

**Reported Incidents
Related to Racism and
strategic responses from the
NCCRI**

July – December 2008

**National Consultative Committee on
Racism and Interculturalism (NCCRI)**

NCCRI Report of Incidents Related to Racism

July – December 2008

Final Report

Introduction

In May 2001, The National Consultative Committee on Racism and Interculturalism (NCCRI) established a system for recording incidents related to racism in Ireland.¹ Incidents are analysed and compiled into six monthly reports.² This is the sixteenth and final report which covers the period July – December 2008. The report aims to:

- Provide an overview of racist incidents reported to the NCCRI in the given six month period
- Draw out the key issues from the incidents logged
- Make recommendations to a range of relevant actors.

The incidents included in this report have been forwarded by victims, witnesses and non-government organisations on behalf of the victims, including key organisations working with Travellers, refugees, asylum seekers and migrants. In some circumstances, the victims met with the NCCRI directly to report the incident.

The data that is generated by this reporting system is primarily qualitative and indicative of key issues that need to be addressed. This report does not aim to provide a comprehensive list of every racist incident that happens in Ireland. Indeed evidence from other countries tends to reveal, that with all such reporting systems, whether statutory or voluntary, there is likely to be a significant under-reporting of incidents. However, the NCCRI reporting mechanism plays an important role in complementing other systems such as the Equality Authority casework and Garda records³.

Organisations and individuals reporting racist incidents to the NCCRI have been encouraged to report the incident to the relevant authority responsible for investigating and addressing the complaint, for example, the Gardai (racist crime), the Equality Authority /Equality Tribunal

¹ Reporting forms can be accessed through the NCCRI website www.nccri.ie

² The six monthly reports are also available on the NCCRI website <http://www.nccri.ie/incidents.html>

³ For official statistics regarding racially motivated crime, see Garda Annual Report. See Garda Annual report 2007 at www.garda.ie

(discrimination in the workplace, discrimination in the provision of goods and services etc.) and local authorities (graffiti, harassment on local authority housing estates etc.). In addition, the NCCRI also encourages individuals and organisations to report articles or broadcasts in the national, regional or local media which they consider to be offensive to minority ethnic groups. In a small number of instances, those involved in or reporting the incident only want the incident to be logged by the NCCRI with no further action taken. These requests have been respected.

The NCCRI focus on a policy response to the racist incidents identified. We do not purport to respond to every incident reported to our office but to highlight the issues such as gaps in service provision and we seek to encourage a national and localised response to incidents.

Analysis of Data

- There have been 56 racist incidents reported and compiled by the NCCRI between July – December 2008
- 32% of all incidents related to the article “Africa is giving nothing to anyone – apart from AIDS” by Kevin Myers in the Irish Independent on the 15th July 2008

The statistics stated below related in incidents of racism reported to the NCCRI excluding those relating the article published by Kevin Myers in the Irish Independent

- 42% all incidents reported to the NCCRI occurred in the greater Dublin area. There were a notable number of incidents reported from Cork and the Meath – Louth areas.
- 10.5% of all incidents reported related to Taxi services. This is consistent with previous reports
- The majority of incidents were targeted at adults, However, in over 29% of cases young people and children were targeted either as part of a family or individually. This is substantially higher than in previous reports.
- The breakdown shows that the most significant victims of racist incidents were Black Africans, constituting 42% of all incidents reported. Travellers accounted for 10.5% of all incidents recorded. People of Asian origin as well as Polish, French, Jewish and Muslim communities also reported experiences of racism to the NCCRI.

Number of Incidents reported

Reports since 2005	Period covered	Number of incidents reported to the NCCRI
1	January- December 2005	119
2	January- December 2006	65
3	January- December 2007	99
4	January – December 2008	106

The incidents are divided into the following:

- Assaults, abuse and harassment
- Discrimination in the workplace and the delivery of public and private services
- Misinformation and the circulation of offensive
- Incidents of racism related to the article entitled “Africa is giving nothing to anyone – apart from AIDS” by Kevin Myers in the Irish Independent on the 15th July 2008

1. Assaults, Abuse and Harassment

Incidents related to assaults, abuse and harassment have been among the highest recorded incidents in this period. Incidents have included:

