



Promotion
of Roma/Traveller
Integration and
Equal Treatment
in Education
and Employment

Partner report - Preparatory phase UNITED KINGDOM



1. GENERAL FRAMEWORK OF THE SITUATION OF THE ROMA/TRAVELLER PEOPLE

There are no official figures on the overall size of Britain's Gypsy and Traveller population, but some estimates suggest around 300,000 people: about 100,000 in caravans and 200,000 in houses. (There is a government count of those living in caravans in England and Scotland, although none in Wales, but the accuracy of these counts is disputed.) Some people believe that the actual figures, especially for those in houses, may be much higher. Generally accepted terms/descriptions for the populations are: 'Gypsies and Travellers' in England, 'Gypsy-Traveller' in Wales, and 'Gypsy Traveller' in Scotland; these populations would mostly not use the term 'Roma' to describe themselves.

There are a number of distinct groups within these figures, by far the largest being Gypsies (aka Romany Gypsies) and Irish Travellers, both with their own languages still in use. Irish Travellers are predominantly Roman Catholic, often devout, and usually marry and have children young (80% of the population is estimated to be under 25). Gypsies also tend to be religious, but are more likely to follow one of the evangelical Christian religions. Both are very traditional and patriarchal societies, divorce is very rare, and rates of domestic violence are high. Women tend to be more distinctive from the general population in terms of dress and accent whereas men tend to blend in more, partly for business reasons. Populations tend to live in urban areas, with those in caravans remaining in one place and travelling mostly at Easter, Christmas or other special occasions.

There are also a number of smaller populations which nevertheless number several thousand. New Travellers (so called because they have chosen a travelling lifestyle rather than it being their ethnic and cultural heritage) often lead very nomadic lifestyles, as do Occupational Travellers such as those who make their living with a travelling circus or fairground. Roma populations have been very small, but are now increasing

There is comprehensive legislation in Britain under the Race Relations act 1976, which prohibits discrimination 'on racial grounds' in employment, housing, education and access to goods and services. In order to prove discrimination, it is necessary to show that the 'racial group' that someone belongs to was the reason for the less favourable treatment, and therefore identification as a racial group for legal purposes is essential to be able to win a case. Cases in 1989 and 2000, respectively, established that Gypsies and Irish Travellers are racial groups – both cases concerned refusal of service by a pub. Despite the legislation, there is evidence to show that Gypsies and Travellers experience among the most severe discrimination in Britain today. Serious concerns have been raised by national bodies and NGOs, by the UN committees on the Rights of the Child and on the Elimination of Racial Discrimination, and the advisory committee for the Council of Europe's Framework Convention on the Protection of National Minorities.

In a recent poll in England, more than one-third of the adults who took part admitted to being personally prejudiced against Gypsies and Travellers. This was greater than the levels of prejudice reported towards lesbians and gay men, other ethnic minorities and



people with disabilities. Through inadequate provision of sites, Gypsies and Travellers are often forced to camp on illegal and inappropriate sites – this causes conflict between settled and Travelling communities and contributes to public prejudice and hostility. Media coverage also contributes through routine use of racist terms and stereotypes, and hostile reporting.

2. IDENTIFICATION OF GENERAL PROBLEMS REGARDING DISCRIMINATION IN THE FIELD OF EDUCATION AGAINST ROMA/TRAVELLER

The first two paragraphs apply to sections 2, 3 and 4 of this report:

The absence of reliable national data on the size of the Gypsy and Traveller population is mirrored in the lack of information about them in important areas such as employment and the provision and use of public services. The problem is that Gypsies and Travellers are rarely included as separate racial groups in national, local or sector-based monitoring systems. This means little is known about their experiences or needs, which therefore tend to be overlooked.

The little evidence that is available about these communities comes from various sources, for example: from voluntary organisations set up to deal with Gypsies' and Travellers' concerns; from studies of specific aspects of their life, such as accommodation, planning, education, health, and welfare; and from the complaints we, and others like us, receive about potentially discriminatory treatment against Gypsies and Travellers. The picture they all paint is of unremitting disadvantage, deprivation and indifference.

