issues of integration, multiculturalism and combating racism through a co-ordinated strategy that combines national and local efforts to address these issues. This can be achieved with a clear understanding of the national context, local approaches to integration and the challenges faced in combating racism.

**National Context:** Creating a suitable environment for best policy and practice in regard to migrant issues with particular reference to the lack of clear legislation around Immigration and the impact of national policies, such as the closure of the NCCRI on Integration.

**Integration:** Through our work with the Limerick Integration Working group Doras has worked to address integration issues in an environment that is increasingly difficult due to changing social and economic factors. There is a clear gap in policy in regard to national approaches to integration which would provide a framework for local initiatives.

**Racism:** Doras is aware that racism exists in Ireland through our own research, reports and evidence based on our clients' experiences. The current legislative and policy infrastructure make it difficult for anyone seeking redress for racist incidents / language and as a result little has been done to combat racism.

Based on our research and experience Doras is making the following recommendations to the Oireachtas Committee on Integration, Multiculturalism and Combating Racism.

### **Recommendations**

A national framework that first addresses some of the systemic problems around immigration should be addressed through the passing of new Immigration legislation. This should be followed by a move beyond simply addressing immediate 'immigration needs' and developing a strategy to address integration through a national integration policy which would provide a framework for local integration strategies. This could in turn be supported through dedicated funding support to promote integration initiatives and combat racism.

Integration should be addressed through a bottom-up and top-down approach through the creation of a funded national integration strategy with funding and support of a state agency such as the Office for the Promotion of Migrant Integration (OPMI) which will provide a framework for local integration policies which, in turn, should be resourced and provide a space for the development of bottom-up initiatives to integrate migrant and indigenous communities.

Racism needs to be addressed through improved legislation, mechanisms for reporting, co-operation between Gardai, NGO and service providers, as well as the support and funding of a national body to provide infrastructure for anti-racism initiatives which have been missing since the dissolution of the NCCRI.

## **1. Challenges to Building an Intercultural Ireland: A Limerick Perspective**

Limerick has been witness to a number of high profile media events in relation to the subject of integration, multiculturalism and combating racism. Events highlighted by the media such as the “throwing of a banana” in Thomond Park at Manchester City player Gael Clichy, comments by Councillor Kevin Sheehan regarding an ‘Irish first housing policy’ and recent “crispy duck” statements by a local election candidate around the Chinese community are all symbolic of increasing tensions brought on by a growth in the number of migrants in the area in the last ten years and economic and social pressures brought on by recession. Doras works through various instruments to promote integration through its services and advocacy. It engages in research and campaigns to address the problems that arise when integration does not occur, which manifests itself as discrimination and racism. We feel that the local experience in Limerick around promoting integration and combating racism has a valuable input into the larger national debate on developing an intercultural Ireland.

## **2. About Doras Luimní**

Doras Luimní (Doras) is an independent non-governmental organisation working to support and promote the rights of migrants living in Limerick city and county. The core areas of our work are direct support, advocacy and campaigning, and integration planning. We operate an advice and information centre for migrants, a legal centre for immigration specific issues, and facilitate and lead on integration planning locally while also campaigning at a regional and national level on key issues that affect the human rights of migrants.

Doras is a key member of the Limerick Integration Working Group (Limerick IWG) and the Irish branch of the European Network Against Racism (ENAR Ireland).

Our Expertise:

- **Integration:** Doras has co-chaired Limerick Integration Working Group and contributed to the development, enactment and monitoring of *Integrating Limerick 2010-2012* and the Progress Reports in 2010, 2011, 2012.
- **Advocacy:** Doras is a member of ENAR Ireland, and provides training in Anti-racism and intercultural awareness locally. Doras has conducted studies on the subject of racism including an examination of the perceptions of migrants in the media and an examination of racist incidents in the Limerick region.

- **Migrants' rights:** Doras operates an Advice and Information Centre with experienced case workers who work on a daily basis with migrants on a variety of immigration related issues as well as running a legal service which focuses on immigration issues.

Integration and Racism are core areas of our work and we have a dedicated Integration Policy Officer. This officer participates in local and national anti-racism campaigns and local/regional work to develop an integration strategy.

