

# Should Ireland have a specialised, culture-sensitive and neutral racist incident reporting and recording mechanism?

---

*Preliminary consultation report based on a Puzzled by Policy discussion, in association with the Immigration Council of Ireland*

<http://join.puzzledbypolicy.eu/en-GB/udebateddiscussion.aspx?Thread=213>

*Author: Deirdre Lee*

*12th June 2013*

## Table of Contents

Table of Contents.....	1
1 Introduction .....	2
2 Dissemination Methods.....	2
3 Statistics.....	2
4 Posts Summary.....	3
4.1 Opposition to the need for a specialised racist-incident reporting mechanism .....	3
4.2 Justification of the need for a specialised racist-incident reporting mechanism .....	3
4.3 Benefits of a specialised racist-incident reporting mechanism .....	4
4.4 Challenges of a specialised racist-incident reporting mechanism.....	4
4.5 Complimentary/alternative approaches to a specialised racist-incident reporting mechanism.....	5
4.6 Existing specialised racist-incident reporting mechanisms .....	6
5 Puzzled by Policy.....	7
6 Related Legislation.....	8
7 Contact Details.....	8

## 1 Introduction

Various studies on racism undertaken in Ireland suggest that racist incidents (racial abuses and attacks) are under-reported. A number of arguments are advanced for this phenomenon, including: fearing that the complaints will not be taken serious or will not be acted upon; reluctance to draw the authorities attention to the witnesses or victims in case it will impacts on their pending immigration applications (long term residency, citizenship, asylum and so forth); fear of the authority stemming from experiences in countries of origin; avoiding to rock the boat, etc. Policy makers and civil society agree that reporting is very important if not least to ensure that the issue of racism is not swept under the carpet.

Since the National Consultative Committee on Racism and Interculturalism (NCCRI) ceased trading in 2008, there has been debate on the need for a centralised racist incident recording mechanism similar to the one NCCRI used to provide when it was still around.

The Immigrant Council of Ireland have teamed up with Puzzled by Policy to pose the question via an online forum: Should Ireland have a specialised, culture-sensitive and neutral racist incident reporting and recording mechanism?

This report presents the preliminary results of the discussion, however the debate will continue to be active and promoted to encourage more widespread participation.

## 2 Dissemination Methods

The online discussion is hosted on the Puzzled by Policy Platform at <http://join.puzzledbypolicy.eu/en-GB/udebateddiscussion.aspx?Thread=213>. The discussion was actively promoted via social-media channels, mainly Facebook, Twitter and LinkedIn, of both Puzzled by Policy and the Immigrant Council of Ireland. Irish organisations who work in the field of immigration and racism were mainly targeted, to engage those who are active or have some interest in the topic.

## 3 Statistics

The discussion was live from the beginning of May 2013 and in that time a total of 17 posts were made. There were 265 page views (214 unique), with the busiest days being Wed 8<sup>th</sup> May, Mon 13<sup>th</sup> May and Thurs 6<sup>th</sup> June. These peaks corresponded with social-media promotion campaigns. The average time spent on the page was 4 mins, 39 seconds.

## 4 Posts Summary

Overall the posts were in favour of a specialised, culture-sensitive and neutral racist incident reporting and recording mechanism for Ireland. In the discussion, contributors justified the need for such a reporting system, but also highlighted potential challenges. Complimentary or alternative mechanisms to tackle racism were also suggested. An existing, independent racism reporting system, run by the Irish Network Against Racism (INAR) was described, as well as a more localised reporting system.

### 4.1 Opposition to the need for a specialised racist-incident reporting mechanism

One contributor points out that there is no need for a special solution, as racism is already a crime.

*"Why Ireland always want to have a special solution for International problem. Racism is a crime like in UK." (guest, 08-05-2013)*

### 4.2 Justification of the need for a specialised racist-incident reporting mechanism

In the opinion of one of the contributors, the Gardai do not always report racist incidents as being racist; other generic language is used.

*"I have personally experienced Gardai shying away from using words like "racist" or even racism in recording incidents which are blatantly racist in nature" (guest, 13-05-2013)*

As a result, the official picture of racist incidents is inaccurate.

*"..the lack of reporting incidents as racist in motivation means that we do not have a clear understanding of where we as a society are at in terms of racism." (Kate O Sullivan, 14-05-2013)*

One contributor suggest that the existing Prohibition of Incitement to Hatred Act 1989 is limited, and in practice is used mainly in relation to violent attacks. This is insufficient to counter all forms of racism.

*"If an independent mechanism existed that could record all racist incidents, and not just those that must be dealt with by the Gardai (such as violent attacks), then we as a society could start facing up to the reality of life for ethnic minorities and migrants in Ireland." (Kate O Sullivan, 14-05-2013)*

Many recent studies and reports have identified a rise in racist incidents, as well as an unwillingness to report racist crime.

*"A recent press release by the ICI in April of this year reveals a surge in racist incidents from an average of one per week to five per week following the organisation's Stop Racism campaign urging the public to report racist incidents. However, INAR have found that only one in six people report racist crime to the Gardai and according to a NASC report, 80% of people surveyed said they would not report the incident." (guest 08-05-2013)*

These findings correlate with the personal experience of one contributor who claims to have experienced racism every day.