Section 2 only:

There are no statistics available for Scotland or Wales, but according to statistics for England Gypsies and Travellers are at greater risk of failing in the education system than any other group, and literacy rates are very low (there is often a very high level of numeracy as an essential business skill). Segregation in schools has been very common in the past but is less now. Some of the problems that Gypsies and Travellers experience include:

- Difficulties in registration, being told that the school is full. This problem is exacerbated by the use of league tables between schools, as Gypsies and Travellers are perceived as low achievers who will bring down the school's record.
- The worst attendance records of any group (the law only requires 50% attendance by Gypsy and Traveller children), and high drop out rates. This gets progressively worse in later school age groups.



- High rates of bullying which are not tackled by schools and which contribute to high drop out rates.
- Low parental expectation and confidence in the school system, parents may be happy to settle for basic literacy and numeracy skills and may be very nervous in attending the school and talking with teachers.
- Lack of support for outside-school learning, including home education. While parents have the right to educate their children at home, they get little support or advice, and little is done to monitor the children's work. Some education authorities recommend home education as a way of managing social differences between Gypsy and Traveller and other pupils, possibly as an alternative to exclusion.
- The history and culture of Gypsies and Travellers receives little attention in school materials or teaching, despite flexibility in the curriculum which would allow this.

Early years education and adult literacy and skills training are also matters of concern, with Gypsy and Traveller children rarely taking advantage of pre-school services. The shortage of places in nurseries, which often have long waiting lists, can also put very mobile pre-school children at a particular disadvantage.

3. IDENTIFICATION OF GENERAL PROBLEMS REGARDING DISCRIMINATION IN THE FIELD OF EMPLOYMENT AGAINST ROMA/TRAVELLER

(See also the first two paragraphs in section 2.)

Unemployment is high among Gypsies and Travellers and few of the general programmes set up to tackle unemployment have initiatives or schemes developed specifically for Gypsies and Travellers, who need training in practical skills as well as opportunities to obtain qualifications for skills they already have. Gypsies and Travellers rarely use the mainstream programmes that aim to assist people to gain employment. They say that service providers do not really understand the barriers they face, and give little thought to how their services might be tailored to meet Gypsies' and Travellers' needs.

Anecdotal evidence, and evidence from complaints received by the CRE, suggests that Gypsies and Travellers might be unlawfully discriminated against when they apply for jobs. Many who do work conceal their ethnicity, while those who do not, or whose ethnicity is discovered, report harassment.

There is a strong tradition of self-employment among Travelling communities, selling or providing services door to door, which is known as 'calling'. This has been made progressively more difficult over recent years, to a level that now amounts to an



unofficial ban, even over regular routes where the Gypsies or Travellers are known over many years and have loyal customers.

Despite these high levels of self-employment, Gypsies and Travellers receive little financial help or advice on starting up a mobile business. Business Link and other support services probably have little experience of dealing with Gypsies and Travellers and do not know much about their particular circumstances and needs. One of the biggest, and growing, problems is not having a permanent address, or having a site for an address, since banks and insurance companies increasingly insist on evidence of a stable address, as part of their identity checks.

4. IDENTIFICATION OF GENERAL PROBLEMS REGARDING DISCRIMINATION IN OTHER FIELDS AGAINST ROMA/TRAVELLER

(See also the first two paragraphs in section 2.)

Accommodation

Gypsies and Travellers in Britain have traditionally lived in caravans. However a nomadic or semi-nomadic, or even a non-nomadic, lifestyle in a caravan is being made increasingly more difficult. There is a chronic shortage of sites in Britain but no reliable national system for determining what the current shortfall is, or predicting future needs, and no way of ensuring adequate provision, or assessing the quality of sites. (There are approximately 5,000 public sites, and some people estimate that this provides only about half of what is needed.) Some of the day to day problems faced by Gypsies and Travellers include:

- Being obliged to use unauthorised encampments in unsuitable locations, and running the risk of being vilified for any damage (perceived or real) they cause to the environment.
- Encampments may lack basic services, including portable toilets, domestic rubbish collection, water supply, renovation, maintenance and pest control.
- Public sites are often located in polluted and hazardous environments, on land that would never be developed for housing, and are entirely unsuitable for children.
- Public sites may lack facilities such as work space or play facilities for children, and the costs of utilities are high.
- There is no security of tenure and the threat of eviction from a public site is real and constant – Gypsies and Travellers are not tenants but licensees and can be evicted from a site that has been home for 20 years, at one month's notice.
- Gypsies and Travellers are rarely consulted or involved in any discussions or decisions about the provision, location, design, or management of sites, or even the use of the refurbishment grant (in England).