### **3. National Context**

Established in 1998, the National Consultative Committee on Racism and Interculturalism (NCCRI) was an independent expert body which provided advice and developed initiatives to combat racism and to work towards a more inclusive, intercultural society in Ireland. A decade later, the NCCRI closed at the end of December 2008 as a result of government budgetary cutbacks, and its function has not been replaced.

Initially the government policy regarding integration was assigned to the Reception and Integration Agency (RIA). As the core function of the RIA emerged as a co-ordinator for the provision of services to both asylum seekers and refugees the integration function did not receive priority at the time. The integration function formerly assigned to the Reception and Integration Agency was then assigned to the Integration Unit of the Office of the Minister for Integration, now the Office for the Promotion of Migrant Integration (OPMI), in July 2007. Since 2007 the OPMI acts as the government department with responsibility for the integration of migrants. The OPMI has a cross-departmental mandate to develop, lead and co-ordinate migrant integration policy across other Government Departments, agencies and services. The functions include the promotion of the integration of legal immigrants into Irish society, the establishment of new structures for this purpose, the coordination of Ireland's international reporting requirements relating to racism and integration, the management of the resettlement of refugees admitted as part of the United Nations Resettlement Programme and the administration of funding from national and EU sources to promote integration. In May 2008, the then Minister of State for Integration, launched a statement on integration strategy and diversity management 'Migration Nation'. Since then, there has been no definitive government policy on migrant integration. Currently, the OPMI does not have a proactive role in the development of anti-racism initiative or integration policy.

The emphasis on integration planning has fallen to local authorities who look to non-governmental organisations to support the development of regional integration strategies. As a result the local integration policies are largely dependent on time, resources and the commitment of those involved. Furthermore the lack of an over-arching national policy framework means that most local integration policies require bottom-up development and

lack significant national leadership and co-ordination. The result is a mix of local policies based at city and county level varying in approach and effectiveness.

The lack of any policy framework around the area of Immigration has had a direct impact on Integration. Immigration issues have a direct impact on the integration and racism. The lack of a defined national policy in the form of a new Immigration Residence and Protection Bill creates a vacuum where integration policymaking is increasingly difficult, and the public discourse around integration and racism concentrates on the negative aspects of immigration resulting from poor legislation and policy tools.

### **3.1 Multiculturalism versus Interculturalism**

Doras Luimní would highlight the need to frame the national debate relating to integration through the lens of interculturalism. Multiculturalism has often been used to describe the inclusion of new communities into Ireland; however the term indicates that you have a number of different cultures in one society. Based on the premise that good integration is based on a two-way process of exchange where the host community and new community both benefit from shared interaction and integration, we have concentrated on taking an approach which highlights interculturalism. It is with this in mind that we have been actively pursuing the commitment on the part of the European Council's Intercultural Cities programme to make Limerick the second Intercultural city in Ireland.

### **3.2 Recommendations**

- There is a need for a national policy on Immigration to be addressed by the drafting and implementation of a new Immigration, Residence and Protection Bill.
- There is a need for a national Integration strategy which will provide a framework for local integration policies and encourage local statutory, non-statutory and NGO participants from each county to engage in the integration planning process.
- There is a need to provide a government funded body to address the gap in integration planning which should be addressed by the OPMI and anti-racism which was the remit of the NCCRI.

## **Integration**

Doras Luimní (Doras) is co-chair and founding member of the Limerick City and County Joint Integration Working Group.

Established in 2007, the Limerick Integration Working Group (IWG) operates under the auspices of the Social Inclusion Measures Group of the Limerick City and County Councils. The IWG comprises a range of statutory and community based organisations including Limerick City Council, Limerick County Council, Doras Luimní, An Garda Síochána, FÁS, Department of Education and Science, Department of Social and Family Affairs, Health Service Executive, University of Limerick, Limerick City Adult Education Service, Jesuit Refugee Service Ireland, County Limerick VEC, Citizens Information Board, PAUL Partnership, Limerick Filipino Community, Ballyhoura Development Ltd., City Community and Voluntary Forum, West Limerick Resources and the Limerick Latvian Activity Centre.

