



Irish Traveller Movement in Britain

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GYPSIES AND TRAVELLERS

About ITMB: The Irish Traveller Movement in Britain (ITMB) was established in 1999 and is a leading national policy and voice charity, working to raise the capacity and social inclusion of the Traveller communities in Britain. ITMB act as a bridge builder bringing the Traveller communities, service providers and policy makers together, stimulating debate and promoting forward-looking strategies to promote increased race equality, civic engagement, inclusion, service provision and community cohesion. For further information about ITMB visit www.irishtraveller.org.uk

Introduction

Gypsies and Travellers have the lowest life expectancy, the poorest educational attainment and the highest infant mortality rate of any group in the UK.¹ These facts have been considered by the UN Committee on the Elimination of Racial Discrimination, who in September 2011 noted:

*'some efforts have been made by the State party to improve the well-being of Gypsies and Traveller communities, the Committee remains concerned that such efforts have not substantially improved their situation. The Committee thus regrets that these communities continue to register poor outcomes in the fields of health, education, housing and employment.'*²

The CERD Committee went on to recommend that:

*'the State party should strengthen its efforts to improve the situation of Gypsies and Travellers. The State party should ensure that concrete measures are taken to improve the livelihoods of these communities by focusing on improving their access to education, health care and services, and employment and providing adequate accommodation, including transient sites, in the State party.'*³

In the Human Rights Councils 2008 UPR report to the UK there was only one reference to Gypsies and Travellers by Indonesia concerning the 'negative and inaccurate reporting by certain media' of these communities.⁴ Considering Gypsies and Travellers are ethnic minority groups under UK law and experience some of the highest levels of discrimination in the UK, ITMB urge the United Nations to seriously consider their Human Rights in its next UPR report.

This submission proposes three key recommendations for the United Nations to present to the UK. These recommendations are supported by evidence in the following areas and presented in the following order: Eviction of Dale Farm, Planning and Accommodation, Education, Health, Employment and Economic Inclusion, Media and Government statements, Criminal Justice

¹ See the Equality and Human Rights Commission 2009, *Inequalities experienced by Gypsy and Traveller Communities: A review*, particularly pages 5-34
http://www.equalityhumanrights.com/uploaded_files/research/12inequalities_experienced_by_gypsy_and_traveller_communities_a_review.pdf

² See UN CERD, September 2011, *Concluding Observations, Seventy Ninth Session, United Kingdom of Great Britain and Northern Ireland*, page 6, para 27
<http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.GBR.CO.18-20.pdf>

³ Ibid

⁴ See UN Human Rights Council Eight Session, 2008, *Report of the Working Group on the Universal Periodic Review United Kingdom of Great Britain and Northern Ireland*, page 15, para 15.
<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/136/44/PDF/G0813644.pdf?OpenElement>

Methodology

The ITMB policy team work at a national policy level and are guided by the community through the ITMB Irish Traveller Advisory Group. Whilst our primary focus is Irish Travellers we include English Romany Gypsies in our policy work as the two groups share similar issues and the limited government data available generally categorises Gypsies and Traveller as one group.

Proposed Recommendations

Forced Evictions

Following the forced eviction of Irish Travellers at Dale Farm, we urge the State party to reconsider the future use of force to resolve such issues and ensure Gypsies and Travellers Human Rights are fully respected. The State party should support and promote negotiated, peaceful and long-term solutions to Gypsy and Traveller unauthorised sites. In doing so it should acknowledge that such sites are in many cases the result of a national shortage of sites due to the discrimination Gypsies and Travellers face in the planning process at the local level. (see sections 1 and 2 below)

Planning and Accommodation

We urge the State party to introduce a national or regional strategy to effectively address the severe nationwide shortage of Traveller sites and ensure Gypsies and Travellers rights under article 17 of UDHR, article 11 (1) of ICESCR and article 8 of European Convention on Human Rights are respected. The State party should also take into consideration the concerns raised by the Parliamentary Select Committee for Communities and Local Government over the impact of the Localism Act and new planning guidance for Traveller site on future provision of Gypsy and Traveller sites. (see section 2)

