



## NEWS REPORT

**Date:** 13 April 2011  
**Expert:** Orlagh O'Farrell  
**Title:**  
**Country:** Ireland  
**Context**  
**Issue at stake:** Traveller women win discrimination case against hotel in Circuit Court  
**Ground of discrimination:** Race/ethnic origin  
**Source:** National court decision  
**Field:** Access to goods and services  
**Legislative provisions:** Equal Status Acts 2000-2008 Sections 3(1), 3 (2) (i)

### Content

**Case:** Traveller women win discrimination case against hotel in Circuit Court  
Refusal of morning refreshments for health Care workers following training session was discrimination

The Law Centre of the Irish Traveller Movement on behalf of five Traveller women were successful in their appeal, on grounds of discrimination, against the owners of the Osprey Hotel, Naas, County Kildare in a case where the women and their colleagues were refused service (mid morning light refreshments) at the hotel.

The initial case taken by the women in the District Court in November 2009 against the owner was unsuccessful. But the women believed their experience was a blatant incident of discrimination against them as Travellers and despite the potential costs involved appealed the decision to the Circuit Court.

The case concerned two separate incidents of refusal of service by the Osprey Hotel, one disallowing a group of Traveller women entry to the hotel's Nightclub and the second for refusing mid morning refreshments to a group of Traveller women and their tutors from a local training initiative.

Representing the family in Court, the solicitor for the Irish Traveller Movement Law Centre said: “Incidents of alleged discrimination by licensed premises came previously under the remit of the Equality Tribunal. However the introduction of the Intoxicating Liquor Act 2003 - following a campaign by the owners of licensed premises - has changed the venue for such cases to the District Court.

This has had a profound impact on the Traveller Community in that one must employ the services of a solicitor to be adequately represented in Court and because of the obvious implications of a cost award. Further to this there seems to be a general reluctance on the part of the Legal Aid Board to fund such applications. These hurdles have proved insurmountable for many.”

### **Decision of the Court**

The judge was satisfied that the women had successfully proved a prima facie case of discrimination by the Osprey Hotel against the group and that they were treated in a manner that the settled community would never have been. She acknowledged the hurt and the embarrassment that each of the women felt having being refused something as simple as tea and scones. The hotel was ordered to pay €250 each to the five complainants (€1,250 in total).

**Internet link source and additional information:** Circuit court cases are not reported.

<http://www.irishtimes.com/newspaper/ireland/2011/0415/1224294727956.html>

<http://www.irishexaminer.ie/ireland/hotel-discriminated-against-group-including-travellers-151532.html>