In 2010, the IWG developed Integrating Limerick, Limerick City & County Integration Plan 2010-2012. The aim of the Integration Plan is to promote a vibrant, inclusive and dynamic city in Limerick in which all residents are valued, regardless of their nationality, religion or ethnic background. The IWG has monitored the implementation of the plan and published an annual review in the form of Progress Reports for 2010, 2011 and 2012. The IWG is in the process of developing an Integration Plan for 2013-2015, this has proven to be challenging due to a lack of resources for the IWG itself as well as resource pressures on member organisations. As part of the planning process the IWG commissioned a needs analysis of immigrants in Limerick city and county, which provides a useful starting point for looking at the issues related to integration in the area.

### **4.1 Needs Analysis of Limerick City and County**

As the implementation period for the Integration Plan drew to a close, the IWG commissioned a needs analysis of migrants in Limerick City and County. The methodology for that needs analysis included an analysis of the data from Census 2011 on the non-Irish population and comparisons with information for the usually resident Irish population.

In addition, surveys and focus groups were carried out, and were aimed at:

- Migrants, including members of the refugee and asylum seeking communities
- Service Providers
- Education Service Providers

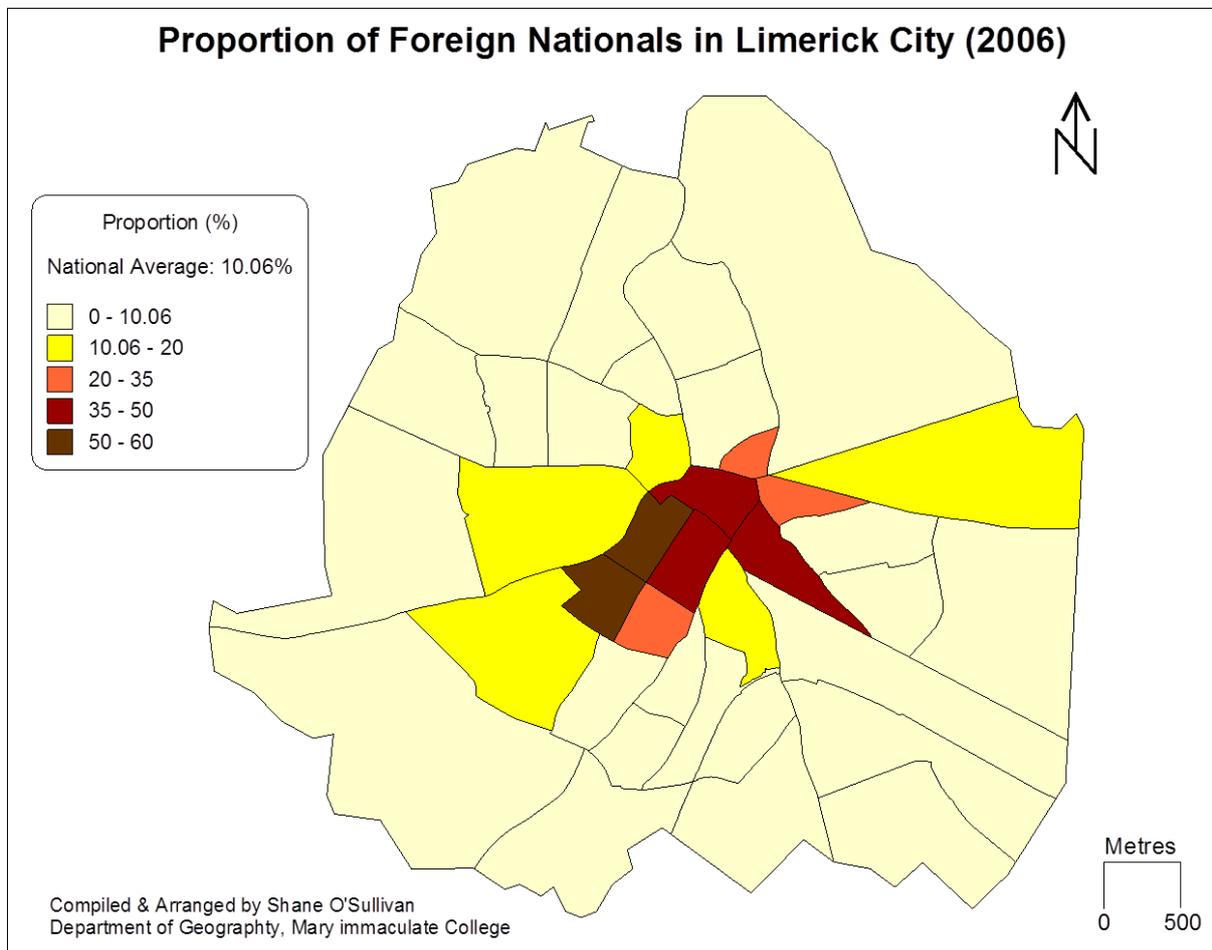
In support of the needs analysis the Limerick IWG conducted a structural review, and stakeholder consultation which included meetings with key members of the IWG and community representatives, focus groups and a World Café session open to migrants and the wider public.