- A settled Traveller family in Dundalk contends they have been subjected to racial abuse by their neighbours. They have been referred to as “*knacker*” and “*gypsy*”. Children in the neighbourhood have been warned not to play with the children because they are Travellers. The family no longer feel safe or happy living in the area. They have applied to Louth County Council for a Transfer

- A Nigerian woman reported an incident that occurred in the car park of an adult education centre she attends. She was threatened by another student who shouted at her “*Black nigger I am going to kill you, if you don’t leave my country, I will kill you*”. The aggressor proceeded to threaten her and punched the woman in the eye with a set of keys. The Nigerian woman made a complaint to the school principal and the Gardai. The case is currently being investigated.
- A Gambian Muslim woman alleges she and her young son verbally abused and threatened by two Irish men outside Tesco in Ashbourne Co Meath. The abuse was so aggressive that the son is unable to sleep at night and is afraid that the men will come back and hurt him. A report was made to the local Gardai but no further investigation into the incident has gone ahead.
- A Nigerian actor on his way home for a night out with friends was violently attacked by a group of men on the North Circular Road in Dublin. The men who attacked him used racist slurs and told him to return to his home country. The attack was so bad that the man had to undergo surgery. Gardai were called to scene after the attack but no charges have been made.
- A Chinese gentleman claims he is continuously been subject to racial abuse and harassment by his neighbours. The gentleman who lives in Carlow contends his neighbour shouts at him, threatens him and tells him “*to go back to his own country*” The gentleman has contacted Carlow County Council, but was told that they could do nothing for him.
- A 15 year old student of Iranian decent has been subjected to racial bullying by her peers at a school in Limerick. School students posted racial slurs about her on BEBO, calling her a “*paki whore*” the students set up a BEBO profile for the girl with racist content and sent it around to other classmates, The school were contacted in relation to the incident but deny any responsibility for addressing the incident.

2. Discrimination in the Workplace and the Delivery of Public and Private Goods and Services

NCCRI continue to receive a large number of complaints relating to discrimination in the workplace and in the delivery of public and private goods and services.

- A young student attending secondary school in Navan, Co Meath was sent home from school for wearing a hijab to school. According to the school principal, the young student was not adhering to school uniform policy. The NCCRI contacted the schools and forwarded guidelines on wearing the hijab. Subsequently, the Minister for Education and Junior Minister for Integration issued guidelines relating to school uniforms. NCCRI acknowledged the guidelines as positive.
- A Nigerian hairdresser was refused the opportunity to apply for a position with a hairdressing salon in Navan as she did not have Irish experience. She contends that her experience from the UK and the USA would have been relevant.
- A polish gentleman working for an air company contends he was subjected to racial discrimination by his work colleagues. He claims he has been shouted at to return to his home country, he and his Polish colleagues were signalled out for specific tasks that their Irish colleagues were not expected to do and were generally treated with disrespect. A complaint was made to management and forwarded to the Equality Authority, Garda Racial and Intercultural Unit and the NCCRI.
- An Indian mother and her child were subjected to racist verbal abuse by a local shop keeper when trying to buy a bus ticket. The shop keeper shouted at them in a manner that was threatening and demeaning and forced them to leave the shop.
- Three Irish women accessed a taxi on Camden Street in Dublin. The taxi driver was Irish. Throughout the journey, the women claim they were subjected to the taxi drivers slurs on Black taxi drivers. The taxi driver advised the women, in future, not to take taxis driven by Black taxi drivers.

3. Misinformation and the Circulation of Offensive Material

Complaints related to the misinformation and circulation of offensive material include:

- A man claiming to be a concerned citizen rang MWR radio station to report the arrival of “100 trained killers” to Ballyhaunis in County Mayo. The man was referring to Congolese refugees who allegedly were to be accommodated in Ballyhaunis. The local feedback was very hostile. The Minister for Integration issued a statement denying all allegations and stating that the man in question was not reporting any accurate facts.
- NCCRI received a report that some Irish taxi drivers were sticking “100% Irish” slogans to their taxis. The person reporting the incident claimed the intent of the stickers were to influence customers to take their taxis and not taxis driven by foreign nationals. It was felt that the campaign was racist in intent.
- A member of politics.ie, an online discussion forum, posted a link to a white supremacist site. The member also used the forum to state that “*Black people are only qualified to clean toilets*” The person who made the report to NCCRI was concerned that no intervention was made by politics.ie to remove the thread from the forum.