- Planning permission is very often refused to Gypsies and Travellers to set up a site even where they own the land themselves.

Most Gypsies and Travellers in Britain live in houses. It is believed that many turn reluctantly to 'bricks and mortar' when they can no longer cope with the pressure of poor health, or the hardship of insufficient site facilities, or caravans that are not designed for disabilities or the frailties of age, or the ordeal of repeated evictions, or the demands of their children's education. For Gypsies and Travellers who are looking for settled housing, there can be considerable delays, and many of them feel disadvantaged by housing allocation policies.

Gypsies and Travellers who live in houses may feel particularly vulnerable, especially if they are separated from their extended families and decide to conceal their ethnicity in order to be accepted by the settled community. Those who are open about their ethnicity speak of harassment and intimidation by other tenants. Either way, Gypsies and Travellers living in settled housing may be susceptible to acute stress, leading to another spiral of problems, including substance abuse and depression. Support services are not generally available for Gypsies and Travellers moving from sites to houses.

Evictions

This situation results in a constant cycle of evictions for many who live in caravans. Research has shown that the financial costs of such evictions are high and that it would be cheaper to provide adequate site provision. Evictions provide a drain on the resources of both police and local authorities who would, in many cases, prefer an end to this 'system'. The government has issued non-compulsory guidance to local authorities, however many of them are reluctant to be seen to be voluntarily adopting a more positive approach as this would be likely to be unpopular with local majority populations and therefore result in a loss of votes.

Criminal justice

Studies point to high levels of racist incidents; lack of trust in the police; inequalities in sentencing, including pre-sentence reports and sentencing outcomes; difficulties in obtaining bail; and disproportionately high numbers of stops and searches. Irish Traveller young offenders are disproportionately remanded into custody from courts – this is seen to reflect the prejudice at court about the mobility of Travellers and the risk that they would abscond. Concerns have also been expressed about the disproportionate rates of deaths in custody, particularly of Irish Travellers.

Caravan Sites Act gave police powers of eviction and seizure of vehicles. Not surprisingly, one of the main complaints by mobile Gypsies and Travellers has been about the exercise of these powers, and disregard by the police of the welfare of elderly people and children. Complaints have also been raised about the way police handle other incidents involving Gypsies and Travellers: for example, failing to protect them when they are at the receiving end of criminal assault or harassment, and being over-vigilant when they are alleged to have committed offences, such as stopping at unauthorised sites.



Health

It is estimated that, on average, Gypsy and Traveller women live 12 years less than women in the general population and Gypsy and Traveller men 10 years less than men in the general population. To avoid problems in trying to register with a family doctor, many Gypsies and Travellers go straight to hospital Accident and Emergency departments, if they need treatment. This means the health care they receive is sporadic and disjointed, and that they miss out on advice, support and preventive care.

It is thought that a disproportionate number of Gypsies and Travellers suffer from depression and other mental health problems, often caused by the stress of eviction, or as a result of moving from a caravan to settled housing, with all the associated isolation. The symptoms are usually treated with prescription drugs, but the root causes are not dealt with.

Public attitudes & the media

In the public mind, Gypsies and Travellers are mainly associated with crime or rubbish. But misconceptions also abound about other aspects of Gypsy and Traveller life, such as the mistaken belief that Gypsies live on public sites rent-free, or that all Gypsies and Travellers are rovers and cannot settle down anywhere. Most people are also quite unaware that discriminatory behaviour towards Gypsies and Travellers could be unlawful. Discriminatory signs and advertisements in the 1960s were partly the reason for the first race relations legislation in Britain. Forty years on, 'No Travellers' and 'No Caravan-Dwellers' signs still appear, in blatant breach of the law. Gypsies and Travellers are subject to high rates of verbal and physical abuse from majority populations.

There is a routine use of racist language and vicious stereotypes about Travellers and Gypsies in the media that has legitimised public prejudice, and leading figures in the community – for example councillors, head teachers, MPs – have often contributed to exacerbating tensions between Gypsies and Travellers and majority populations.