## 4.2 Profile

Limerick, similar to the rest of Ireland, has experienced a significant rise in the number of migrants living in the region. According to Census 2011 a total of 18,427 people or 9.7% lived in Limerick, 6,847 people or 12.1% of the population in Limerick City and 11,580 or 8.7% of the population in Limerick County.

The age profile of the non-Irish community in Limerick city and county is significantly younger than that of the Irish population. There are fewer children (0-15 years) and considerably fewer older people. Most significantly there is a far higher proportion of people in the working age category – 82% compared to 67.5% in the Irish population.

The majority of migrants in Limerick City and County come from Poland. This is by far the most significant nationality accounting for over 30% of migrants. Geographically the majority of migrants live in the city centre.



This is evidence of a trend by migrants to live in areas where they can access affordable accommodation, and has led to many migrants clustering together; a trend which has the potential to lead to separate migrant communities and impact negatively on integration.

### **4.3 Benefits of Diversity**

A general question was asked in the IWG needs analysis surveys about the benefits of diversity to society. There was general consensus that diversity is very valuable and contributes to society, with only a small number of respondents to the migrants' survey stating that they believed that diversity costs more than it benefits society. The narrative answers indicated that there is a strong belief in the value of diversity; however it is also interesting to note that the benefits to diversity were being questioned by the migrant community based on their own experiences attempting to integrate into Irish society.

### **4.4 Migrants – Long-term residence**

The migrants that participated in the needs analysis have generally been living in Ireland for significant periods of time. Over 85% of respondents stated that they lived in Ireland for more than three years. Others indicated that they lived here for even longer periods. Almost 70% of the respondents to the migrants' survey stated that they lived in rented accommodation with a further 17% stating that they lived in their own homes or in council accommodation. This indicates that the majority of migrants intend to remain in Ireland if not on a permanent basis, then certainly for the foreseeable future.

Based on these results the perception of working with migrants needs to change. The work needs to move from a focus on reception and initial integration into one that seeks to embed awareness of the needs of a diverse range of service users in all aspects of service delivery.

### **4.5 Language**

The census information on English ability suggests that in Limerick the ability to speak English well is slightly below the average for the State, while the proportion of migrants that do not speak English well or not at all is slightly higher. The consultations indicated that migrants believe in the importance of English language. Without English, people are forced to rely on others to translate. This task sometimes falls to children and this is considered to be inappropriate. The link between employment and language was also firmly made with participants indicating that they require fluency in English to be able to compete for what are often scarce jobs.

While the EU Common Basic Principles for Integration speak of a basic knowledge of the host society's language, it is clear from the consultations that a more in-depth knowledge of English is now essential for many migrants to enable them to fully participate in society. One of the most significant needs identified was for more intensive English classes and the opportunity to speak and practice English between classes. The latter was particularly stressed as many migrants tend to use their native language at home, with family or with peers and can forget what they have learned from class to class.

## **4.6 Work & Employment**

The age profile of the migrant community in Limerick city and county shows the high proportion of people in the working age category – 82% compared to 67.5% in the Irish population. The information from the Census on the Principal Economic Status of migrants suggests that the labour force participation rate is significantly higher at 73.2% than for the Irish population (58.6%), indicating that most migrants are here to work. However, the unemployment rate is also higher at 25.3% compared to 20.7% for the Irish population.

