



Civil society monitoring report on implementation of the national Roma integration strategies in the United Kingdom

Focusing on structural and horizontal
preconditions
for successful implementation of the strategy

Prepared by:
National Federation of Gypsy Liaison Groups
Friends Families and Travellers
Roma Support Group
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- National Federation of Gypsy Liaison Groups,
- Friends Families and Travellers,
- Roma Support Group,
- Roma Community Care.

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Although the Roma Civil Monitor pilot project, as part of which the report was prepared, is coordinated by CEU, the report represents the findings of the authors and it does not necessarily reflect the views of CEU. CEU cannot be held responsible for any use which may be made of the information contained therein.

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LIST OF ABBREVIATIONS

ACERT	Advisory Council for the Education of Romany and other Travellers
APPG	All-Party Parliamentary Group
BBO	Building Better Opportunities
CMF	Controlling Migration Fund
DBEIS	Department for Business, Energy and Industrial Strategy
DCLG	Department for Communities and Local Government
DfE	Department for Education
DH	Department of Health
DHSC	Department of Health and Social Care
DWP	Department for Work and Pensions
EHRC	Equalities and Human Rights Commission
ESF	European Social Fund
GRT	Gypsy, Roma and Traveller
HCA	Homes and Communities Agency
IOPC	Independent Office for Police Conduct
JCIO	Judicial Conduct Investigations Office
LEP	Local Enterprise Partnerships
MEP	Member of European Parliament
MHCLG	Ministry of Housing, Communities and Local Government
MP	Member of Parliament
MWG	Ministerial Working Group
NFGLG	National Federation of Gypsy Liaison Groups
NGO	Non-Governmental Organisation
NHS	National Health Service
NRCP	National Roma Contact Point
NRIS	National Roma Integration Strategy
NRN	National Roma Network
OPCC	Office of the Police and Crime Commissioner
RCC	Regional Cooperation Council
ROMED	Roma Intercultural Mediation
SMP	Strategic Migration Partnership
VSCE	Voluntary, Community and Social Enterprise

EXECUTIVE SUMMARY

The United Kingdom government has still not established a National Roma Integration Strategy despite both a number of recommendations in international treaties (which urged the UK government to do so) and repeated requests from Gypsy, Roma and Traveller (GRT) NGOs. The UK Government continue to hold to the position that mainstream laws and policies already offer protection to GRT populations and will in themselves promote integration – although this is not the experience of community members and their representative organisations interviewed for both the 2014 and current reports. Accordingly, GRT communities continue to be marginalised, with attempts to meet their needs and foster their integration being piecemeal and poorly funded.

Governance and overall policy framework

There are no Members of Parliament of GRT origin, although one MEP (UK Independence Party) is of Romany Gypsy origin. There is an All-Party Parliamentary Group (APPG) for Gypsies, Travellers and Roma. Parliamentarians via the Women and Equalities Select Committee are currently inquiring into government policy on GRT issues.

While there are no political parties in Parliament with a specifically anti-Gypsy agenda, individual MPs do make anti-Gypsy comments. On the other hand, some individual members have advocated for Roma inclusion and the Labour Party's Manifesto 2017 contained the commitment to "end discrimination against Gypsy, Roma and Traveller communities, and protect the right to lead a nomadic way of life".

There is, however, no systematic mainstreaming for Roma inclusion within central Government and there is little evidence of Roma inclusion being mainstreamed across local authorities, although a few "good practice" examples have been identified. Similarly, with regard to promoting the empowerment and participation of GRT communities there has been little in the way of specific initiatives, apart from a few pilot programmes, with most positive work that has been done coming from NGOs.

The 2011 Census included, for the first time, a "Gypsy or Irish Traveller" ethnic group category, but there was no specific category for "Roma", although "Roma" is among four potential additional categories for the 2021. It is evident that there is inconsistency in data collection with regard to Gypsies, Roma and Travellers in official data sets.

Anti-discrimination

The UK's anti-discrimination legislation is ground-breaking. There is, however, a major gap between policy and action and evidence shows that that discrimination and racism towards Gypsies, Irish Travellers (and more recently against the Roma community) continues across the UK.

Negative media coverage of the communities, coupled with the "localism" agenda, an active "anti-Gypsy" stance on the part of some national and local politicians and the change in the definition of "Gypsy" under Planning Policy for Traveller Sites and its knock-on effect in terms of the reduction of identified need have helped to worsen the situation.

Educational and residential segregation by Government policy is less of an issue in the UK than in some other EU countries. That is not, however, to say that residential segregation in particular does not exist. For example, Roma are often located in poor and deprived areas in poor private rented accommodation, while the lack of sites for Gypsies and Travellers means that many individuals and families are statutorily homeless and forced to live in "unauthorised Encampments" lacking water supply, sewage disposal and electricity. Some sites have been built in unsuitable places. The

health of Gypsy and Traveller people therefore will continue to suffer. With regard specifically to Roma, in the cities many Roma are at the mercy of “rogue” or “slum” landlords, living in poorly maintained properties.

Addressing antigypsyism

Antigypsyism is not generally used as a term outside of the voluntary (NGO) sector, nor is it widely recognised by the State as a specific form of racism and there is a lack of a structured approach to address antigypsyism, which is often left out of discussions about racism.

There is no formal structural approach to providing awareness-raising programmes for key agencies. Consequently, their existence and take-up can be somewhat piecemeal. There are a range of proactive initiatives that contribute to fostering diversity via combating hate crime and faith-based crime. These are not, however, GRT specific funding streams and have very limited take-up by the GRT communities.

Racism towards most ethnic minority groups is now less frequently expressed in public and widely seen as unacceptable. However, racism towards GTR communities is still common and is frequently blatant. In addition, abusive media coverage and overtly racist statements from local and national politicians add to the ignorance and prejudice of many members of the settled population

While the UK government has adopted policy measures to eliminate hate speech, a clearer strategy is needed to take action against the media (including social media) or individuals that incite discrimination and racism against GRT communities and individuals.

INTRODUCTION

This report represents a follow up to the 2014 report “*Civil Society Monitoring on the Implementation of the National Roma Integration Strategy in the United Kingdom in 2012 and 2013*” published by Decade of Roma Inclusion Secretariat Foundation in 2014¹ and its accompanying report “*Gypsy, Traveller and Roma: Experts by Experience – Reviewing progress on the European Framework for National Roma Integration Strategies*” published by Anglia Ruskin University in October 2014.² Like the former reports this report covers Gypsies and Travellers as well as migrant Roma. The EU use the word ‘Roma’ as an umbrella term in European policy and documentation to include a wide range of communities, including the Gypsies, Roma and Travellers (GRT). It is recognised that many Roma people share the same experiences of poverty, discrimination and social exclusion as Gypsies and Travellers in the UK. However, in this report, the Roma are discussed separately from Gypsies and Travellers because the communities have evolved independently, and their needs are often different.

Before going onto the key thematic chapters that form the basis of the first annual cycle it is important to give some national context to the findings that follow. Key here to the United Kingdom is the fact that the United Kingdom government has not established a National Roma Integration Strategy.³ This is despite a number of recommendations in international treaties which urged the UK government to do so. In the 2016 European Commission against Racism and Intolerance (ECRI) report on the United Kingdom,⁴ the UK government were “strongly recommended” to draw up a National Roma Integration Strategy. In the same month, the United Nations International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) recommended that the UK government develop a National Roma Integration Strategy.⁵ Following this, in 2017, Guatemala and the Bolivarian Republic of Venezuela recommended that the UK government elaborate and approve a National Roma Integration Strategy as part of the United Nations Universal Periodic Review of the United Kingdom.⁶ However, it is clear that these recommendations have not been heeded.

This is because at a EU Member States meeting (Employment, Social Policy, Health and Consumer Affairs Council, 2011), it was agreed that Member States were not required to produce National Roma Integration Strategies (NRIS), instead they could have the ‘flexibility’ to develop policy measures within wider social inclusion policies, as an alternative to producing national strategies. In response to a call for a NRIS, the UK Government have suggested that the mainstream laws and policies already offered protection to GRT populations and that these policies would in themselves promote integration.

This report combines desk research regarding relevant research reports and policy documents with structured interviews with ‘key actors’, including GRT Civil Society Organisations, the National Roma Contact Point, civil servants, the Equalities and Human

¹ http://www.nationalgypsytravellerfederation.org/uploads/3/7/5/2/37524461/uk_civil-society-monitoring-report_en-1.pdf

² http://www.nationalgypsytravellerfederation.org/uploads/3/7/5/2/37524461/e141126_experts_by_experience_report.pdf

³ The Welsh Government established the only clear Roma Integration Strategy and a framework for action in the UK – ‘*Travelling to a Better Future*’: *Gypsy and Traveller Framework for Action and Delivery Plan* (2012), available at: <http://learning.wales.gov.uk/docs/learningwales/publications/121115gypsytravelleren.pdf> and an update (2013), available at: <http://wales.gov.uk/docs/dsilg/publications/equality/131105gypsy-trav-framework-en.pdf>

⁴ https://www.coe.int/t/dghl/monitoring/ecri/country-by-country/united_kingdom/gbr-cbc-v-2016-038-eng.pdf

⁵ <http://undocs.org/en/CERD/C/GBR/CO/21-23>

⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/646050/third-upr-uk-response-to-the-recommendations.pdf

Rights Commission and an MEP. The draft report was then circulated to further GRT Civil Society Organisations so that their comments could be included.