Ethnic Monitoring

We recommend the State party ensure that Gypsies and Travellers are officially categorised and monitored as an ethnic minority groups across all government departments. The Department of Health, Justice and Works and Pensions presently do not categorise Gypsies and Travellers as an ethnic minority group despite they're being categorised such under UK law. (see sections 4,5 and 7)

National Strategy

We encourage the State party to develop comprehensive national strategies in line with the EU Framework for National Strategies for Roma Integration (which include UK Gypsies and Travellers) which requires 'EU governments to submit national Roma strategies by the end of 2011.'⁵ The government has stated it will 'update or develop sets of policy measures....as an alternative to producing national Roma inclusion strategies.'⁶ We would urge the State party to develop national Roma inclusion strategies as well as introducing sets of policy measures to ensure the broad socio-economic inequalities which Gypsies, Travellers and Roma suffer are effectively tackled.

⁵ 'To ensure that effective policies are in place in the Member States, the Commission proposes that **national Roma integration strategies** are designed or, where they already exist, are adapted to meet **EU Roma integration goals**, with targeted actions and sufficient funding (national, EU and other) to deliver them. It proposes solutions to address the current barriers to a more effective use of EU funds and lays the foundations of a **robust monitoring mechanism** to ensure concrete results for Roma.'

European Commission, April 2011, *EU Framework for National Roma Integration Strategies up to 2020*

<http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=1011&furtherNews=yes>

⁶ Department for Communities and Local Government, November 2011, email contact from Ian Naysmith, Head of Gypsy, Traveller & International Policy

1. Dale Farm Eviction

- 1.1 In October 2011 the Coalition Government politically and financially supported Basildon District Council to forcefully evict approximately 400 Irish Travellers from Dale Farm Travellers site in Essex. Despite the UN CERD Committee specifically urging the state party to halt the eviction, the government continued its support of the local authority. The CERD Committee highlighted that the 'State party's failure to assist the communities in finding suitable alternative accommodation (article 5 (e) (iii))' was an underlying reason why the eviction was deemed necessary.

*'The Committee urges the State party to halt the intended eviction, which will disproportionately affect the lives of families and particularly women and children and create hardship. The Committee strongly recommends that the State party should provide alternative culturally appropriate accommodation to these communities before any evictions are carried out.'*⁷

- 1.2 The Council of Europe Commissioner for Human Rights, Thomas Hammerberg, also urged the UK to seek a negotiated, peaceful and long term solution to the issue.⁸ ITMB would argue that the eviction was disproportionate and a violation of Dale Farm residents Human Rights under article 17 of UDHR, article 11 (1) of ICESCR and article 8 of European Convention on Human Rights.

2. Planning and Accommodation

- 2.1 The extreme example of the eviction of Dale Farm reveals the huge challenges Gypsies and Travellers face in securing culturally appropriate accommodation in the UK. Based on the governments' latest figures 20% of Gypsies and Travellers living in caravans are officially classified homeless (meaning they have no legal place to park their caravans.)⁹ The key obstacle preventing appropriate provision of sites is the discrimination Gypsies and Travellers experience on planning issues at the local level. The Equality and Human Rights Commission has evidenced such discrimination citing that:

*'The main barrier to provision is the planning system, and, more fundamentally, resistance from the settled population to the idea of new sites for Gypsies and Travellers'*¹⁰

⁷ See UN CERD, September 2011, *Concluding Observations, Seventy Ninth Session, United Kingdom of Great Britain and Northern Ireland*, page 7, para 28
<http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.GBR.CO.18-20.pdf>

⁸ Guardian, 2 September 2011, 'Unwise' eviction of Dale Farm Traveller camp must be halted says UN
<http://www.guardian.co.uk/uk/2011/sep/02/dale-farm-travellers-eviction-solution>

⁹ EHRC, 2009, *Inequalities experienced by Gypsy and Traveller Communities: A review*, pages 5-34
http://www.equalityhumanrights.com/uploaded_files/research/12inequalities_experienced_by_gypsy_and_traveller_communities_a_review.pdf