The information from the focus groups suggests that competition for jobs is becoming more intense. A number of migrants indicated that Irish people are now taking jobs that heretofore would have been filled by migrant workers. The competition for jobs is making the necessity to speak English fluently even more necessary. Improving employment prospects is one of the primary motivations for migrants to improve competency in English language. Another impact of the high rate of unemployment is that migrants frequently use jobs clubs and other employment services. The feedback from both service users and service providers has been that there needs to be more training for service providers around intercultural awareness and understanding the employment rights of migrants.

## **4.7 Services**

Migrants now comprise a sizeable proportion of service users in all spheres in Limerick City and County. A total of 38 Service Providers responded to the needs analysis survey for service providers, including statutory service providers, non-statutory service providers and community organisations, covering a diverse range of issues such as youth, sports, arts and cultural organisations. A separate questionnaire was sent to Education Service Providers and a total of 15 responses were received from primary, second level, third level and further education service providers.

These service providers provide a wide range of services to migrants including advocacy, employment advice or business and enterprise development. Some of the services are services to the migrant community only. However, the majority of organisations indicated that they provide services to the entire community and migrants access their services or are specifically targeted.

Migrants make up a significant proportion of service users for the most of the services, the majority of which indicated that migrants comprise up to a quarter of their service users and another 10% of services stating that migrants comprise up to 50% of service users. For most service providers this brings with it many benefits such as the benefits of different cultural perspectives, the enriching effect of diversity and the promotion of tolerance. One of the education service providers stated that diversity enriches and nourishes a school community. Another said that it exposes learners and staff to a wider set of cultures and educational experiences.

A number of challenges associated with service provision for migrants were identified by service providers. One of the biggest challenges was associated with language and communication. One service provider said that the challenges were 'language, language, language'. Other issues mentioned were funding, or lack of funding, and the challenges of migrants getting Garda vetting. A lack of information, awareness or understanding of different cultures was also mentioned as one of the key challenges. The lack of leadership in relation to integration was also mentioned, as were the difficulties in persuading the public of the benefits of diversity. The cultural differences between service providers and immigrants and the lack of training for public and other service delivery organisations was also specified as a challenge.

The current economic climate was mentioned as providing a challenging context for migrants, making it more difficult for them to get employment and contributing to the perspective of the Irish community that they are competing for scarce jobs, social welfare and other resources.

From the perspective of service users, a number stated that they felt that the cost of services in Ireland was prohibitive. Participants in the focus groups felt that health services in Ireland are very expensive. Those without a medical card stated that they were often unable to access health services because they cannot afford to. Dental services were noted as being particularly expensive. A number only attend health services in their own countries and a number of women travelled to their own countries to have their children. Distrust of the Irish healthcare system was also a feature.

In relation to education, participants stated that in general their children liked school and they had no real problems with the schools as parents. However some face challenges when it comes to supporting children with homework. During the focus groups it was stated that some families have problems in supporting their children with homework, and it was thought that after-school support may provide support to migrant children faced with these challenges

#### **4.8 Asylum Process - Challenges**

The asylum process, including the requirement to live in direct provision centres, was identified as a particular challenge. A total of 15% of respondents to the survey for migrants identified themselves as asylum seekers and 12% stated that they lived in a direct provision hostel. The system of direct provision was identified as a significant issue. It was acknowledged that this is a national policy that is not possible to change at local level. However, it is important to reflect the strength of feeling in relation to direct provision. It was described as causing severe stress and mental health issues for residents. The situation for children growing up in direct provision was also described as very difficult.

Residents tend to live in the direct provision system for periods of time that were never foreseen when the system was designed. However asylum seekers tend not to be a target in integration planning. Some services stated that getting access into integration centres is a 'nightmare'. There was a question as to whether there is any preparation for life outside of direct provision or support to those making the transition from direct provision to the community.

#### **4.10 Integration Needs**

A number of other integration needs were identified in the focus groups conducted as part of the needs analysis.

The need for parenting support and family support, particularly for children who come from traumatic backgrounds, or the trauma felt by children of parents who have fled their country of origin was identified. It was believed that the trauma of second generation children is not being acknowledged. It was felt that there is a need for Rainbows type groups for children of migrants who may be grieving the loss of their original home, family, community, language and culture.