GOVERNANCE AND OVERALL POLICY FRAMEWORK

Representing the interests of Roma in the parliament

There are no Members of Parliament of Gypsy, Roma or Traveller origin, although one MEP is of Romany Gypsy origin.^{1,2} He represents the UK Independence Party. Individual members have advocated for Roma inclusion (e.g. Kate Green, Labour Party MP for Stretford and Urmston³ and Laura Pidcock, Labour Party MP for North West Durham). The Labour Party's Manifesto 2017 contained the commitment to "end discrimination against Gypsy, Roma and Traveller communities, and protect the right to lead a nomadic way of life".⁴

There is an All-Party Parliamentary Group (APPG) for Gypsies, Travellers and Roma,⁵ the purpose of which is to "provide a forum for parliamentarians concerned about issues facing Gypsies, Travellers and Roma" and which brings MPs and community members together. The APPG has struggled since 2015 to maintain its presence after the chair lost their seat (and position as an MP). A new chairperson was elected in 2015, but then died in 2016. Following the 2017 election, two new co-Chairs were elected – Kate Green and Baroness Janet Whitaker (both Labour Party). The group has three vice-chairs from the Conservative, Liberal Democrat and Labour parties; and two further members from the Scottish Nationalist Party. The group has played a role in tabling parliamentary questions, writing to government ministers and supporting initiatives from the GRT NGOs. Funding for the APPG has been extremely problematic but it is expected that from April 2018 there should be a more secure funding base and secretariat. The APPG is crucial as it can be difficult for civil society groups to have access to government ministers, whereas the APPG members, as parliamentarians, are able to convene meetings with ministers and are much more likely to receive direct correspondence from a minister rather than simply having a response from civil servants within government departments.

There are no political parties in Parliament with a specifically antigypsy agenda, although individual MPs do make antigypsy comments.⁶ The debate in the House of Commons on 9 October 2017 on *Gypsies and Travellers and Local Communities*⁷ illustrated the extent of support on government benches, and also amongst some opposition MPs, for (a) greater legislative powers to be taken against those on 'unauthorised stops', (b) the minimal interest in local action to supply adequate numbers of sites for Travellers and also (c) the wider recognition (from some Labour and Scottish National Party MPs) of the levels of exclusion and discrimination that Gypsies and Travellers face.

To be able to vote in a UK election you must be a British, Irish or qualifying Commonwealth citizen.⁸ However, many Roma adults who are EU citizens are entitled to vote in local elections (for city and county administrations). No data exists regarding

¹ http://www.iamescarver.org/My_Campaigns.html

² For a brief explanation of the terminology regarding Roma used in the UK, please, see section "Availability of reliable data on the situation of Roma" later in this chapter.

³ See, for example: <https://www.clinks.org/community/blog-posts/after-lammy-review-blog-2-gypsies-roma-and-irish-travellers-justice-system>

⁴ <https://labour.org.uk/manifesto/a-more-equal-society/>

⁵ <https://publications.parliament.uk/pa/cm/cmallparty/170502/gypsies-travellers-and-roma.htm>

⁶ See, for example: <https://www.opendemocracy.net/uk/adam-ramsay/new-scottish-tory-mp-slammed-for-anti-gypsy-attack>

⁷ <https://hansard.parliament.uk/Commons/2017-10-09/debates/E1DC6872-5335-41CC-A5DE-991D06FE9B3E/GypsiesAndTravellersAndLocalCommunities>

⁸ <http://www.electoralcommission.org.uk/fag/voting-and-registration/who-is-eligible-to-vote-at-a-uk-general-election>

voter registration by members of the GRT communities or their participation in elections (i.e. by voting), although there have been active campaigns to encourage community members to register and vote.⁹

Whilst citizens with no fixed address are formally entitled to vote in elections, this may not always be straightforward in practice. As an example, during the 2017 General Election, a number of homeless people and Travellers with no fixed abode had difficulty registering to vote in Brighton and Hove. Whilst an address “where you spend a substantial part of your time or have some connection”¹⁰ is all that is required on the electoral registration form for someone with no fixed address, some people using “care of” addresses which they regularly frequent were initially refused registration and were not given notice of this. The newly founded No Fixed Abode Residents Association contacted Electoral Services to challenge this and eventually were successful, but only after navigating a complex bureaucratic process which may have easily put people off from voting. It is not clear whether this is a national issue, but little accountability exists to ensure that local authorities are compliant with their duty to register residents with no fixed abode to vote and it is likely that complex processes surrounding this may be off-putting to potential voters.

Mainstreaming Roma inclusion across ministries and other national level public authorities

The European Commission published a Framework for National Roma Integration Strategies (NRIS) in 2011, asking that all member states produce NRIS by the end of the year. The UK government lobbied hard within the EC for member states to have options either to adopt a national Roma integration strategy, or to adapt existing policy measures within broader social inclusion policies to ensure Roma integration. The UK adopted the later approach. In 2012, the UK government produced a report from a ministerial working group (MWG) on preventing and tackling inequalities experienced by Gypsies and Travellers. The report produced by this group (which does not appear to have met subsequently) details 28 commitments “for which Government will be held to account, in the following areas:

- *Identifying ways of raising educational aspirations and attainment of Gypsy, Roma and Traveller children.*
- *Identifying ways to improve health outcomes for Gypsies and Travellers within the proposed new structures of the NHS.*
- *Encouraging appropriate site provision; building on 60 million GBP (68 million EUR) Traveller Pitch Funding and New Homes Bonus incentives.*
- *Tackling hate crime against Gypsies and Travellers and improving their interaction with the criminal justice system.*
- *Improving knowledge of how Gypsies and Travellers engage with services that provide a gateway to work opportunities and working with the financial services industry to improve access to financial products and services.*
- *Sharing good practice in engagement between Gypsies and Travellers and public service providers.”¹¹*

⁹ See, for example: <http://travellermovement.org.uk/operation-traveller-vote-general-election/>

¹⁰ <https://www.yourvotematters.co.uk/can-i-vote/with-no-fixed-address>

¹¹ Department for Communities and Local Government (2012): “Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers”. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6287/2124046.pdf

These commitments were predominantly focused on Gypsies and Travellers rather than Roma in the UK sense of the term. Indeed, only those commitments relating to Education (Commitments 1-6) make specific reference to Roma.

This report was heavily criticised by GRT NGOs for (a) not having had any consultation with Gypsy and Travellers, or NGOs; (b) for almost completely ignoring (mobile) Roma – apart from references in the education section; (c) not fully addressing some of the key issues of the Framework (like employment and health), and without any suggestion of how targeted funding was available to meet some of the challenges of the Framework by 2020.

Parliamentarians via the Women and Equalities Select Committee are inquiring into government policy on GRT issues. This committee (which had to reconvene after the election in 2017) is to review progress against the 28 commitments.¹² This inquiry looks at the impact of those commitments and what progress has been made in achieving them, the effectiveness of policy-making and implementation for these groups more generally, and how the Government can tackle such continuing inequalities.¹³ If nothing else, this inquiry has so far produced a range of extensive information, analysis and assertion which has been provided as evidence to the inquiry.¹⁴

It is important to point out, however, that the Women and Equalities Select Committee is not the government. The Select Committee will only be relevant when civil society sees its recommendations and then the government's response (which it is required to submit to parliament) to those recommendations. Further, at this point in time the work plan of the Committee is not publically known.

There is no systematic mainstreaming for Roma inclusion within central Government. The National Roma Contact Point (NRCP) is based in the Ministry for Housing, Communities and Local Government (MHCLG – formerly known as the Department for Communities and Local Government or DCLG). The formal role of the NRCP is to ensure:

- the efficient and timely implementation of the national integration strategy/Roma National Action Plan;
- coordination between line ministries and government institutions/offices in order to integrate Roma issues into the main socio-economic policies and action plans, as well as budget, of the governmental measures the financial commitment necessary for the implementation of the national integration strategy/Roma National Action Plan;
- establish an effective monitoring mechanism to measure progress and impact on the ground at the national level;
- represent the government in the Regional Cooperation Council (RCC) Roma Integration 2020 Task Force with the aim to guide/steer the initiative, defining objectives and monitoring progress on Roma Inclusion in the region;
- closely cooperate with the RCC Action Team on Roma Integration on Roma related issues in the countries, including but not limited to policy advice on mainstreaming Roma issues, reporting and collaboration with civil society

¹² Department for Communities and Local Government (2012): "Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers".

¹³ <https://www.parliament.uk/business/committees/committees-a-z/commons-select/women-and-equalities-committee/inquiries/parliament-2017/inequalities-faced-by-gypsy-roma-and-traveller-communities-17-19/>

¹⁴ See: <https://www.parliament.uk/business/committees/committees-a-z/commons-select/women-and-equalities-committee/inquiries/parliament-2015/inequalities-faced-by-gypsy-roma-and-traveller-communities-16-17/publications/> and: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/women-and-equalities-committee/tackling-inequalities-faced-by-the-gypsy-roma-and-traveller-communities/oral/78675.html>

organizations make available disaggregated data in accordance with the international standards on data collection and data protection,

- ensure transparency, sharing of information and awareness raising regarding the Roma Integration policy and activities within the government, with civil society;
- with the public ensure an effective participation of the Romani civil society in the National Working Groups, or similar bodies, and the Public Dialogue Forum, in order to allow for their participation in the implementation and monitoring of the national integration strategy;
- ensure regional cooperation with colleagues at the South East Europe (SEE) regional level, and report to the government, including the RCC National coordinator, and the Task Force¹⁵.

The role of the NRCP is one of coordination and advice, which MHCLG do with other government departments, local authorities and civil society. MHCLG coordinate reports centrally – so when they put together the annual report for the European Commission, they contact all other officials and the Devolved Administrations and ask for updates. However, it is also worth pointing out that Government departments (and NRCPs as part of these Departments in the UK) are not able to *set the policy* of other Departments

There is no evidence of equivalent posts or units within other departments/ministries. There were positions within the Department for Education (DfE) and Department of Health and Social Care (DHSC) which included a remit for Roma inclusion, but over the last three years, these posts/units have either withered or been amalgamated into wider areas of policy. There is no evidence of Roma inclusion in any other departments/ministries.