4. Incidents of racism related to the article entitled “Africa is giving nothing to anyone – apart from AIDS” by Kevin Myers in the Irish Independent on the 15th July 2008

NCCRI received 18 racist incidents report related to the above article.

- NCCRI received 10 direct complaints from the public concerned that the article was offensive to African people.
- NCCRI received 8 complaints relating to the public’s reaction to groups who publicly spoke out about the article. Incidents included hate emails 7 letters, internet chat room discussions and forums and references on racist websites

Recommendations and Further Action

The NCCRI would make the following recommendations based on analysis of reported racist incidents between July – December 2008

- As part of budget 2008, a decision was made by the present government to withdraw funding for the National Consultative Committee on Racism and Interculturalism. From 31st December 2008, NCCRI will cease to operate. The board and staff of NCCRI are duly concerned that in the absence of the NCCRI, an independent racist monitoring function will no longer exist. NCCRI would urge NGOs working with Black and minority ethnic groups to engage in collective strategies continue to collect data related to racism in Ireland.
- NCCRI in association with the Nigerian Association of Ireland Network hosted a roundtable discussion on the Nigerian Community in Ireland. The roundtable discussion was targeted at people from the Nigerian community and agencies providing public and social services. One of the key areas for discussion was on racial stereotyping and scape-goating of the Nigerian community in Ireland. The Nigerian Association of Ireland Network will be publishing the key findings and recommendations from the roundtable discussion
- The NCCRI wrote to the Taxi regulator in regards to incidents of racism reported to NCCRI from the general public. The Office of Taxi regulator responded claiming addressing racism among taxi drivers was not part of their remit of work.
- NCCRI (Synergy) held a North- South Intercultural Forum on Reporting Racist Incidents in Ireland. The forum was held in September 2008 and brought together all the key statutory and non-statutory actors concerned with addressing incidents related to racism in Ireland. A report on the forum is available from the NCCRI website

- NCCRI in partnership with the National Women’s Council of Ireland have hosted a Muslim Women’s Group monthly. The group has a focus on identifying gender specific forms of racism towards Muslim Women and identify strategies for addressing these forms of racism. The National Women’s Council of Ireland hope to continue to facilitate the women’s group
- The NCCRI have worked with the City and County Integration Strategies to help develop regional and local responses to addressing incidents of racism. It is hoped a number of Regional Interagency Racist Incident Forums will be set up in a number of focus areas around the country. There is currently an interagency racist incident forum operating in Dundalk with the support of the NCCRI. Donegal County Council and Clare Traveller’s Health Network are currently developing mechanisms for reporting incidents related to racism in Donegal and Clare
- NCCRI supported the Office of Integration and the Department of Education in drawing up recommendations on school uniform policy in response to the wearing of the Hijab and other religious symbols in schools.
- In a landmark judgement, the Press Council of Ireland upheld a complaint against the journalist Kevin Myers in The Irish Independent relation to an article “Africa is giving nothing to anyone – apart from AIDS”. The Press Council therefore concluded that the article did breach Principle 8 of the Code of Practice in that it was likely to cause grave offence. It did not, however, find reason to conclude that it was likely to stir-up hatred or that there was any intention to do so. The full judgment is below:

The Press Council of Ireland has upheld a complaint against the Irish Independent that an article entitled “Africa is giving nothing to anyone – apart from AIDS” published on 10th July 2008 was in breach of Principle 8 (Incitement to Hatred) of the Code of Practice for Newspapers and Periodicals in that it was likely to cause grave offence.

The case was referred to the Press Council by the Press Ombudsman under the Articles of Association, which give him discretion to refer some complex or significant cases to the Council for decision.