Access to goods and services

Gypsies and Travellers are regularly refused access to all kinds of goods and services including: pubs/cafes/restaurants; launderettes; banking and insurance, which makes legitimate self-employment much more difficult; hotels, for example for wedding receptions, which have been known to be cancelled at the last minute; welfare benefits, due to low literacy, lack of support and suspicions of benefit fraud

5. MAIN ANTI-DISCRIMINATION POLICIES AND MEASURES IMPLEMENTED IN YOUR COUNTRY IN THE FIELD OF EDUCATION



Most areas have a Traveller Education Service (TES) which supports access by giving Gypsies and Travellers information about how the education system works, helping them with admission to school and practical matters such as school uniform and transport, promoting regular attendance, mediating between parents and schools, advising on curriculum resources, and offering training for teachers and others. Unfortunately, TES funding is uncertain. Examples of good practice include a mentoring scheme (Cheshire), a day release scheme (Durham), and the use of a portfolio of work kept by the family to assist in moving between schools (London). These and other examples can be found on:

<http://www.standards.dfes.gov.uk/ethnicminorities/>

Two national bodies that seek to promote access and encourage good practice are:
NATT – national association of Traveller teachers
ACERT national association for education to Gypsy and Traveller children

The inclusion of Roma Gypsy and Irish Traveller as categories in the new system for monitoring the racial groups of pupils in all schools in England (PLASC) offers the opportunity to build up information about Gypsy and Traveller pupils' experiences at school, and to take steps to deal with any inequalities that emerge. In Wales, the new PLASC system has been piloted in a number of schools and is now being used everywhere. In Scotland, Gypsy Traveller, Occupational Traveller and 'Other Traveller' are now included as categories in the Scottish School Census. It is important that the good practice being developed in Scotland and Wales is shared with England, and that successful developments in England are replicated elsewhere. However, it is crucial that the benefits of monitoring are explained to Gypsy and Traveller parents and pupils, and that steps are taken to obtain their full cooperation otherwise, as has been found with other minority communities, people are suspicious of and reluctant to comply with ethnic monitoring.

Aiming High, a DfES strategy to raise the achievement of ethnic minority pupils, offers another opportunity to make sure that concerns about educational attainment among Gypsy and Traveller pupils form a distinct strand within the strategy, and are not pursued as questions of educational mobility. The DfES has also recently published a guide for schools, called: *Aiming High: Raising the attainment of Gypsy Traveller pupils*. The Scottish Executive has introduced similar guidance for all education authorities and schools in Scotland – *Inclusive Educational approaches for Gypsies and Travellers within the context of interrupted learning* – and the Scottish Traveller Education Programme is working with HM Inspectorate of Education in Scotland on measures of quality, as part of the series *How good is our School?*.

6. MAIN ANTI-DISCRIMINATION POLICIES AND MEASURES IMPLEMENTED IN YOUR COUNTRY IN THE FIELD OF EMPLOYMENT



The Race Relations Act 1976 makes it unlawful to discriminate in all aspects of employment including: recruitment, selection, promotion, transfer, training, pay and benefits, redundancy, dismissal and terms and conditions of work. It covers all employers, no matter how small or large, and gives protection to most employees, including vocational trainees and people who work for someone else on a contract.

Employers and employment agencies must not discriminate on racial grounds against people seeking work. Trade unions are under a similar duty not to discriminate against their members or those wishing to become members. The amended Act also applies to bodies responsible for conferring qualifications or authorisation to enter a particular profession.

The CRE has produced a code of practice in employment, which has statutory status; this means that any of its provisions can be referred to in an employment tribunal. The code dates back to 1984 and the CRE is currently consulting on an updated version. The code gives practical advice to employers, recruitment agencies, trades unions and individual employees and includes: current legislation, real-life employment tribunal case study examples, and detailed guidance on topics such as positive action, ethnic monitoring and racial equality policies. The CRE also recently launched a separate guide for small businesses entitled 'Racial Equality and the Smaller Business – A Practical Guide'.

There are a number of initiatives and programmes that aim to tackle unemployment but few, if any, that are specifically aimed at Gypsy and Traveller communities. Those that do exist are NGOs working at a local level. Some Gypsies and Travellers are looking at establishing 'guilds' for calling, in order to address the unofficial 'ban' referred to in an earlier section.