- 2.2 However, the government has insisted on introducing localism legislation and new planning guidance for Gypsy and Traveller sites that will have a detrimental impact on future provision. The Parliamentary Select Committee for the Department for Communities and Local Government and the UN CERD Committee have both expressed concerns about the impacts of the Coalition governments' Localism Act and the abolition of a regional strategy on provision of Gypsy and Traveller sites:

*'Gypsy and Traveller sites are a contentious issue and without a statutory requirement for local authorities to provide sufficient sites, there is great concern that Gypsies and Travellers will not have adequate accommodation and that the new system of planning may discriminate against these communities.'*¹¹

- 2.3 These concerns are supported by the June 2011 ITMB research which found that only 1 out of 100 councils interviewed believe the measures in the Localism Act would make planning for Gypsies and Travellers easier, while 55 Councils thought it would make provision more difficult. ITMB conclude that the government's Localism Act and new planning guidance will make the situation for Gypsies and Travellers even worse in terms of insecurity, homelessness, unauthorised development and evictions whilst at the same time increasing community tensions.¹²

3. Education

- 3.1 National data from the Department of Education shows that Gypsy, Roma and Traveller pupils are the lowest achieving groups within schools in the UK and have the highest take up of free school meals; a key indicator of child poverty.¹³ In its September 2011 concluding observations the UN CERD Committee noted the UK's:

*'Relative lack of success in addressing under-achievement in schools, particularly for those groups which have been identified as most affected, notably Gypsy and Traveller children and Afro-Caribbeans (articles 2 and 5(e)(v))'*¹⁴

¹⁰ EHRC, 2009, *Inequalities experienced by Gypsy and Traveller Communities: A review*, page 11
http://www.equalityhumanrights.com/uploaded_files/research/12inequalities_experienced_by_gypsy_and_traveller_communities_a_review.pdf

¹¹ Select Committee for DCLG, March 2011, *Abolition of Regional Spatial Strategies: a planning vacuum?*
<http://www.publications.parliament.uk/pa/cm201011/cmselect/cmcomloc/517/51702.htm>

¹² ITMB, 2011, *Planning for Gypsies and Travellers: The Impact of Localism*, Executive Summary, p. i
http://www.irishtraveller.org.uk/wp-content/uploads/2011/09/ITMB_Planning_for_Gypsies_and_Travellers1.pdf

¹³ Department for Education (DfE) 2010, *Improving the outcomes for Gypsy, Roma and Traveller Pupils: final report*
<https://www.education.gov.uk/publications/eOrderingDownload/DFE-RR043.pdf>

The Committee continued to recommend:

*'the State party adopt an intensified approach towards preventing exclusion of Black pupils and set out in detail its plans for addressing under-achievement for those groups which have been identified as most affected, notably Gypsy and Traveller children and Afro-Caribbeans.'*¹⁵

- 3.2 However, the measures being introduced by the Coalition government will most likely have a disproportionately negative impact on Gypsy and Traveller pupils. The Home Access scheme (HAS) will no longer be available to support low income or mobile pupils and a large number of Traveller Education Support Services have already been abolished or are being significantly cut despite TESSs being cited as an example of good practice by the European Commission.¹⁶
- 3.3 ITMBs 2010 report *Roads to Success: Economic and social inclusion for Gypsies and Traveller* found that fifty five per cent of the sample of 95 interviewees experienced bullying and discrimination during their time in education.¹⁷ The *Roads to Success* report also found that racist bullying acts as a barrier to participation in school with parents often removing children from schools when this occurs. Considering the evidence of discrimination and bullying and the unacceptably low outcomes for Gypsy and Traveller pupils it is crucial that specific and focused initiatives such as TESSs and the HAS are supported by government to effectively address under-achievement.

4. Health

- 4.1 According to a report by Leeds Racial Equality Council, Gypsies and Travellers have the lowest life expectancy of any group in the UK and experience an infant mortality rate which is three times higher than the national average.¹⁸ Despite these extremely poor health outcomes, Gypsies and Travellers are currently not monitored by the Department of Health (DoH) even though they are classified as an ethnic minority group under UK law.