There is firm evidence that the national equality body (the Equalities and Human Rights Commission, EHRC) carries out its remit in relation to overseeing and encouraging Roma inclusion. For instance, a recent major report from EHRC "*Healing a Divided Britain*" (December 2017),¹⁶ included 'key findings' relating to GRT in sections on education, on housing and on health. Other research reports (using data from the census) have reviewed the evidence of discrimination faced by GRT; for example, "*England's most disadvantaged groups: Gypsies, Travellers and Roma*" (March 2016).¹⁷ The EHRC has been less successful in supporting legal actions by GRT individuals against discriminatory practices. There was no mention of GRT in their *Business Plan 2017/18*.¹⁸ There is recognition in the EHRC's three year current *Strategic Plan 2016-19*¹⁹ of the needs of Gypsy & Traveller (but not Roma) children in the priority area of education; and of Gypsies & Travellers (but not Roma) in the area of health and social care; and of GRT in the area of identity-based prejudice and violence.

The EHRC have recently held an information session for GRT organisations which covered what support they can offer individuals and organisations in human rights based issues, as well as their current activities to further Roma inclusion. The EHRC have also recently commissioned Friends, Families and Travellers, a national charity which works on behalf of Gypsies, Roma and Travellers to complete a short-term project focused on access to justice.

¹⁵ For an assessment of the limitations of this role, see: <https://www.opensocietyfoundations.org/sites/default/files/revisiting-eu-roma-framework-20170607.pdf>. This is, however, not a Government-commissioned piece of research – it was commissioned by the Open Society European Policy Institute.

¹⁶ https://www.equalityhumanrights.com/sites/default/files/healing_a_divided_britain_-_the_need_for_a_comprehensive_race_equality_strategy_final.pdf

¹⁷ https://www.equalityhumanrights.com/sites/default/files/ief_gypsies_travellers_and_roma.pdf

¹⁸ https://www.equalityhumanrights.com/sites/default/files/business-plan-2017-2018_0.pdf

¹⁹ https://www.equalityhumanrights.com/sites/default/files/strategic_plan_-_web_accessible.pdf

The MHCLG co-organises, with the National Federation of Gypsy Liaison Groups, quarterly meetings of the GRT liaison group, which consists of a relatively small number of GRT voluntary organisations (although these represent the majority of the major GRT organisations) – all have existing sources of non-governmental funding.

The role of the liaison group is:

*“to bring the relevant officials from across Government to respond to issues raised by the Gypsy, Traveller and Roma representatives. We encourage officials attending to think about how they can involve the liaison group in work they are doing and to continue to work with the group to address concerns”.*²⁰

For example, at a recent meeting an official from Department for Work and Pensions (DWP) heard about some of the problems faced by community groups in accessing European funding and agreed to continue working with the group on that (although positive results have taken some time to appear). Likewise, one meeting covered hate crime policy and officials there asked the group to suggest ideas for how to encourage reporting from the GRT communities – there have been further conversations between Home Office officials and GRT NGOs on that. Ministers are regularly updated on these discussions, indeed the Parliamentary Under-Secretary (Housing, Communities and Local Government – responsible for Gypsy and Traveller equality policy) attends the meetings when he can.

Where there has been a formal consultation process on, for example, changes to the planning policy the Gypsy, and Traveller organisations and communities have had opportunities to express their views. When the liaison group highlighted that not many Gypsy and Traveller organisations knew about the recent UK Statistics Authority consultation on the Caravan Count an extension to the deadline for responses was secured so that as many as possible could contribute.

One positive move has been that in April 2017, the DHSC, National Health Service (NHS) England and Public Health England created a voluntary, community and social enterprise (VCSE) *Health and Wellbeing Alliance*. One of the 21 members appointed was *Friends, Families and Travellers*. The aim of the alliance is to improve health and care systems, address health inequalities and to help people, families and communities to achieve and maintain wellbeing. Policy leads from the Department of Health, Public Health England and NHS England regularly consult all alliance members on the development of policy. In addition, a piece of work was commissioned through the alliance on the topic of “Inclusion Health” The four main inclusion health groups identified are Gypsies and Travellers, asylum seekers and refugees, vulnerable homeless people and sex workers. Nine members of the alliance, led by Friends, Families and Travellers and Homeless Link are working to develop an audit tool to provide system partners with an understanding of the extent to which the alliance is working with inclusion health groups with a view to addressing health inequalities. The audit tool will provide system partners with mechanisms by which an organisation can adapt to meet the needs of people who cross into several different aspects of equality, diversity and inclusion. This topic will be discussed in more depth in the 2018 report which will include the thematic chapter on health.

There is no evidence of any systematic staff training about Roma awareness and antigypsyism. In MHCLG all staff get “Unconscious Bias” training (which includes racial stereotyping), although this is not specifically about GRT. As it is not GRT-specific, “not everyone is aware that Gypsies and Travellers are ethnic minorities”.²¹

²⁰ Communication from Department for Communities and Local Government, January 2016.

²¹ From interview with National Roma Contact Point.

The only clear Roma Integration Strategy to date has come from the Welsh Government,²² who recently undertook a consultation on whether specific proposals are required to support the inclusion of migrant Roma.²³

Mainstreaming Roma inclusion across local authorities

Given that the UK Government's approach is not to take a "separate" integration policy approach but rather to deal with Roma inclusion under wider social inclusion policies, combined with an emphasis on "localism",²⁴ there is little evidence of Roma inclusion being mainstreamed across local authorities.

The Advisory Committee on the Framework Convention for the Protection of National Minorities (Strasbourg, 27 February 2017) notes that:

"(p4) Responsibilities for integration have been transferred to the local level, but in certain cases local authorities do not always appear able to exercise them fully, in particular with regard to ensuring equality and access to campsites/housing of Gypsies, Travellers and Roma, which is the case in England".²⁵

Local government is still responsible for a range of local services – particularly children's and adults safeguarding – despite the policy framework adopted over the last eight years of "localism" whilst at the same time maintaining rigid financial control from the centre, and the impact of austerity policies which have seen a reduction of circa 40% in central government funding to councils since 2010. It is unclear what policies and frameworks local authorities have as statutory duties re integration and cohesion; (the government is proposing to table a new national integration strategy in the spring 2018). Most councils have steered away from adopting any integration strategies or initiatives.

There is no regional government structure with a policy-making role in the UK. Yorkshire & Humberside, East of England, and South East regions have all been working closely with local authorities to strengthen the profile of the needs of Roma communities in their areas. East of England Strategic Migration Partnership (SMP) have recently secured funding for a Roma rights project (*Parallel Lives*) which is focused on working with/alongside Roma communities in Fenland, Great Yarmouth, Ipswich, Luton, Peterborough and Southend; and in Kent, the SMP have supported funding by Big Lottery in a capacity development project led by an NGO *Red Zebra*.

One positive initiative is the National Roma Network (NRN) which was developed from 2012 by Migration Yorkshire, a local authority supported network in Yorkshire & Humberside region, which emerged from their role as the local 'strategic migration partnership'. This brought together initially only local authority staff working in areas with substantial settlements of (migrant, Central and Eastern European) Roma, and a few Roma NGOs. NRN was established to improve migrant Roma integration across the UK for the benefit of all communities. It helps to link local authorities together on Roma issues, enable the exchange of information and good practice, including through the NRN website,²⁶ and provides a platform for engagement between Roma members, third sector organisations and local and central government.

²² <http://gov.wales/topics/people-and-communities/communities/communitycohesion/gypsytravellers/?lang=en>

²³ <https://rm.coe.int/1680703a30>

²⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf

²⁵ Advisory Committee On The Framework Convention For The Protection Of National Minorities, Strasbourg, 27 February 2017, Fourth Opinion on the United Kingdom adopted on 25 May 2016. Available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806fb9ab>

²⁶ <https://nationalromanetwork.wordpress.com/>

Since 2015, with dedicated funding, the NRN has held six national gatherings on themed subjects in Leeds, Sheffield, Peterborough, Salford and finally London (December 2017) with attendance from some local authority staff, but also embraced Roma NGOs, Roma activists and paid workers, non-Roma NGOs and academics and other researchers. These meetings had speakers from Office for Standards in Education, Children's Services and Skills (Ofsted), Department for Work and Pensions (DWP) and the Race Disparity Unit. The NRN are currently writing up the report of this last three years which it is hoped, can be one input to the development of a national Roma strategy.

Looking at individual local authorities, Manchester²⁷ has a specific migrant Roma strategy, while there are other cities addressing migrant Roma inclusion under new arrivals or wider community cohesion plans – these include Leeds, Sheffield and Glasgow²⁸ and Barnsley, Doncaster, Rotherham and Sheffield²⁹. Derby and Bradford are also amongst those local authorities which have supported the development of consultation, research, community capacity/development and 'Rome Voice' initiatives.

Promoting empowerment and participation of Roma

There have been targeted courses, for example the Roma Intercultural Mediation (ROMED) Training in which the UK participated.³⁰ The UK government agreed to join the ROMED training programme in 2012, with ACERT (the Advisory Council for the Education of Romany and other Travellers) acting as the UK National Focal Point, responsible for organising the training courses, recruiting and supporting the trainees and reporting back to the Council of Europe. The intention of the training is to "equip the trainees to act impartially to help develop the confidence of public institutions and community members in liaising directly with one another. This in turn will help to improve fair access to services and participation by everyone on a more equal footing".³¹ The second UK ROMED session was held in March 2013. There were eighteen trainees in total. The group of trainee mediators included people from Gypsy/Traveller (12) and Roma (6) communities. Their workplaces were located across the UK – England, Wales, Scotland and Ireland - and included both the public sector and voluntary organisations.

In early 2018, a Romany Gypsy member of staff at Friends, Families and Travellers was invited to join the Cross-Government Hate Crime Programme's Youth Independent Advisory Group which will provide independent advice to the Government and criminal justice agencies on strategy, policy and procedure. At the time of writing, this is a new development, so it is difficult to determine the impact and effect of this initiative.

As we will return to below, a key problem in the UK has been the lack of financial support for Roma (in the wider European sense)-specific initiatives.

Civil society's access to funding for Roma inclusion activities

GRT NGOs are mainly dependant on non-governmental trusts and beneficiaries. The Big Lottery (distributors of funds raised by the National Lottery, a quasi-governmental agency) has a record of supporting GRT groups at a local and national level. Some funding is secured from local authorities and NHS bodies, but this is invariably not core funding for NGOs.