The focus groups indicated that some migrants believe there are few opportunities for integration. Casual conversations with neighbours or parents at school rarely happen. A number stated that they do not have any Irish friends or acquaintances. Opportunities in small, rural areas were regarded to be rarer than in urban areas. Participants felt that where migrants are married to Irish people or have an Irish partner, there are more opportunities for integration.

The importance of volunteering was recognised by participants of the service providers' focus group who also noted that migrants often do not see its value, perhaps for cultural reasons.

A number, particularly those in the County, stated that there is a general difficulty in accessing information and advice about rights and entitlements. Participants felt that there was a general need to improve access to information and advice. This is an issue of particular concern to those in more rural areas as the city-based participants found it relatively easy to access information and advice from the Citizens Information Centers and from specialised services such as Doras Luimní.

#### **4.11 Future of Integration in Limerick**

The IWG has been faced with a number of challenges for the development of its 2013-2015 Integration Plan as funding for the separate integration initiatives at local level is no longer available and member groups find it increasingly difficult to commit to integration activities due to a strain on their resources. The overall policy and funding environment in which the

next Integration Working Group strategic plan will be implemented is likely to be challenging as dedicated funding from public and private sources for activities aimed at integration is becoming increasingly scarce.

The work of the IWG needs analysis indicates that migrants are likely to be here for considerable periods of time with many now establishing permanent homes in Ireland. This was confirmed by service providers who stated that the needs of migrants in relation to their services have changed. It is likely that there will be an increasing move away from a focus on initial reception needs, as they might have been at the peak of immigration a number of years ago, to a focus on the creation of an intercultural city and county. Language, for example, is likely to remain important but the focus will change from basic language to more advanced and associated with employment and wider integration. As diversity becomes a permanent feature of Irish society, there will be a challenge to all organisations, agencies and service providers to plan for service provision.

To date, the main focus of integration work was as a targeted activity. However, this now needs to change to a focus on all services being aware of the need to provide services to a diverse population of people. Statutory and other long-term structures need to be encouraged to embed integration and intercultural work as part of their core work. At the same time migrants need to be encouraged to move into positions of leadership through greater involvement in local and community organisations.

#### **4.12 Recommendations - Integration**

It is suggested that the following are considered in regard to the future development of Integration in Ireland:

- A national framework for the development and enactment of Integration policies which involves co-ordination between a national body such as the OPMI and local and regional authorities, NGOs, statutory and non-statutory agencies.
- National policies should encourage the development of bottom-up local integration initiatives at city and county level which are linked to broader national aims and objectives.
- Integration will need to be increasingly mainstreamed – there will be a need to work through existing structures that may provide enhanced sustainability.
- Information and language remain issues and need to be continuously addressed. There is a need to move English out of the classroom and explore the social, cultural and economic dynamic of how English is learned, practiced and used.
- Given the changing demographic nature of migrants family reunification will be an increasing source of migration and potential area for the development of further integration policies.

- School programmes around inclusiveness (i.e. Yellow Flag) could assist with the challenges of second generation migrants and the intergenerational challenges facing migrants who are long-time resident.
- Community engagement and volunteering should be further explored as opportunities for integration and active citizenship.
- Upcoming legislation (Immigration Residence Protection) will need to address the difficulties faced around Direct Provision and some of the problems that long-term asylum seekers face when trying to integrate into communities upon being granted refugee status, subsidiary protection or leave to remain.

## **Multiculturalism and Combating Racism**

Doras holds that racism is a serious, widespread and urgent issue in Ireland. Doras works at the grass-roots level with local community groups, sports organisations, schools, and service providers, to provide training and promote better understanding and improved responses to address racism. Doras promotes the reporting and recording of racist incidents by offering advice, information and support and encouraging anyone affected by any form of racism or discrimination to make a formal complaint to the Gardaí. Doras offers assistance in developing positive structures that promote equality and non-discrimination to corporate, community or statutory organisations/bodies. Doras engages in national campaigning for improved structures, policies and laws. It co-operates in coordination with other organisations around the country through its membership of ENAR Ireland.