Complaint

An article in the Irish Independent of 10 July 2008 entitled “Africa is giving nothing to anyone apart from Aids” was in breach of Principles 1 (Accuracy), 3 (Fairness and Honesty), 4 (Respect for Rights) and 8

(Incitement to Hatred) of the Code of Practice. They argued that its description of the entire continent was inaccurate and untruthful; that its assumptions – particularly in relation to the right to life – were in direct conflict with human rights principles; and that it perpetuated and promoted harmful, inaccurate and dangerous stereotypes of all Africa's peoples. While they accepted the rights of columnists to provoke public debate on important issues, they maintained that the article was, because of the grave offence they said it caused, in contravention of the Code of Practice. Although the complainants acknowledged the subsequent publication of an article critical of Mr. Myers' views by the Chairperson of Dóchas, the organization of which Mr Zomer is Director, they argued that this article was not presented as, and for this and other reasons did not constitute, a satisfactory right of reply to the views he had expressed.

Response

The newspaper replied, in a detailed legal submission of more than 100 pages, that although the article contained radical opinions and expressed convictions that might readily be described as inflammatory and outrageous, its publication was in accordance with the principle of freedom of expression enshrined in the Irish constitution and in Irish law. It argued that freedom of expression included the right to say things which right-thinking people regarded as dangerous or irresponsible, that the complainants had distorted the columnist's arguments, and that the statements in the article were true and accurate in the facts upon which it was premised. It maintained that the article was a polemic, designed to raise an uncomfortable and serious issue, and that, although the writer admitted that people would be offended, shocked or disturbed by its contents, it would be a grave insult to him to suggest that it was intended or likely to cause incitement to hatred. It further noted that it had published, shortly afterwards and following some negotiations, an article by the Chairperson of Dóchas challenging their columnist's views. Finally, it argued that the columnist's legal entitlement to freedom of expression should not be greater than a less formally measured industry or societal determination of such entitlement.

Decision

The question at issue in this case relates to the appropriate boundaries of the right of freedom of expression in respect of comment and analysis in newspapers. The Code of Practice clearly affirms the right of the newspapers to comment upon news and to advocate particular points of view. The Press Council fully accepts that comment and analysis are an integral and valuable aspect of the function of newspapers, and represent the area within the corpus of a newspaper where freedom of thought and expression are properly given their widest scope. The opportunity for robust presentations in the print media of widely different views, however controversial or disturbing some of them may be, is a powerful indicator of a mature and confident democracy.

But ultimately the same broad boundaries which limit all freedoms must apply to freedom of expression, including comment in the press. The Greeks and Romans first articulated the doctrine that freedom without limit is license and the enemy of true freedom, which can flourish only when it has regard for the rights of others and for the common good. Modern societies that respect the law adhere to these principles and seek

to give expression to them in law. They apply to the press and to the press as a medium of comment as well as of information.

The Code of Practice, which represents the consensus of an experienced group of editors and journalists and to which all print media associations are committed, supplements the law and seeks to define more precisely the ethical and professional standards that should govern good journalism, so as to safeguard freedom of the press while serving the public interest and respecting personal rights. The Code of Practice recognises that the freedom to comment, a central aspect of freedom of expression, has limits, and it seeks to define them most specifically in Principle 8. It is the task of the Press Council and the Office of the Press Ombudsman, which were set up by the industry as an independent arbiter, to interpret and apply as objectively as possible the principles of the Code. It was with these considerations in mind that the Press Council approached this important case. The article in question dealt with serious issues and highlighted tragic conditions prevailing in many parts of Africa. But, beginning with the headline "Africa is giving nothing to anyone – apart from AIDS", the mode of presentation was marked by rhetorical extravagance and hyperbole which used the failings of some to stigmatise whole societies, employing a level of generalisation that was distorting and seriously insulting to Africans as a whole. In addition the article resorted, in several instances, to language that was gratuitously offensive and was, in the view of the Press Council, likely to cause grave offence to people throughout sub-Saharan Africa and to the many Africans in particular who are now resident in Ireland.

The Press Council therefore concluded that the article did breach Principle 8 of the Code of Practice in that it was likely to cause grave offence. It did not, however, find reason to conclude that it was likely to stir-up hatred or that there was any intention to do so. It also concluded that it did not have clear grounds on which to make any findings in relation to the complaints under Principles 1, 3 & 4 of the Code. The Press Council noted that the newspaper published an article by the Chairperson of Dóchas, and other contributions expressing strongly opposing views to those of its columnist, shortly afterwards. While it commended these editorial decisions, it was of the view that they did not excuse the breach of the Code of Practice.