²⁷ <http://migrom.humanities.manchester.ac.uk/wp-content/uploads/2015/08/MCCRomaReport2013.pdf> and <http://migrom.humanities.manchester.ac.uk/wp-content/uploads/2016/10/MCC-Report-on-MigRom-Engagement-Strategy.pdf>

²⁸ http://nws.euocities.eu/MediaShell/media/Mapping_of_the_situation_of_Roma_in_cities_FINAL_REPORT.pdf

²⁹ <http://www.migrationyorkshire.org.uk/userfiles/file/projects/roma-syorks/syr-3-roma-in-sy-mapping-2017.pdf>

³⁰ See for example: <http://acert.org.uk/blog/category/romed/>

³¹ <http://acert.org.uk/blog/2015/02/03/romed-in-uk/>

A major problem in the UK is the lack of funding specifically designed to address issues of Roma integration. GRT NGOs are mainly dependant on non-governmental trusts and beneficiaries. The Big Lottery (distributors of funds raised by the National Lottery, a quasi-governmental agency) has a record of supporting GRT groups at a local and national level. Some funding is secured from local authorities and NHS bodies, but this is invariably not core funding for NGOs.

There is no dedicated central government funding specifically targeted at GRT communities, and generated by the UK HM Treasury. There is a shortage of dedicated funding programmes within the DfE, DHSC, DWP, Department for Business, Energy and Industrial Strategy (DBEIS) or MHCLG. The DHSC funds the VCSE *Health and Wellbeing Alliance*³² which aims to amplify the voices of people with lived experiences to inform policy. The Alliance includes representatives from Roma civic society; this is however not a dedicated programme for GRT inclusion. Similarly the Controlling Migration Fund (CMF)³³ is not specifically for GRT communities but as its aim is to alleviate pressures of migration, it can benefit migrant Roma – Fenland and Gravesham councils³⁴ received some money for Roma specific activities while other local authorities (e.g. Sheffield) are using CMF funding to help Roma integration.³⁵ There is some unease about the source and framework of this funding, but it is too early to say definitively how potentially serious this funding framework might be for Roma settlement and assertion of Roma rights.

There has also been funding from MHCLG and NHS England for pilot projects³⁶ covering improving English of Roma adults and access to primary care,³⁷ but these were only pilot projects.

The most relevant European funding stream is the European Social Fund (ESF), which is the European Union's main financial instrument for supporting employment in the member states as well as promoting economic and social cohesion.

The Managing Authority for the delivery of the ESF 2014-2020 programme in England sits within the DWP. To align with the approach to devolve growth policy, the ESF 2014-2020 programme is built on the basis of addressing local needs coordinated via the Local Enterprise Partnerships (LEP) network

Research by the Roma Support Group³⁸ found that out of the 39 LEPs:

1. Only two LEPs refer explicitly to Roma communities or individuals in their projects. These LEPs are:
 - Leeds ("Marginalised migrants"; value - 2.8 million GBP, or 3.16 million EUR),
 - Sheffield ("Holistic support"; value - 2.7 million GBP or 3.04 million EUR).
2. Two other LEPs refer explicitly to "Gypsy, or Roma, or Traveller communities or individuals" as potential beneficiaries in their projects:

³² <https://www.england.nhs.uk/hwalliance/>

³³

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/566951/Controlling_Migration_Fund_Prospectus.pdf

³⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/658707/CMF_allocations_announcement.pdf

³⁵ <https://nationalromanetwork.files.wordpress.com/2017/12/combined-local-issues-doc1.pdf>

³⁶ https://www.ippr.org/files/publications/pdf/Roma-communities-and-Brexit_Oct2016.pdf

³⁷ <https://www.england.nhs.uk/gp/gpfpv/redesign/improving-access/gp-access-fund/wave-two/pilots/#3>

³⁸ Roma Support Group, February 2016: "European Structural & Investment Funding (esif), 2014-2020: (non) inclusion of Gypsy, Roma, Traveller communities in strategies agreed by local enterprise partnerships (LEPs)". Available at: https://drive.google.com/file/d/0B2lw1_Krq5gnUWJHLUQ0S0RFeLU/view

- The Marches,
- Worcestershire.

Thus only 10.3% of the LEPs refer explicitly to either Roma or GRT communities or individuals.

A paper from DWP of February 2016 for the MHCLG notes that:

*"The ESF Operational Programme deliberately does not refer to a specific identified group as this would go against the localism theme of the programme. LEPs are required to put forward plans/approaches to deliver against the themes of the programme. Investment Priority 1.4 includes facility to support marginalised individuals and people with complex barriers".*³⁹

In answer to the question whether the government will intervene directly with LEPs to ensure they have a Gypsy Roma Traveller strategy, the DWP responded only that "the Government have devolved control over ESF funding to LEPs to make decisions on how best funded projects can meet local need."⁴⁰

This has been compounded by poor ethnicity data regarding those benefitting from the funding. Consequently, there is a lack of data that would show if indeed GRT are actually directly benefitting from this funding. The latest monitoring from Big Lottery on GRT participation in the Building Better Opportunities (BBO) programme, which is the co-funded Big Lottery/ESF programme shows just over 1% of participants on the programme (out of circa 4,500 participants) are of GRT background. It is to be noted that the Big Lottery suggested that "it is 'unverified' data as it has not yet been through the full verification process of the Managing Authority".

Additional qualitative information suggests that while the Leeds and Sheffield programmes were explicitly geared to address (amongst others) Roma as EU migrants, the delivery of the programmes has not been as successful in attracting and developing Roma. One factor is that criteria for eligibility is to be not in any paid employment – a huge issue for many Roma who are ineligible for social security so are required to take any work, including zero hours.

The Shropshire BBO programme (part of the Marches LEP) is led by an NGO – Landau: changing lives, changing futures. Their literature states that for participants, they must not be working and can be "people from black and minority ethnic (BAME) communities (particularly those from the Gypsy Roma and travelling communities".⁴¹

There is no information about the success of attracting GRT participants onto the programme.

The second strand of non-targeted funding for GRT children is via the pupil premium funding⁴² allocated to schools. This enables the schools to secure additional funding (at circa 1,320 GBP, or 1,488 EUR for pupils under 11, 935 GBP, or 1,054 EUR for pupils age 11-16) for pupils who live in families which have claimed social security – unemployment benefit, income support, some disability benefits etc. – In the last 6 years. This does not apply to poor working families. Research by Roma Support Group suggests that many Roma children and families are under-represented for pupil premium, despite very high

³⁹ Lowther, A. (DCLG) and Spendlove, S. (DWP), February 2016. "Paper for Item 4: Local Enterprise Partnership, European Funding and the Gypsy, Roma Traveller community". Paper produced for the GRT liaison group meeting on 3 March 2016.

⁴⁰ *Idem.*

⁴¹ <https://www.landau.co.uk/extranet/about-the-project/>

⁴² This is central government funding from the DfE; it is allocated from central government either via local authorities to maintained schools, or directly to academy schools. See: <https://www.gov.uk/guidance/pupil-premium-information-for-schools-and-alternative-provision-settings>

levels of poverty due to insecure work and no access to social security following the government's welfare reforms from 2014 – removing access to benefits for many of the intra-EU mobile population.

GRT NGOs have raised the demand that all GRT children be entitled to pupil premium funding;⁴³ indeed, in Northern Ireland the devolved government considered this as an option. The Department of Education of Northern Ireland states that:

*"The Department provides additional funding directly to schools with Traveller children. School budgets are determined by the Common Funding Scheme, within which Traveller children constitute 'a factor'."*⁴⁴

In addition to ESF, there have been occasional small-scale pots of funding for NGOs e.g. with regard to the Hate Crime Action Plan, although these have tended not to be Roma-specific. One incidence of Roma-specific funding is that Roma Community Care received funding (via the Derby Multi-Faith Centre) from the Office of the Police and Crime Commissioner (OPCC). This money was for offering targeted support to Roma young people involved in or at risk of being involved in crime. Through this Roma Community Care provided Roma awareness training to Youth Offending Team staff. Following on from this initiative, Roma Community Care provided support to Roma young people at risk of exclusion from school alongside awareness raising training for school staff, social services and the police.

The Home Office have released funding under the 'Building a Stronger Britain Together' programme which aims to reduce numbers of people holding attitudes, beliefs and feelings that oppose shared values, create an increased sense of belonging and civic participation at the local level and helps to build more resilient communities. This could be used by Roma Civic Society, but no information is available on its uptake at the point of writing. MHCLG have recently commissioned community-led organisation Herts GATE to deliver a project which aims to tackle hate crime and racism against GRT communities. This includes funding for a hate crime case worker and a community intern to shadow the case worker, the delivery of a hate crime conference, the development of a 'Report Racism' toolkit aimed at the GRT communities and at services, a freephone support line and a training package to deliver training on hate crime to services and community organisations.

In addition to this, Traveller Movement, a national charity promoting inclusion and community engagement with GRT launched their Operation Report Hate Campaign⁴⁵ in 2015 which was part funded by the Department for Communities and Local Government (as it was then titled).

Availability of reliable data on the situation of Roma

It has been noted by EC and the Advisory Committee on the Framework Convention for the protection of National Minorities that there is often "conflation between policies addressing Gypsies and Travellers, on one hand, and Roma, on the other hand. While the Committee acknowledges that this follows from the use of the notion of racial group to define minorities and from the link between Gypsies and Roma, such an approach does not always allow targeting of the specific needs of each group".⁴⁶

While the 2011 Census included, for the first time, a "Gypsy or Irish Traveller" ethnic group category, there was no specific category for "Roma". The total given for

⁴³ See, for example, Recommendation 9 in the "Gypsy, Traveller and Roma: Experts by Experience" report (Lane et al, 2014).