*“During a long term stay in Ireland, I personally experienced a racist incident EVERY SINGLE DAY. \*EVERY\* DAY! As a tourist walking the streets trying to enjoy the country. having abuse hurled at me wasn't what I expected. You put on your armour just to leave the hotel or house...” (guest, 13-05-2013)*

Although one contributor suggested that the discussion could be widened to include other forms of abuse, e.g. sexual abuse or misogyny, many contributors highlighted that racism is a specific issue that needs to be tackled.

*“I think "racist/racism" needs to be specifically mentioned. Its a big problem everywhere.” (guest 08-05-2013)*

*“Its not helpful to try to mix up the issues with respect to gender/domestic violence: those are separate problems that require specific campaigns as well.” (guest 13-05-2013)*

In response to a comment that victims should be encouraged to report racist incidents to appropriate public services, a contributor replied that:

*“We can't encourage victims & witnesses to report racist incidents unless we can guarantee that they wont suffer or be victimised in any way as a result.” (Mary Ryan, 08-05-2013)*

#### **4.3 Benefits of a specialised racist-incident reporting mechanism**

One contributor suggests that a specialised racist-incident reporting mechanism could help identify trends in racist behaviour.

*“I would welcome a proper route for processing racist abusive crimes specifically, thereby identifying areas and behaviours of those criminals.” (Esmeralda Green, 07-06-2013)*

This corresponds with a contribution from the INAR Director, who also highlights the potential benefit of analysing the incident data, and its potential impact on debates on racism.

*“For this to be effective, the information gathered must be able to allow us, as a sector, to identify patterns of racism locally and nationally, and test our responses, to get better data on the impact of racist incidents, as well as informing the debates around the effectiveness of the criminal justice system, incitement to hatred, the question of enhanced sentencing for racially aggravated crimes and so on.” (INAR Director, 08-06-2013)*

#### **4.4 Challenges of a specialised racist-incident reporting mechanism**

The Director of INAR suggests how such a specialised racist-incident reporting mechanism can be evaluated.

*“A racist incident monitoring system's effectiveness can be measured by its ability to bring about positive change in patterns of racism, whether through local and national responses, or through reform of the criminal justice system.” (INAR Director, 08-06-2013)*

However they admit that meeting these standards can be a challenge.

Budget is a challenge for the creation of a specialised racist-incident reporting mechanism. This is also supported by one contributor who reports that the work going into the new INAR reporting system is running on a slim budget.

*“Setting up such as a service would have cost implications in a situation where the resources are scarce.” (Deirdre Lee, 18-04-2013)*

*“A national reporting mechanism is needed and needs to be adequately resourced so as to be sustainable, to facilitate the collation, extraction and publication of data that we so desperately need. INAR has the resources to deliver on the national system but a lack of a clear channel of mainstream funding dedicated to addressing racism in the Irish context, INAR will struggle to maximise on its unique position and considerable experience, network and expertise.” (guest, 11-06-2013)*

#### **4.5 Complimentary/alternative approaches to a specialised racist-incident reporting mechanism**

A couple of contributors suggest that current Gardai reporting mechanism should be improved, primarily in terms of Gardai understanding what racism is and including it as a motivation in relevant racist incidents.

*“.. unless the Gardai are obliged to include such a definition (of racism), then it very rarely will be reported as such (as it seems to be the case in reality). So, a mechanism either integrated into Garda procedures, or external to it, would be extremely useful.” (Kate O Sullivan, 14-05-2013)*

Another contributor suggests that education of all public servants is necessary in order to address racism in our society.

*“In my opinion educating the staff about racism at garda stations, hospitals, schools, social services, medical and legal professions and in general all workplaces is a necessity if such a mechanism were to work efficiently.” (Esmeralda Green, 07-06-2013)*

According to this contributor, in order for such a specialised racist-incident reporting mechanism to work, there must be a systematic understanding of what racism is and why it is important to have a common reporting and recording mechanism.

*“But also the understanding and a development of the sensitivity to identify what racism is and how it works to file cases appropriately. Otherwise Ireland might have the best racist incident reporting model in place, but with fabulously low statistics.” (Esmeralda Green, 07-06-2013)*

It is also proposed that Ireland should have a racism ombudsman, which would hold public and private organisations to account for mistreatment of an individual because of racism.

*“Therefore I would welcome a procedure whereby institutions, organisations, businesses and governmental departments etc could be prosecuted for mistreating a resident or visitor in Ireland because of racism. Apart from an adequate reporting and recording mechanism, we need a racism ombudsman/woman/person and/or minister.” (Esmeralda Green, 07-06-2013)*

A further contributor suggests the need for a co-ordinating body, a role that the Irish Network Against Racism could fill, with recognition and support. They also suggest a triangular partnership between community organisations, local authorities and Gardai, as opposed to creating a separate system.

*“Local authorities (partnerships) in collaboration with community organisations and such umbrella body as f INAR could record incidents and where appropriate refer those to Garda.” (guest, 08-05-2013)*

Another contributor works closely with his local community and have piloted a very localised racist incident reporting form.