¹⁴ See UN CERD, September 2011, *Concluding Observations, Seventy Ninth Session, United Kingdom of Great Britain and Northern Ireland*, page 6, para 24
<http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.GBR.CO.18-20.pdf>

¹⁵ Ibid

¹⁶ European Commission 2011, EU Framework for National Roma Integration Strategies
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0173:FIN:EN:PDF>

¹⁷ ITMB, 2010, *Roads to Success: Economic and Social Inclusion for Gypsies and Travellers*, Executive Summary, p. v
http://www.irishtraveller.org.uk/images/roads_to_success.pdf

¹⁸ Leeds Racial Equality Council, 2005, Leeds Baseline Census 2004-2005, Summary and Recommendations (iii)
<http://www.grtleeds.co.uk/information/census.html>

- 4.2 Because Gypsies and Travellers are not being monitored by the DoH there is no NHS statistical data on the communities making it very difficult for health service providers to effectively address such poor health outcomes. This lack of monitoring has a serious impact on Gypsies and Travellers everyday health. For example, research indicates that Gypsies and Travellers are dying 10-12 years younger than the average life expectancy, however the NHS and DoH have no way of assessing whether the life expectancy for Gypsies and Travellers has increased or decreased in 2011.
- 4.3 A report by the University of Sheffield found Travellers face high levels of depression; poor psychological health is often seen in the context of multiple difficulties, such as discrimination, racism and harassment, as well as frequent evictions and the instability caused by this.¹⁹ Poor quality or inappropriate accommodation as a result of forced movement inevitably exacerbates existing health conditions as well as leading to new problems. However, despite greater health need, Gypsies and Travellers use mainstream health services less than other members of the population because of practical difficulties, such as complex procedures for registering and accessing services, discrimination and lack of cultural awareness by health staff.²⁰ Finally, there has been no improvement in the high infant mortality rates and lower life expectancy of Travellers. There is a need for a national strategy and ethnic monitoring to be implemented for Travellers across the health system.

5. Employment and Economic Inclusion

- 5.1 Gypsies and Travellers are not categorised as an ethnic minority group in the Department for Works and Pensions (DWP) and are presently categorised as a 'disadvantaged group' alongside Ex-Service Personnel and Ex-Offenders. Not acknowledging Gypsies and Travellers ethnic minority status has resulted in them being excluded from DWP research focused on ethnic minority groups. This has resulted in a severe lack of economic and social targeted support.
- 5.2 As was highlighted earlier, the pervading racism which cuts across all areas of life for Travellers is also reflected in the area of employment. The 2009 EHRC *Inequalities Report* found evidence that Gypsies and Travellers who live on a site, or who are known to be members of local Gypsy or Traveller families, often encounter discrimination when applying for paid work.²¹ Similarly the 2010 report by ITMB on economic inclusion, *Roads to Success* found that

¹⁹ University of Sheffield (Van Cleemput, P. et al.), 2004, *The Health Status of Gypsies and Travellers in England. Report of Qualitative Findings*
<http://www.shef.ac.uk/content/1/c6/02/55/71/GT%20report%20summary.pdf>

²⁰ EHRC, 2009, *Inequalities experienced by Gypsies and Travellers: A Review*, p. 48
http://www.equalityhumanrights.com/uploaded_files/research/12inequalities_experienced_by_gypsy_and_traveller_communities_a_review.pdf

²¹ EHRC, 2009, *Inequalities experienced by Gypsy and Traveller Communities: A review*, page 40
http://www.equalityhumanrights.com/uploaded_files/research/12inequalities_experienced_by_gypsy_and_traveller_communities_a_review.pdf

racist experiences negatively impacted across all areas of economic inclusion affecting Gypsy and Traveller interviewee's educational, employment and training opportunities.