⁴⁴ <https://www.education-ni.gov.uk/articles/education-traveller-children#toc-5>

⁴⁵ <http://travellermovement.org.uk/operation-report-hate/>

⁴⁶ <https://rm.coe.int/16806fb9ab>

Gypsy/Irish Traveller was 58,000 (the smallest total of any ethnic group for which there was a “tick box”), although this is widely taken to be an underestimate⁴⁷ as many people were reluctant to self-classify as Gypsy/Irish Traveller due to concerns regarding what might be done with the data. In addition, there is often confusion on what each of these terms mean and which groups are included – e.g. the term ‘Gypsy’ is derogatory to many Roma.

We understand that the categories for the 2021 Census will be little different to those used in 2011 Census, although ‘Roma’ is among four potential additional categories currently being considered by the Office for National Statistics.

The Advisory Committee on the Framework Convention for the Protection of National Minorities (Strasbourg, 27 February 2017) has noted that:

“(p3) There is only limited collection of disaggregated data as the basis for targeted policy-making for Gypsies, Travellers and Roma”.⁴⁸

The Cabinet Office’s recent Race Disparity Audit notes that:

“1.10 There is already a considerable amount of data collected across central Government that permits analysis by ethnicity, but there are also some areas of public services where there is little or no data about ethnicity. Where relevant data is collected, a common challenge is having insufficient numbers of cases to study in the ethnic minority groups; inevitably this limits the degree to which firm conclusions can be made about differences between ethnic groups, and the ability to take account of other factors in analysis in addition to ethnicity. Surveys are particularly prone to this limitation unless samples are very large or deliberately boosted to include greater numbers of people from minority groups. Another consequence of this sample size issue is that for some sources it is only meaningful to compare data for broad ethnic groups or for the White or White British groups compared to all others. This will often not adequately distinguish the different experiences of people within such broad groups.

1.11 The quality of data on the ethnicity of individuals varies and is generally better when reported by people themselves, as it is in surveys and the Census. Administrative data – such as is collected from service users – can suffer high levels of non-recording of ethnicity and overuse of ‘other’ categories, undermining the ability to identify differences in how people in each ethnic group are treated.”⁴⁹

The related “Ethnicity Facts and Figures”⁵⁰ website reveals the inconsistency in data collection with regard to GRT. For example:

- **Education data:** uses categories from the Department for Education’s (DfE) school census, which is broadly based on the 2011 national Census. Traveller of Irish Heritage and Gypsy/Roma students have been separated into 2 categories.

⁴⁷ Irish Traveller Movement in Britain (2013) Gypsy and Traveller population in England and the 2011 Census. Available at: <http://irishtraveller.org.uk/wp-content/uploads/2013/08/Gypsy-and-Traveller-population-in-England-policy-report.pdf>

⁴⁸ The Advisory Committee on the Framework Convention for the Protection of National Minorities, Strasbourg, 27 February 2017, Fourth Opinion on the United Kingdom adopted on 25 May 2016: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806fb9ab>

⁴⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/680802/Revised_RDAEFAF_Feb_18.pdf. See also the Roma Support Groups’ analysis of RDA available at: <http://romasupportgroup.org.uk/wp/wp-content/uploads/2017/11/Nov-2017-newsletter.pdf>

⁵⁰ <https://www.ethnicity-facts-figures.service.gov.uk/>

- **Health:** 2011 Census ethnicity classifications are used in data collected via survey. No systematic monitoring of GRT; the Department of Health does not include Gypsies, Travellers or Roma among the 16 ethnic minority categories monitored by the NHS).⁵¹
- **Employment:** data collected via Annual Population Survey. There are no categories for Gypsy, Traveller or Roma.
- **Housing:**
 - Homelessness data comes from quarterly Homelessness returns. There are no categories for Gypsy, Traveller or Roma. Data on statutory homelessness was collected using more specific ethnic groups from 2006 to 2013, but since then only with broad ethnic groups.
 - New social lettings: data comes from annual Social Housing Lettings statistics and uses 2011 Census categories.
 - Overcrowding: data comes from the annual English Housing Survey and includes the category "Gypsy, Traveller or Irish Traveller" (the tables produced note for this category "Data withheld because a small sample size makes it unreliable"). No data on "Roma" is collected.

The problem associated with small numbers is exemplified by "Satisfaction with access to GP services" where it is noted that "patients in the Gypsy or Irish Traveller group [...] had rates of satisfaction below the national average from 2011/12 to 2016/2017, although the findings are less reliable for this group because of the small numbers of respondents".⁵²

Noteworthy fact is that, there is a lack of systematically collected data regarding GRT communities at the NHS and the situation is also the same for the majority of Police forces – a 2016 study by the Traveller Movement found that:

*"Of the 48 territorial and special police forces in the UK, only 9 (19%) included a code for Gypsies and Travellers in their ethnic monitoring systems, with 3 of these forces only conducting partial/limited monitoring and 2 stating plans to discontinue these codes as part of the process of introducing a new regional system of recording data."*⁵³

With regard specifically to Roma, good data on the situation of migrant Roma in schools is published by the Office for Standards in Education, Children's Services and Skills (Ofsted),⁵⁴ while health needs assessments done by local authorities' public health departments are also good sources of data.⁵⁵

⁵¹ The Sheffield Roma health needs assessment found that "a key challenge [to the health assessment] from the outset was the lack of a specific 'Roma' ethnicity code to identify Roma patients on GP and secondary healthcare IT systems". Subsequently new Roma codes were formally adopted and were made available to GP systems from April 2016.

⁵² <https://www.ethnicity-facts-figures.service.gov.uk/health/access-to-treatment/satisfaction-with-access-to-gp-services/latest>

⁵³ The Traveller Movement (February 2016), "Inclusion of Gypsies and Travellers in ethnic monitoring systems of Police forces in the UK", available at: <http://travellermovement.org.uk/wp-content/uploads/Ethnic-recognition-of-Gypsies-and-Travellers-in-Police-Forces-in-the-UK.pdf>

⁵⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/430866/Overcoming_barriers_-_ensuring_that_Roma_children_are_fully_engaged_and_achieving_in_education.pdf

⁵⁵ Sheffield: <https://data.sheffield.gov.uk/JSNA-Resources/Slovak-Roma-Health-Needs-Assessment-September-2016/u9p4-s8iz>, Leeds: <http://eprints.leedsbeckett.ac.uk/2741/1/ROMA%20Report%20FINAL.pdf>, Rotherham: http://www.rotherham.gov.uk/jsna/downloads/file/57/roma_community_health_needs, Bradford: <https://jsna.bradford.gov.uk/documents/Health%20Needs%20Assessments/Central%20and%20Eastern%20European%20Needs%20Assessment/Central%20and%20Eastern%20European%20Needs%20Assessment.pdf> and Kent: http://www.kpho.org.uk/_data/assets/pdf_file/0019/43804/Gypsy-Roma-and-Traveller-IR-August-FINAL.pdf

Policies and measures addressing specific needs of Roma women, children and youth

The European Commission have highlighted that the “multiple disadvantages faced by Roma women and Roma children need more specific measures”.⁵⁶

The UK Government’s adoption of the 28 commitments, rather than creating an Integration strategy, has had no positive effect in terms of addressing specific needs of women in particular because, as they lacked a project plan, goals and funding, there were no specific goals to improve circumstances for women.

The issue of ‘gypsy status’ in relation to the Town and Country Act 1990 (planning law) is extremely problematic, with regard specifically to Romany Gypsy and Irish Traveller women, especially to those women who are or have been carers (as they are not travelling for an economic purpose and do not have a history of travelling for an economic purpose a requisite for successful planning applications).

Government planning policy requires that Romani Gypsies and Irish Travellers must demonstrate that they have what has been termed as ‘gypsy status’ (note the lower case g – please be aware that the Gypsy community in the UK do not recognise the lower case g in “gypsy”, this is why it is often used as ‘[g]ypsy’ for status bracketed) before they can obtain planning permission to live on their own land. In order to prove an entitlement to ‘gypsy status’ a person must show that she or he travels for an economic purpose or has ceased to do so on grounds of old age, ill-health, or for the education of children (Willers, 2012).⁵⁷ This definition is an individual definition so can split families – some will be deemed to have status the others not.⁵⁸

The definition used for the Caravan Sites Act 1968 was transferred from the Divisional Court case of *Mills v Cooper*.⁵⁹ The Court had to consider the meaning of Gypsy with regard to section 127 of the Highways Act 1959. The Court came to the conclusion that Parliament did not intend to discriminate by meaning the Gypsy people as a race, the wording of the Act being “a hawker or other itinerant trader or a ‘gipsy’”. Lord Parker stated that although in the context of the Act he felt that the word gipsy means no more than a person living in no fixed abode or fixed employment, he also stated that: “*I am hoping that those words will not be considered as the words of statute.*”⁶⁰ Unfortunately they were (Spencer, 2012).⁶¹ The situation has now even worsened compared to 2015, as the definition from the *Circular 1/2006 on Planning for Gypsy and Traveller Caravan Sites*⁶² was changed so that Gypsy and Traveller people cannot express the desire to live permanently on their own land – the words “*and permanently*” have been removed from that 1/2006 definition. This revised definition has a very detrimental effect in that Romany Gypsy people or Irish Travellers who may lead a more settled existence, are denied the prospect of pursuing careers of a professional nature, thereby effecting the career choice of younger people (e.g. doctor or solicitor), as they would then be deemed not to be Gypsies for the purposes of planning law. It thus potentially forces individuals

⁵⁶ European Commission “Assessing the implementation of the EU Framework for National Roma Integration Strategies and the Council Recommendation on Effective Roma integration measures in the Member States”. Available at: <http://www.reyn.eu/wp-content/uploads/2017/12/Effective-Roma-integration-measures-in-the-Member-States-in-2016.pdf>

⁵⁷ <http://travellerstimes.org.uk/Blogs--Features/Whats-wrong-with-the-concept-of-Gypsy-status.aspx>

⁵⁸ <https://publications.parliament.uk/pa/cm200304/cmselect/cm0dpm/633/63306.htm>

⁵⁹ *Mills v Cooper* [1967] 2 All ER 100.