Doras as one of the principal providers of services to migrants in Limerick City and County and the mid-west is keen to develop an appropriate response to tackling racism in Limerick. In order to further develop an effective anti-racist strategy in Limerick, Doras commissioned research into racism in the region. A survey was conducted with Doras service users in August 2013 to identify where racism happens, what form it takes, to identify the perpetrators, to explore if victims / witnesses report the incident/s, if not why not, and if so, to whom. The study provides some key points for understanding the incidents of racism in the Mid-West and providing some insight into combating racism.

### **5.1 Length of time in Limerick**

The study once again identified the fact that many of those questioned were long term resident Ireland. 10.83% (13) lived in Limerick for less than a year, 6.67% (98) lived in Limerick between one and two years, 19.17% (23) lived in Limerick between two and five years and 63.33% (76) lived in Limerick for more than five years. Of those who responded, 40.17% (47) said they had never experienced or witnessed racism / racial discrimination in Limerick. 5.9% (7) said they experienced or witnessed racism once and 53.85% (63) said they experienced or witnessed more than once. Noted throughout the surveys and interviews conducted by Doras Luimní and the researcher in the compilation of the study on racism was that those reporting were not discussing isolated incidents, but wanted to point out that often they would have witnessed or experienced more than one incident.

### **5.2 Type of incident/s**

Racist incidents themselves have manifested in a number of different ways with survey respondents pointing out that incidents manifested themselves in a variety of different forms.

From a total of 122 respondents the incident was described as verbal attack 71.21% (47); physical attack 22.73% (15); threat 28.9% (19) ; facial gesture 42.42% (28) ; offensive graffiti 13.64% (9); refusal of service 24.24% (16) ; property damage 7.58% (5); accessing

accommodation 10.61% (7); accessing workplace 9.09% (6); unfair working conditions 15.15% (10); refusal of entry to a premises 15.15% (10) and other 21.21% (14). As mentioned above it is important to note that many respondents were not just talking about a single isolated incident but that they had experienced or witnessed multiple incidents.

#### **5.4 Under- reporting racist incidents**

Underreporting of racist incidents has been identified through several other sources, and the experience of those in Limerick remains the same. Of the 122 respondents to the Doras survey on Racism 80% said they did not report the incident. Some of the reasons given for not reporting included not knowing where to report, lack of confidence in officials, including the Gardaí, an acceptance that racism exists and is tolerated, and vulnerability because participants were awaiting 'status'.

Doras has worked with ENAR Ireland to try to address under-reporting of racism through the development of the online reporting system iReport.ie. However, as it currently stands reporting is still not common in Ireland. Out of the responses of those who did not report there is evidence to suggest that the lack of political structure and lack of impact in regard when someone does report provides little impetus to report and/or address racist crime. The relative lack of use of the 'Incitement to Hatred' Act supports this notion that the current political / policy structure means there is no incentive for those experiencing racism to act in a way to prevent it.

The Gardaí and other service providers are aware that there is racially motivated crime in Limerick but it is not often reported. The absence of useful legislation was noted and there was agreement that the Incitement to Hatred Act is in need of radical reform.

The relationship with the Gardaí was noted as being a challenge for many migrants, particularly those that come from countries where the police might be seen as authoritarian. It was stated that the Gardaí have a Garda Liaison scheme but more needs to be done to break down barriers in migrant communities. Structural change around the legislation in addition to improved understanding and leadership from the Gardaí and Judicial System in this area could improve efforts to address racism.

#### **5.5 Political Leadership**

The lack of political leadership to address racism was noted and it was felt that politicians perpetuate myths commonly associated with migrants. This was highlighted by recent reports to Doras regarding local politicians, including comments regarding the need for an 'Irish first' housing policy, and an unfounded accusation that the local Chinese community were using stealing ducks from a local waterway to use in their restaurant. These incidents highlight the need for positive public discourse around migrants in upcoming and future political campaigns. Existing protocols such as the election protocol drafted by ENAR Ireland

could be adopted by all parties to ensure that public and media debate on migrant issues is based on facts and not used to perpetuate myths about migrants for political gain.