6. Media and Government Statements

- 6.1 The 2008 UPR report to the UK made reference to Gypsies and Travellers concerning the 'negative and inaccurate reporting by certain media' of these communities.²²
- 6.2 Hostile media coverage of Gypsies and Travellers continues to date and is exacerbated by regular negative comments by Government and senior ministers towards these communities.²³ This is combined with Gypsies and Travellers being consistently presented in a negative light in the mainstream media, with evidence from the ITMB online media monitor indicating that a majority of media coverage focuses on negative accommodation issues.²⁴ Highly offensive language continues to be used without always being deemed unacceptable by the press, statutory bodies and the wider public. Use of the highly offensive term 'pikey' to describe members of the Gypsy and Traveller communities continues in mainstream media.²⁵

7. Criminal Justice

- 7.1 Gypsies and Travellers are presently not recorded in ethnic monitoring data in the Criminal Justice system. Similar to the other examples in this submission (departments for health, work and pensions), the lack of monitoring of Gypsies and Travellers throughout the Criminal Justice system needs to be urgently addressed to ensure the communities Human Rights are respected. Anecdotal evidence from ITMB and other Traveller organisation has identified a high incidence of race hate crimes against Gypsies and Travellers, a key reason for more detailed monitoring.

²² See UN Human Rights Council Eight Session, 2008, *Report of the Working Group on the Universal Periodic Review United Kingdom of Great Britain and Northern Ireland, page 15, para 15.*
<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/136/44/PDF/G0813644.pdf?OpenElement>

²³ For example, statement by Secretary of State for DCLG, Eric Pickles, warning to all local councils of Travellers during bank holidays
<http://www.telegraph.co.uk/news/politics/8446122/Eric-Pickles-gipsies-could-take-advantage-of-Royal-Wedding-bank-holiday-to-set-up-illegal-camps.html>

²⁴ ITMB media monitor, 2011
<http://www.irishtraveller.org.uk/media/>

²⁵ Daily Mail, February 2011, *Craig Revel Horwood forced to apologies on-air after branding travellers 'pikeys'*
<http://www.dailymail.co.uk/tvshowbiz/article-1359816/Craig-Revel-Horwood-apologises-branding-Big-Fat-Gypsy-Weddings-pikeys.html>

- 7.2 Discriminatory treatment by the police in dealing with Travellers is widely acknowledged.²⁶ In a recent research report, John Coxhead, a police officer himself, has discussed the institutional nature of discriminatory attitudes in the police towards Gypsies and Travellers, at management as well as frontline level. The pervasive and aggressively proactive nature of this prejudice is summed up in the words of one officer in his study: 'prejudice towards Travellers in the police is not only accepted, it's expected.'²⁷
- 7.3 Beyond discrimination by the police, at the trial stages, it is well documented that both Travellers within the (youth) secure estate and (adult) prison system are disproportionately remanded into custody pending trial, less likely to receive bail and more likely to receive custodial sentences.²⁸

Conclusion

In 2004 Trevor Phillips, Chair of the Equality and Human Rights Commission, stated that 'Discrimination against Gypsies and Travellers appears to be the last 'respectable' form of racism'.²⁹ ITMB are sorry to say that since then little has changed and Gypsies and Travellers still experience unacceptably high levels of racism and discrimination in the UK. We believe that the UK's adherence to international Human Rights law is crucial to fulfilling Gypsies and Traveller Human Rights and urge the Human Rights Council to support the realisation their rights.

²⁶ Ministry of Justice, May 2009, *Access to Justice: a review of existing evidence of the experiences of minority groups based on ethnicity, identity and sexuality*, page 32
<http://www.justice.gov.uk/publications/docs/access-justice-minority-groups-ii.pdf>

²⁷ Coxhead, J. (2007) *The last bastion of racism*. Stoke on Trent: Trentham Books at p. 47.

²⁸ Power, C. (2004) *Room to Roam: England's Irish Travellers*. London: Action Group for Irish Youth.
<http://www.statewatch.org/news/2005/feb/Room-to-Roam-England's-Irish-Travellers.pdf>

²⁹ Trevor Phillips, BBC News, 2004, *CRE examines treatment of gypsies*
<http://news.bbc.co.uk/1/hi/england/3751214.stm>