*“We in our local community wanted our racist incident monitoring system to be truly embedded in local organisations..” (guest, 11-06-2013)*

As opposed to engaging with specialist migrant groups, they worked with local community and youth workers.

*“We knew that community and youth worker had a wealth of knowledge about what happened on the streets and on the weekends, they heard all the news and all the major event and we wanted to tap into that.” (guest, 11-06-2013)*

Additionally, they devised a third-part reporting mechanism that facilitated the capture and collation of local knowledge that facilitated them to build a more complete picture of what was happening in their area.

*“We found that an awful lot more goes on than gets reported to specialised (I mean migrant facing) services, Gardai and local authorities. We logged 13 racist incidents in one month and believe that that was just a scratch on the surface.” (guest, 11-06-2013)*

They then fed this localised first and third party reporting into the INAR system.

#### **4.6 Existing specialised racist-incident reporting mechanisms**

One guest contributor states that while many statutory bodies and organisations provide reporting, recording, and referral services to victims of racist incidents, these services are neither national nor mainstreamed.

*“They provide victims of racism with a platform to report and record racist incidents as well as offering information and referral services. However, these services are neither national nor mainstreamed.” (guest, 08-05-2013)*

The Irish Network Against Racism (INAR) and their existing reporting mechanism was mentioned by multiple contributors. The director of INAR also posted a detailed contribution on their confidential and Independent Racist Reporting System (<http://www.iReport.ie>). They argue that:

*“..the current INAR reporting system is best positioned to become the most reliable and effective confidential independent reporting and monitoring system for racist incidents”  
(INAR Director, 08-06-2013)*

INAR comprises 30+ anti-racist organisations throughout the Republic of Ireland. INAR’s vision of a reporting system is one that provides a confidential and accessible means of reporting that is independent.

*“The system must be easy to use.... culturally sensitive..... able to capture how racism impacts in a particular way on women, and how it varies for every different ethnic group... one that can produce reliable and meaningful information on racist incidences, whether they constitute actual crimes undercurrent law or not.” (INAR Director, 08-06-2013)*

In the development of their Independent Racist Reporting System, INAR have carried out a comprehensive mapping of existing reporting systems, as well as consulting with best practice guidelines. The new INAR system will also include third-party reporting functionality.

*“This time including a third party racist incident reporting mechanism to facilitate the input and knowledge of anti-racist practitioners and activists in mainstream services.” (guest, 11-06-2013)*

## 5 Puzzled by Policy

Puzzled by Policy combines innovative and interactive online tools to engage citizens in the policy-making process. A quiz widget, which can be embedded on any website/blog/social-media site, helps users learn more about policy issues and shows them where they stand in comparison to others. There is also a discussion forum, where users debate specific issues. Summaries of this participation is then passed onto interested policy-makers, who in turn provide feedback on the comments. PbP has already achieved significant success in the pilot countries of Spain, Italy, Hungary and Greece, with impact in the local policy arena. The focus of the current pilots is immigration policy.

Puzzled by Policy (PbP) is funded under the Competitiveness and Innovation Framework Programme (CIP) – ICT Policy Support Programme (ICT PSP). The project is led by the Digital Enterprise Research Institute (DERI), an internationally renowned Semantic Web research institute at NUI Galway, Ireland. PbP has a consortium consisting of 12 partners from nine European Countries, including active pilots in Spain, Greece, Italy and Hungary. The project has been running since 1<sup>st</sup> Oct 2010 for 3 years.

Puzzled by Policy Platform: <http://join.puzzledbypolicy.eu/>

DERI, NUI Galway Website: <http://www.deri.ie/>

## 6 Related Legislation

- In terms of civil law, discrimination and harassment in relation to and within employment on nine grounds, including race, religion and membership of the Traveller community, are outlawed by the Employment Equality Acts 1998 to 2008. Discrimination and harassment on the same grounds in the supply of goods or services, education or accommodation are prohibited under the Equal Status Acts 2000 to 2008.
- When it comes to criminal law, the use of words, behaviour or the publication (including publication on the internet) or distribution of material which is threatening, abusive or insulting and are intended, or are likely, to stir up hatred are prohibited under the Prohibition of Incitement to Hatred Act 1989. Broadcasts likely to stir up hatred along with preparation and possession of material likely to stir up hatred are also prohibited under the Act. The Act offers comprehensive protection to persons having hatred incited against them on account of their race, colour, nationality, ethnic or national origins, membership of the travelling community or sexual orientation. The provisions of other Acts such as the Criminal Justice (Public Order) Act 1994, the Non-Fatal Offences Against the Person Act 1997 and the Criminal Damage Act 1991 can also be used to protect persons and their property against attack, including racist attack.

## 7 Contact Details

For further information, please contact Puzzled by Policy coordinator, Deirdre Lee, at [deirdre.lee@deri.org](mailto:deirdre.lee@deri.org), by telephone +353 (0)87 417 2318, or by postal address: DERI, NUI Galway, IDA Business Park, Lower Dangan, Galway, Ireland.