⁶⁰ *Mills v Cooper* [1967] 2 All ER 100 at (467) B.

⁶¹

http://www.nationalgypsytravellerfederation.org/uploads/3/7/5/2/37524461/to_be_a_gypsy_and_not_be_a_gypsy_that_is_the_question.pdf

⁶² Available at: http://www.knowsley.gov.uk/pdf/PG11_Circular0106-GypsyandTravellers.pdf

to choose between living traditionally with their family or having to move into a house to pursue their desired employment. This is a very difficult decision for those with elder parents and or relatives. This policy thus restricts the community to low paid manual work (Willers, 2012).⁶³

In relation to women already there have been cases that illustrate the unfair and discriminatory way this policy works, e.g. McCann⁶⁴ and Medhurst.⁶⁵ Since these cases, in 2015, as discussed above, the change to definition by the Secretary of State for Communities and Local Government (SSCLG) will make the situation harder. A Solicitor working extensively with the GRT community has noted that:

"From that date those Gypsies and Travellers who have had to stop travelling permanently due to age or ill health have been excluded from the definition. We have been arguing since then that the definition is discriminatory, prejudicial, unreasonable and disproportionate especially as regards those Gypsies and Travellers who are old, disabled, in serious ill health or caring for others." (Chris Johnson, 2017 CLP)⁶⁶

We are waiting to hear whether there will be a successful challenge to this revised definition.

It is notable that, the Draft London Plan which was released in December 2017 chose not to use the definition adopted in the 2015 Planning Policy for Traveller Sites document and instead used a wider definition which would not have the same negative effects.⁶⁷

Data collected by the DfE in relation to the number of GRT children in care in England has been criticised because Romany Gypsies and Roma children have been recorded in one category and 'Travellers of Irish Heritage' in another, rather than all three groups being separate categories. The combination of Roma and Romany Gypsy into one category illustrates the lack of specificity and understanding of differences between these groups. Whilst data sets indicate that the number of GRT children in care is rising at a disproportionate rate to the overall numbers of children in care in England,^{68, 69} it is difficult to make direct comparisons between GRT children and children of other ethnicities because of the small numbers involved. Civil society groups have requested a formal investigation by the DfE into this, however, at the time of writing, this has not yet taken place.

A study conducted by researchers at the University of Salford found that, "the child protection system in England does not consistently support child protection professionals to develop the professional competence needed to effectively safeguard Romani and

⁶³ <http://travellerstimes.org.uk/Blogs--Features/Whats-wrong-with-the-concept-of-Gypsy-status.aspx>

⁶⁴ *McCann v Secretary of State for Communities and Local Government and Basildon DC [2009] EWHC 917 (Admin)*. Mrs. McCann is an Irish Traveller, her planning application to live on her own land was refused. The Inspector's decision was challenged on number of grounds including the interpretation of the meaning of Gypsies and Travellers ([g]ypsy status as it was then through the Planning Circular 1/06. For Gypsy and Traveller sites). The decision was quashed on other grounds; however, the debate on status and the principal in the case, in particular for women is worrying.

⁶⁵ *Medhurst v Communities and Local Government [2011] EWHC 3576 (Admin)*. This case was about the meaning of Gypsies and Travellers (gypsy status) for the purposes of planning law and whether the definition in Circular 1/2006 was incompatible with Article 8 of the Convention. Mrs. Medhurst had lived for some time in bricks and mortar accommodation but wanted to return to her traditional way of life. This is increasingly difficult for Gypsy women to do as the criteria for [g]ypsy status is that you should have a history of moving (with your home to seek work). As many Gypsy women are carers they are automatically exempt from this definition.

⁶⁷ https://www.london.gov.uk/sites/default/files/new_london_plan_december_2017.pdf

⁶⁸ <http://www.errc.org/cms/upload/file/the-fragility-of-professional-competence-january-2018.pdf>

⁶⁹ See also, however: <http://travellermovement.org.uk/by-kealy-sly/> and http://travellermovement.org.uk/wp-content/uploads/TTM-The-care-system-and-Gypsies-Roma-and-Travellers_web.pdf

Traveller children within their own families".⁷⁰ The study found that because of misunderstandings about family culture, professionals could conduct inaccurate assessments of children at risk and this could have two effects – either incorrectly assuming that a child is at risk or failing to act when a child is at risk. According to the report, "whilst there has been an increase in research converging around issues of child protection generally, there has been an unequal focus on safeguarding Romani and Traveller children". This means that the evidence base from which professionals operate is not as robust as it could or should be when it comes to GRT families.⁷¹

There is an issue with the provision of emergency accommodation for Gypsy and Traveller women fleeing from domestic violence. Advocacy staff working on the casework service at Friends, Families and Travellers have observed a pattern of difficulties for domestic abuse victims who are seeking emergency accommodation across the country. Firstly, there is a lack of refuge spaces across the country. Many refuges are unable to cater for large families, as are typical within Gypsy and Traveller communities. Secondly, there is a recurring problem where local authorities have refused to provide emergency accommodation to Gypsy and Traveller victims of domestic abuse when they present at the homeless team. In some cases, local authorities state that victims of domestic violence should present as homeless back in the area they come from or ask victims to provide police evidence. It is often only once the victim of domestic abuse seeks legal representation from a housing solicitor that the local authority approach changes. Obtaining legal representation at short notice, and without the support of an organisation like Friends, Families and Travellers can be difficult, so many domestic abuse victims may be 'slipping through the net'. In summary, the processes in place to support and protect victims of domestic violence, who are predominantly women, seem to be failing.

The lack of reliable data on Roma needs highlighted above means that some national policies (such as change in schools funding linked to pupils premiums and restrictions to social security benefits) have had detrimental effects on migrant Roma, including children and women.⁷²

⁷⁰ Allen, D and Riding, R, (2018), *The fragility of professional competence: a preliminary account of child protection practice with Romani and Traveller children in England*. European Roma Rights Centre, Budapest, Hungary. Available at: <http://usir.salford.ac.uk/46146/1/the-fragility-of-professional-competence-january-2018.pdf>

⁷¹ <http://www.errc.org/cms/upload/file/the-fragility-of-professional-competence-january-2018.pdf>

⁷² See RSG analysis on Free school meals : https://drive.google.com/file/d/0B2lw1_Krq5gnS3pqSGRnb0xRYiQ/view and security benefits https://drive.google.com/file/d/0B2lw1_Krq5gnOGRb3dlamRocm8/view ; also Margaret Greenfields <https://nationalromanetwork.files.wordpress.com/2017/12/combined-local-issues-doc1.pdf>

ANTI-DISCRIMINATION

Implementing the Race Equality Directive

The UK's anti-discrimination legislation is ground-breaking and has, reportedly, been the model for other anti-discrimination policies – indeed its influence can be seen in the Race Equality Directive. There is, however, a major gap between policy and action. Research for the “Experts by Experience” report,¹ and many previous studies, have shown that discrimination and racism towards Gypsies, Irish Travellers (and more recently against the Roma community) continues across the UK.² This can involve verbal abuse through to violent and even fatal physical attacks. Abusive media coverage and overtly racist statements from local and national politicians add to the ignorance and prejudice of many members of the settled population, while those in authority frequently fail to challenge them.

The Advisory Committee on the Framework Convention for the Protection of National Minorities (Strasbourg, 27 February 2017) concluded that:

*“(p36) Overall, persons belonging to ethnic minorities are in a better place in reducing educational gaps, but challenges remain in relation to higher levels of unemployment, low wages, underemployment, worse health status and access to care, high levels of poverty, low levels of English language knowledge and inadequate political representation. Moreover, these persons are often victims of hate crimes. Gypsies, Travellers and Roma continue to be the group suffering significantly more from discrimination in all these fields, including education, particularly in England”.*³

Further, while the Equality and Human Rights Commission does take up some cases, (for example: *R (J) v Worcestershire County Council*⁴) it has very limited funding and cannot take on every case. Thus, discrimination against Gypsies, Travellers and Roma can often go unchecked.

Addressing educational and residential segregation

Educational and residential segregation by Government policy is less of an issue in the UK than in some other EU countries. That is not, however, to say that the segregation in particular does not exist.

There is extensive evidence that in some cities and towns, there is massive over-representation of “Gypsy/Roma” and “Irish Traveller” pupils in school exclusions, including migrant Roma.⁵ This is evident in both pupils excluded for a fixed term, or

¹http://www.nationalgypsytravellerfederation.org/uploads/3/7/5/2/37524461/e141126_experts_by_experience_report.pdf

1. ² See for example “*Jd Wetherspoon Plc Again Guilty Of Race Discrimination Against Irish Travellers*”, available at: <http://www.howe.co.uk/press-release---29-may-2015.html>; “*Butlins reported to Equalities watchdog over ‘Traveller blacklists’*”, available at: <https://www.travellerstimes.org.uk/news/2016/01/butlins-reported-equalities-watchdog-over-traveller-blacklists>

³ Advisory Committee On The Framework Convention For The Protection Of National Minorities, Strasbourg, 27 February 2017, Fourth Opinion on the United Kingdom adopted on 25 May 2016: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806fb9ab>

⁴ *Judgment R (J) v Worcestershire County Council [2014] EWCA Civ 1518*, available at: <http://www.bailii.org/ew/cases/EWCA/Civ/2014/1518.html>. This is an important judgment confirming the powers given to local authorities to assist children in need inside and outside of their areas. The decision will help to ensure that assessments by local authorities of children's needs for services take account of cultural factors affecting Gypsies and Travellers. The case has the potential to assist the many children in need who move between areas for whatever reason – not just children from Gypsy and Traveller communities.