7. MAIN ANTI-DISCRIMINATION POLICIES AND MEASURES IMPLEMENTED IN YOUR COUNTRY IN OTHER FIELDS

The Race Relations Act includes a duty on all public authorities – central and local government, police, health and education services, etc. – to actively promote race equality and good race relations. This means that all authorities are expected to assess how their decisions affect different groups, including Gypsies and Travellers, and to provide their services in a way that meets the needs of all ethnic groups with a range of different options being provided if necessary.

Accommodation

A consensus is emerging among all the parties concerned – the ODPM, non-governmental organisations, think tanks, local authorities, and the CRE – that the question of accommodation must take priority, as it is the key to progress in other areas, such as community relations, education and health. It is central to reducing the persistent conflict between settled and Travelling communities as a result of situation with Travellers forced to camp on illegal inappropriate sites.



Sites, both public and private, need to be considered and provided as part of all local and regional planning, and public sites made available in the same way as social housing, through an assessment of need that includes Gypsies' and Travellers' specific needs. The government is currently undertaking a review of these issues and it is hoped that their decisions will reflect these issues, for example, by ensuring:

- networks of sites set up across local authorities, and coordinated by the regional development agency
- regional housing and spatial strategies which consider the need for sites, with funding provided through regional housing boards; and
- some of a local authority's funding for social housing being made conditional on local authorities providing necessary sites for Gypsies and Travellers.

Criminal Justice

A number of independent advisory groups (IAG) have been set up in England to monitor racial incidents, and comment on investigations. The Metropolitan Police now has a specific Gypsy and Traveller IAG, which it is hoped will serve as a model for other forces. The Association of Chief Police Officers in Scotland is also trying to standardise approaches by different forces to interpreting and enforcing the laws affecting Gypsies and Travellers.

Health

The absence of any system of transferable health records for mobile groups makes it more difficult for people to access healthcare and it can mean that the symptoms of serious conditions are not picked up and treated early. In Scotland, NHS Scotland and the Scottish Executive are jointly piloting a Hand Health Record initiative, which could lead to welcome improvements. The Welsh Assembly Government has recently published *Informing Healthcare: Transforming healthcare using information and IT*, which could offer opportunities for a nomadic population.

There are some mobile outreach services - e.g. health visitors, midwives, dentists – these provide excellent services where they exist but there are many areas which are not covered, and outreach services do not generally extend to housed Travellers who can feel very isolated. There are few opportunities for learning from others' experience and good practice in different areas.

Public attitudes and the media

The CRE works with the media to encourage more responsible reporting and has produced guidance for reporting on Gypsy and Traveller issues. The CRE also ensures that the very specific concerns of Gypsy and Traveller communities are reflected in its wider work with government, public services and private organisations. Several NGOs also work to encourage more responsible reporting at national, regional and local levels – some of the most inflammatory reporting is in local media.



Access to goods and services

The CRE has taken action to support cases against signs (usually phrased as ‘no Travellers’) in pubs and other facilities which attempt to ban entry to Gypsies and Travellers, in clear breach of the law.

8. IMPACT OF THE ANTI-DISCRIMINATION LEGISLATION ADOPTED, AND THE ACCOMPANIMENT MEASURES TO THESE LEGAL ISSUES REGARDING ROMA/TRAVELLER IN YOUR COUNTRY

As mentioned before, the Race Relations Act includes a duty which requires public authorities to take steps to tackle unlawful racial discrimination, and promote equal opportunities and good race relations. It applies to councils, schools, health organisations, criminal justice agencies and central government departments, all public authorities with a central role in promoting the welfare of Gypsy and Traveller communities. There is evidence to show that, even among those authorities which take action to meet their duty and have a generally positive approach to other ethnic minority groups, there is widespread lack of attention to the needs or situation of Gypsies and Travellers.

In order to get authorities to recognise the full extent of the discrimination that exists, Gypsy and Traveller organisations have long pressed for the widespread inclusion of distinct and consistent ethnic categories for Gypsies and Travellers within national and local monitoring systems, so that the size of the communities, and the full scale of their potential needs, is on record. One of the obstacles has been Gypsies and Travellers themselves, who can see little evidence that it will benefit them to cooperate, even if they could overcome their distrust of ethnic classification, and their suspicions of the way the data might be used. It is crucial that the benefits of monitoring are explained to Gypsy and Traveller communities and that steps are taken to obtain their full cooperation.