## **5.6 Incitement to Hatred Act**

The 1989 Incitement to Hatred Act, which has been under government review for a number of years, has been criticized for its ineffectiveness and unworkability. The average number of successful prosecutions since the act stands at less than one per year. Some of the difficulties associated with the act include: the need to demonstrate that an act was both intended to and had the effect of inciting hatred in others, the terms incite and hate are not defined, the consent of the DPP is required in all instances and the defences provided in the legislation are extremely broad. Another problem with the Incitement to Hatred Act is that it was not drafted with the internet age in mind; online hate speech is not catered for under the Act. Doras has had direct experience with the difficulties in enacting Incitement to Hatred in recent incidents such as the highly publicised 'banana' at Thomond Park and reports regarding online harassment and bullying. Doras itself as well as members of its staff and volunteers have been victims of online abuse and bullying from extremist anti-immigrant groups. Both incidents demonstrated to Doras that the 1989 Incitement to Hatred Act could not be used to pursue further action; making the act ineffective as a deterrent to racist actions. Doras supports the reviewing of legislation, with a view to creating new provisions which should put the emphasis on the demonstrable racist effect on victims, rather than putting emphasis on establishing racist intent of the perpetrator.

## **5.7 Recommendations**

- Bring forth new legislation creating a category of Racially (or 'bias') Aggravated Offence.
- Conclude the review and update of the 1989 Incitement to Hatred Act.
- Bring forth a new legislation prohibiting speech, broadcasting or the publication of material of a biased nature likely to stir up hatred against one of the named groups
- Make provision for judges to consider racial (or 'bias') motivation at sentencing, and provide for the sentence to be 'uplifted' accordingly.
- Ensure that future legislation in regard to racially aggravated offences takes into account online abuse and incitement to hatred.
- Improved data collection of incidents of racism, looking at best practice from England, Wales, Scotland and Northern Ireland.
- Ensure greater awareness of the relevant legislation including by those responsible for its implementation and also by both victims and potential perpetrators of racist crime.
- Fund an independent institution to monitor and report on racism.
- Make available a fund to support local groups to develop anti-racism campaigns and provide grants for anti-racism initiatives.

- Codes of conduct in regard to the portrayal of migrants should be developed by political parties to avoid potentially inflammatory political scapegoating.

## **6. Conclusion & Overall Recommendations**

Limerick has witnessed a recent rise in inflammatory statements regarding migrants which can lead to a further separation between indigenous and migrant communities. Events highlighted by the media such as the throwing of a banana in Thomond Park at Gael Clichy, comments by Councillor Kevin Sheehan regarding an 'Irish first housing policy' and comments by a local election candidate around the Chinese community are symbolic of increasing tensions brought on by a growth in the number of immigrants in the area in the last ten years and economic and social pressures brought on by recession. Attempts have been made at a local level through NGOs, statutory and non-statutory agencies to provide a response by promoting integration and combating racism; however, these responses lack national political support. The closing of NCCRI and the lack of overall funding and resources for government departments, such as the OPMI, and initiatives such as the Limerick Integration Working Group means that many organisations that are committed to these issues are unable to do much to address them. The trend which results is an increasing separation between the indigenous Irish and migrant communities which manifests itself in the short-term as failed integration and in the long-term as increasing racism and anti-immigrant sentiment.

Based on our research and experience Doras is making the following core recommendations to the Oireachtas Committee on Integration, Multiculturalism and Combating Racism:

- A national framework that first addresses some of the systemic problems around immigration be addressed through the passing of new Immigrations legislation. This should be followed by a move beyond 'immigration needs' and an effort to address integration which could be developed through a national integration strategy which would feed into and build upon local strategies. This could in turn be supported through dedicated funding support to promote integration initiatives and combat racism.
- Integration should be addressed through a bottom-up and top-down approach through the creation of a funded national integration strategy under the direction of a state agency such as the OPMI which will provide a framework for local integration policies which, in turn, should be resourced and provide a space for the development of bottom-up initiatives to promote intercultural integration.
- Racism needs to be addressed through improved legislation, mechanisms for reporting, co-operation between Gardaí, NGO and service providers, as well as the support and funding of a national body to provide infrastructure for anti-racism initiatives which have been missing since the dissolution of the NCCRI.