⁵ Roma Support Group (October 2017), “*Fulfilling Their Potential? Exclusion of Roma Pupils in the English Educational System – A Briefing Paper*”. Available at: https://drive.google.com/file/d/0B2lw1_Krq5gnell0TmdtUWcyTFE/view

pupils permanently excluded, with very little chance of being re-integrated into mainstream education.⁶

There is also some evidence that the housing circumstances of many Roma families – confined to poor quality, private rented sector housing – means that certain schools in a town or city – are becoming “Roma schools”. This is most evident in the primary sector (e.g. schools like Annette Street Primary, (Glasgow), Oasis Academy Firvale (Sheffield). It is worth noting that this might also be a result of schools being converted into academies, which results in local authorities having no power over who the schools can then accept.

While there has been little research into the accommodation needs, or experiences of Roma communities, it is evident⁷ that Roma are often located in poor and deprived areas and because of the shortage of social housing, tend to end up renting in the private sector, with unscrupulous landlords charging Roma tenants high rents for low quality and overcrowded accommodation. Government policies are often making it worse. For example, lack of access to Housing Benefit means that families are often forced to live in the cheapest housing in overcrowding conditions as they cannot afford higher rents.

With regard specifically to Roma, in the cities many Roma are at the mercy of “rogue” or “slum” landlords. These properties are often in bad repair and plumbing and heating often breaks down. The Planning and Housing Act 2016 brought in further legislation to rectify some of breaches of law. The 2016 Act includes a package of measures to help tackle rogue landlords in the private rented sector.⁸ This includes: allowing local authorities to apply for a banning order to prevent a particular landlord/letting agent from continuing to operate where they have committed certain housing offences; creating a national database of rogue landlords or letting agents, which will be maintained by local authorities; allowing tenants or local authorities to apply for a rent repayment order where a landlord has committed certain offences (for example continuing to operate while subject to a banning order or ignoring an improvement notice) – If successful the tenant (or the authority if the tenant was receiving universal credit) may be repaid up to a maximum of 12 months.

However, in reality many Roma will not complain for fear of becoming homeless. Deposits given to the landlord at the start of a tenancy (short term tenancies of 6 months) should be held by law under a protective scheme,⁹ but in reality, this does not happen either.

As described in the next section, the lack of sites for Gypsies and Travellers means that many individuals and families are statutorily homeless. As many traditional stopping places have been blocked off by ditches, bunding and gates, individuals and families are increasingly forced to live on areas such as parks and car parks. In January 2017, Brighton and Hove City Council used Public Space Protection Orders to criminalise “occupying any vehicle, caravan, tent or other structure”¹⁰ in twelve public spaces in the city. There is a danger that this will be used in other localities. The use of this law has been widely criticised by Gypsy and Traveller organisations for criminalising the nomadic way of life and for targeting vulnerable individuals.¹¹

⁶ <http://www.irr.org.uk/news/xeno-racism-and-the-scourge-of-school-exclusion/>

⁷ See for example:

http://www.nationalgypsyttravellerfederation.org/uploads/3/7/5/2/37524461/e141126_experts_by_experience_report.pdf

⁸ www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpga_20160022_en.pdf:

⁹ <https://www.gov.uk/tenancy-deposit-protection/overview>

¹⁰ <https://www.brighton-hove.gov.uk/content/press-release/public-space-protection-orders-come-force>

¹¹ <https://www.liberty-human-rights.org.uk/news/blog/friends-families-and-travellers-how-councils-are-abusing-their-powers-target-vulnerable>

Access to encampments, clean water and sanitation

The “localism” agenda, an active “anti-Gypsy” stance on the part of certain national and local politicians and the change in definition under Planning Policy for Traveller Sites¹² (see discussion in Chapter Governance and overall policy framework, section *Policies and measures addressing specific needs of Roma women, children and youth*) and its knock-on effect in terms of the reduction of identified need have helped to worsen the situation. For example, a report by London Gypsies and Travellers (formerly London Gypsy and Traveller Unit) presents the following case study:

*“Old Oak and Park Royal Development Corporation (OPDC) – February 2016. This study found there is no need for additional pitches until 2031, based on interviews conducted at the Bashley Road Traveller site in Ealing (now included in the OPDC planning area). A previous GTANA [Gypsy and Traveller Accommodation Needs Assessment] from 2008 had found a need for up to 64 new pitches needed in Ealing between 2007-2017, none of which have been provided since. The OPDC SHMA does not mention the needs of Gypsies and Travellers who do not meet the planning definition”.*¹³

Further to this, a recent report from Friends Families and Travellers¹⁴ illustrates the difference between MHCLG) and Homes and Communities Agency’s (HCA) reported numbers of new socially rented pitches and actual number of new pitches. Key findings include:

- There has been only been a 2% increase in socially rented pitches between 2010 and 2017; an insufficient number to address even natural growth through household formation, let alone a historic lack of pitches for Gypsy and Traveller families.
- The government reported an increase of 551 affordable pitches for Gypsies and Travellers between 2012 and 2017 but the actual figure is no more than 339.
- 16% of caravans in the July 2017 national caravan count were on unauthorised land, largely as a result of a chronic shortage of Gypsy and Traveller sites.

One of the most vocal parliamentarians at the October parliamentary debates on Unauthorised Encampments, Ms Nadine Dorries MP cited that the number of encampments in Central Bedfordshire had risen from 45 in 2016 to already 99 this year (large increases have also been reported by many other local authorities). Despite clear evidence of numerous families without pitches and the availability of Central Government funding for new pitches under the Affordable Homes Programme, Central Bedfordshire District Council has only used this to build two pitches since 2015. On top of this, Central Bedfordshire Council recently reviewed its Gypsy and Traveller Accommodation Needs Assessment in line with the new Planning Policy for Traveller Sites definitions and reduced its commitment to future pitch provision by 48%.¹⁵The above needs to be set against improvements that had actually been made in previous years.

Gypsy and Traveller families who do not have access to sites due to the national shortage can also struggle to access clean water, sewage disposal and electricity. This issue is rarely discussed and therefore is to an extent made invisible.

¹²https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf

¹³<http://www.londongypsiesandtravellers.org.uk/wp-content/uploads/2017/03/20160630-Planning-for-the-accommodation-needs-of-Gypsies-and-Travellers-....pdf>

¹⁴<https://www.gypsy-traveller.org/wp-content/uploads/2017/12/Lack-of-increase-in-affordable-pitches-report-Dec-2017-FINAL.pdf>

¹⁵ http://www.centralbedfordshire.gov.uk/Images/gypsy-traveller-accommodation-assessment-2_tcm3-18781.pdf

Some sites that were provided by local authorities under the Caravan Sites Act 1968 were built in unsuitable places and services are poor (Niner 2003¹⁶, Richardson 2007¹⁷). The health of Gypsy and Traveller people therefore will continue to suffer as a recent report highlights (Greenfields, 2016¹⁸).

There are sites that are owned privately that are often not up to standard. Legislation requires that there should be adequate water supply and enough toilets (The Caravan Sites and Development Act 1960). However, families may be frightened to complain of conditions a for fear of being evicted by the owner.

Local authority Gypsy sites established by the 1968 Caravan Sites Act were expressly exempt from the Park Homes Act 1983. However, after a legal challenge in 2004 (Connors¹⁹) local authority Gypsy sites now come under this Act. This amendment brought about security of tenure for many Gypsy and Traveller families.²⁰ Previous to this change, families could be given seven days to leave with little chance of time for appeal and evicted to the side of the road with no facilities at all.

Addressing discriminatory behaviour by police, prosecutors or courts

In the UK there are various mechanisms to complain or report discriminatory behaviour against the police. It may start with a complaint to the Independent Office for Police Conduct (IOPC).²¹ However, the Stephen Lawrence enquiry (1999)²² illustrated that there was institutional racism in the UK and many people do not have confidence in the system. Recently (2017) one Police Force (Avon and Somerset) was found to be complicit with the local authority in the death of Bijan Ebrahimi (a disabled Iranian, beaten to death and set on fire in 2013).²³

In 2017 the National Federation of Gypsy Liaison Groups (NFGLG) complained about a policeman who set his dog onto an Irish Traveller.²⁴ We are not aware of the man formalising a complaint or action against the police and we are still waiting for details on the outcome of our complaint. Any complaint of a racial nature has to be taken within 6 months of the event, but it can take time to find a legal practitioner who will take on a case. Further, cuts to legal aid make it harder for victims to bring cases against Criminal Justice agencies and interfere disproportionately with the constitutional right of access to justice.²⁵

Historically after the Moving Forward²⁶ (2004) project which was a joint initiative between the community (Derbyshire Gypsy Liaison Group) and Derbyshire police, there was some improvement in police relations, with improved police training using community members. This was a national project which brought about joint GRT Community and police conferences

¹⁶ <https://lemosandcrane.co.uk/resources/ODPM%20-%20LA%20Gypsy%20Traveller%20Sites.pdf>

¹⁷ <https://www.jrf.org.uk/report/providing-gypsy-and-traveller-sites-contentious-spaces>

¹⁸ <http://travellermovement.org.uk/wp-content/uploads/Impact-of-insecure-accommodation.pdf>

¹⁹ *Connors v United Kingdom*, 27 May 2004 (App No 66746/01).

²⁰ See: <https://www.gov.uk/park-mobile-homes/settling-disputes>

²¹ <https://policeconduct.gov.uk/complaints-and-appeals/make-complaint>

²² The Stephen Lawrence Inquiry - GOV.UK. Available at: <https://www.gov.uk/government/publications/the-stephen-lawrence-inquiry>

²³ <http://www.independent.co.uk/news/uk/crime/bijan-ebrahimi-refugee-murdered-iran-killed-paedophile-bristol-avon-somerset-police-council-gang-a8116341.html>

²⁴ <https://www.birminghammail.co.uk/news/midlands-news/watch-man-mutilated-police-dog-13584398>

²⁵ See: <https://www.lawgazette.co.uk/practice/challenge-to-legal-aid-cuts-gets-under-way/5064042.article> and <https://www.lawsociety.org.uk/news/press-releases/high-court-challenge-against-legal-aid-cuts-highlights-growing-risk-of-miscarriages-of-justice/>

²⁶ Engaging Gypsies and Travellers in Police Training: www.gypsy-traveller.org/pdfs/nationalprojectA4.pdf

Resources have meant that NGOs cannot build on this early initiative. For example, the last Pride Not Prejudice conference (a national conference for Police and other agencies involved in working with Gypsy and Traveller communities) was held in 2010

GRT people within the police felt that they could self-identify, the first policeman to do that came to the 2004 conference. Recently the Gypsy Traveller Roma Police Association²⁷ was formed to help members of the GRT community.