The Human Rights Act, which incorporates the provisions of the European Convention on Human Rights into UK law, has been significant for Gypsy and Traveller communities and a number of important cases have found in favour of these communities.

There is a clear need to address the many public misconceptions about Gypsies and Travellers, and some have called for the type of ‘myth-busting’ that has been done by the CRE and others to correct misconceptions about asylum seekers (who face similar levels of vilification and hostility as Gypsies and Travellers).



9. ADOPTION OF A TARGET AND MAINSTREAMING APPROACH REGARDING DISCRIMINATION AGAINST ROMA/TRAVELLER PEOPLE ACCORDING WITH YOUR EXPERIENCE

A central feature of the UK approach to race equality is ethnic monitoring, which acts as an indicator of disadvantage and discrimination which exists for specific ethnic minority communities. For example, ethnic monitoring has shown that African Caribbean men are treated far worse than other communities by the police and criminal justice system, or, that Bangladeshi students do not do as well in school, or, that someone with a 'foreign-sounding' name is less likely to be invited for an interview for a job. This type of data has been important both in proving individual cases of discrimination and in pressing for changes to institutional practices. In undertaking monitoring, organisations often use the census categories, in order to benefit from comparability of data to the census information. These sources of information are then used to set targets in a number of areas, for example: representation in employment, especially at more senior levels, or, access to health services and achievement of equal health outcomes.

This approach only identifies inequalities where groups are monitored as a separate category, but mostly fails to identify issues for Gypsy and Traveller communities as they are rarely monitored as a distinct ethnic group. Hence, pressure for ethnic categories and monitoring (as identified in the previous section).

Mainstreaming in the UK is seen as incorporating consideration of equality considerations and recognition of different needs into planning and decision-making processes. To be effective it requires an accurate understanding of the needs and situation of specific ethnic groups. This understanding can come through: ethnic monitoring information – mostly not available for Gypsies and Travellers; qualitative research which provides insights into discrimination and barriers – there is relatively little research regarding Gypsies and Travellers, especially outside education and accommodation, and what does exist is often ignored by decision makers; and, consultation with and/or involvement of communities in decision making – Gypsies and Travellers are very rarely involved. Therefore while the concept of mainstreaming is good, it usually fails to address the needs of Gypsies and Travellers, even if it does so well for (some) other minority groups. In order to improve this situation there needs to be work both to get organisations to change their practices and take better account of Gypsy and Traveller concerns, but also, work to build knowledge and confidence among Gypsy and Traveller communities about how to influence decisions.

10. NATIONAL STAKEHOLDERS MORE ACTIVE AND APPROPRIATE TO CORRECT DISCRIMINATION AND BRIEF DESCRIPTION OF THEIR ACTIVITIES



The Irish Traveller Movement

Gypsy Council for Education, Culture,
Welfare and Civil Rights (GCECWCR)
8 Hall Road
Aveley, Essex, RM15 4HD ENGLAND
Tel/Fax: +(44) 1708 868986
E-mail: thegypsycouncil@btinternet.com

Advisory Council for the Education of
Romanies and Other Travellers (ACERT)
Moot House, The Stow
Harlow, Essex, CM20 3AG, ENGLAND
Tel.: 01279 418666

National Association of Teachers of Travellers
c/o Essex Traveller Education Service
c/o Alec Hunter High School
Stubbs Lane
Braintree, Essex CM7 3NT ENGLAND

National association of health workers with travellers

Comic Relief charity: has provided significant support especially with capacity building regarding on constituting groups and dealing with bureaucracy. It has produced a useful report.

Institute for Public Policy Research (IPPR) has published research.

Traveller Law Research Centre, Cardiff University (now closed) has produced much valuable work.

Traveller Law Reform Coalition has pressed for changes to the law, especially regarding accommodation and planning.

11. EXAMPLES OF GOOD PRACTICES AND STRENGTHS OF OTHER PUBLIC OR PRIVATE ENTITIES IN YOUR COUNTRY REGARDING ANTI-DISCRIMINATION MEASURES AND POLICIES FOR ROMA/TRAVELLER

This is covered in other sections