With regard to the Judiciary, the Judicial Conduct Investigations Office (JCIO) supports the Lord Chancellor and the Lord Chief Justice in their joint responsibility for the system of judicial complaints and discipline. It seeks to ensure that all judicial disciplinary issues are dealt with consistently, fairly and efficiently. It deals with complaints about a judicial office-holder's personal conduct – it cannot deal with complaints about judicial decisions or about case management (such as the type of sentence or whether or not a claim succeeds).²⁸

²⁷ Gypsy Roma Traveller Police Association: <http://www.grtpa.com/>

²⁸ Courts and Tribunals Judiciary | Conduct and complaints: <https://www.judiciary.gov.uk/you-and-the-judiciary/conduct-complaints/>

ADDRESSING ANTIGYPSYISM

Institutional settings for fighting discrimination and addressing antigypsyism

Antigypsyism is not generally used as a term outside of the voluntary (NGO) sector, nor is it widely recognised by the State as a specific form of racism. It more usually falls within wider State responses to racism/hate crime. Consequently, there is a lack of a structured approach to address antigypsyism, which is often left out of discussions about racism:

"Whereas people generally think that racism is bad it is felt that there is some acceptability in being racist to Gypsies and Travellers – this needs to be addressed".¹

More widely the United Kingdom has legislation that specifically addresses discrimination, such as the Equality Act 2010 (which incorporated the Race Relations Act 1976 into the wider discrimination remit). While these are sometimes identified as model pieces of anti-discrimination there remains an evident gap between what the legislation says and the lived experiences of GRT people (see below). Indeed, the Equality and Human Rights Commission (EHRC) states that:²

"Britain is fortunate to have a strong equality and human rights legal framework to protect people from discrimination and violations of their basic rights and freedoms. However, the experiences of many people across England, Scotland and Wales often do not reflect what is set out in law."

The EHRC is "an independent statutory body with the responsibility to encourage equality and diversity, eliminate unlawful discrimination, and protect and promote the human rights of everyone in Britain. The Commission enforces equality legislation on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation".³ It is their role to "make these rights and freedoms a reality for everyone. We use a range of powers to do so, by providing advice and guidance to individuals, employers and other organisations, reviewing the effectiveness of the law and taking legal enforcement action to clarify the law and address significant breaches of rights".⁴

EHRC's "Is England Fairer"⁵ report reveals that the country's most disadvantaged groups have fallen further behind the rest of the population, and risk being increasingly locked out of opportunities. EHRC state that:

"Our evidence shows that Gypsies, Travellers and Roma, homeless people, people with learning disabilities, and migrants, refugees and asylum seekers often suffer multiple disadvantages including poor outcomes in educational attainment and employment, and barriers to accessing healthcare.

The life chances of these four groups, already lower than those of others, have declined since the Commission's last progress review in 2010. There are several factors that may be contributing to this, including deprivation, social invisibility, stigma and stereotyping."⁶

Consequently, an interview with EHRC identified the need for antigypsyism to be addressed via a separate policy as it is "so blatant and prevalent" and existing anti-

¹ From interview with the National Roma Integration Contact Point.

² <https://www.equalityhumanrights.com/en/about-us/what-we-do>

³ *Idem.*

⁴ *Idem.*

⁵ https://www.equalityhumanrights.com/sites/default/files/is_england_fairer.pdf

⁶ <https://www.equalityhumanrights.com/en/britain-fairer/england-fairer-introduction/englands-most-disadvantaged-groups>

discrimination legislation has not worked in addressing discrimination towards Gypsies, Roma and Travellers.

While there are awareness raising programmes about antigypsyism for local government, the Police, the Health Service and other agencies these are not State-driven. Rather they are provided by NGOs.⁷ As there is no formal structural approach to providing these programmes (nor dedicated central funding pot) their existence and take-up can be somewhat piecemeal.

Additionally, there are no specific State-sponsored programmes or positive actions to involve members of the GRT communities in public services, police, prosecutors office' or courts. Neither is there funding for NGOs to provide such programmes/actions.

There are a range of proactive initiatives that contribute to fostering diversity via combating hate crime and faith-based crime. These include:

- The Anne Frank Trust⁸ – works in the most rundown schools in the most deprived areas. Evaluation of the Trust's work has shown real attitude change on the part of pupils who have taken part.
- Near Neighbours⁹ - 5,000 GBP (5,635 EUR) grants are provided for projects to encourage communities to meet up with, and work with, another community. It aims to bring people together who are near neighbours in communities that are religiously and ethnically diverse, so that they can get to know each other better, build relationships of trust, and collaborate together on initiatives that improve the local community they live in. It works through the Church Urban Fund and involves a simple application form.

These are not, however, GRT specific funding streams and we are not aware of any take-up of this funding by the GRT communities, beyond DCLG funding #OperationReportHate (see below next section).

Countering hate crime and hate speech against Roma, and antigypsyist rhetoric of politicians, public figures and media

Racism towards most ethnic minority groups is now less frequently expressed in public and widely seen as unacceptable. However, racism towards GRT communities is still common and is frequently blatant. In addition, abusive media coverage and overtly racist statements from local and national politicians add to the ignorance and prejudice of many members of the settled population, while those in authority frequently fail to challenge them.

In the United Kingdom the Public Sector Equality Duty¹⁰ (created by the Equality Act 2010) consists of a general equality duty and specific duties, which help authorities to meet the general duty.

The aim of the general equality duty is to integrate considerations of the advancement of equality into the day-to-day business of public authorities. In summary, those subject to the equality duty, must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act;
- Advance equality of opportunity between people who share a characteristic and those who do not;

⁷ For example Friends Families and Travellers' "Online Cultural Competency Training": <https://www.gypsy-traveller.org/fft-training/online-cultural-competency-training/>

⁸<http://www.annefrank.org.uk/>

⁹<http://www.cuf.org.uk/near-neighbours>

¹⁰ <https://www.equalityhumanrights.com/en/corporate-reporting/equality-and-diversity/public-sector-equality-duty>

- Foster good relations between people who share a characteristic and those who do not.

Whilst Public Officers (e.g. Local Councillors) are subject to the duty, Members of Parliament are subject to the law regarding incitement to racial hatred, but Parliamentary Privilege protects them regarding what they say in the Houses of Parliament. The Equality Act is for “public bodies” and MPs are not public bodies as far as the Act is concerned. Douglas Ross, Conservative MP for Moray, when asked in an interview what he would do if he were prime minister for a day, responded, “I would like to see tougher enforcement against Gypsy Travellers”.¹¹

Whilst Ross’s words received no formal review linked to his parliamentary duties, the Scottish Football Association for whom he referees made a public statement reaffirming their commitment to equality and inclusion and confirmed that they would review his comments to see if they are in breach of the association’s rules and if deemed necessary, Ross would face a disciplinary panel.¹² A spokesperson from the Travellers’ Times said: “Blatant displays of antigypsyism by those meant to protect our rights only serves to contribute to the high levels of intolerance and racism directed towards Gypsies and Travellers in society.”¹³ It was clear that anti-Gypsy remarks such as those made by Ross could be made publicly by politicians without any punishment.

What concerns action against hate, the UK Government’s plan for tackling hate crime specifically mentions Gypsies, Roma and Travellers, although the coverage is very minimal. Paragraph 90 states that:

“During our consultation, community groups and local police forces highlighted two further communities which faced barriers to reporting hate crime; the Gypsy, Traveller and Roma communities, and asylum seekers and refugees. We will work with organisations already present in those communities to ensure that everyone has the opportunity and information needed to report hate crime. This will include helping to establish third party reporting centres where they do not exist and helping to promote them where they do.”¹⁴

In the Executive Summary of the Action Plan one of the five key areas to tackle hate crime identified is:

“Increasing the reporting of hate crime, through improving the reporting process, encouraging the use of third party reporting and working with groups who may under-report, such as disabled people, Muslim women, the Charedi community, transgender people, Gypsy, Traveller and Roma communities, and new refugee communities.”

Indeed, where they have been set up third party reporting centre have been successful in encouraging community members (who may be reluctant to report hate crime to the Police¹⁵) to come forward e.g. in Middlesbrough with the Society for the Promotion and Advancement of Romany Culture.

¹¹ <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-41029954>

¹² <https://stv.tv/sport/football/1396450-referee-douglas-ross-investigated-by-sfa-over-gypsy-comments/>

¹³ <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-41029954>

¹⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/543679/Action_Against_Hate_-_UK_Government_s_Plan_to_Tackle_Hate_Crime_2016.pdf

¹⁵ Research suggests that Gypsies and Travellers may be more reluctant to report hate crimes or incidents because of distrust of the police: Equality and Human Rights Commission (2009) ‘Inequalities Faced by Gypsies and Travellers’. See: http://www.equalityhumanrights.com/sites/default/files/documents/research/12inequalities_experienced_by_gypsy_and_traveller_communities_a_review.pdf

One NGO interviewed for this report referred to anecdotal evidence that the Police are passing victims’ information to the Home Office and that some EU nationals are being administratively removed after they reported crime, and that Roma are reluctant to report crime for that reason even though they experience it, especially since the start of Brexit campaign – re. the impact of Brexit. See:

The UK also has a facility for the online reporting of hate crime. True Vision¹⁶ is a police-funded web site designed to give out information about hate crime or incidents and how to report it. It includes a facility for reporting hate crime online as well as detailing other ways in which hate crimes can be reported. Two drawbacks with it are:

- There is no breakdown by ethnicity of the number of hate crimes reported
- Community members have reported that they find the site hard to navigate and the online reporting facility hard to use.

In addition to True Vision and third party reporting, NGOs have also been active in both encouraging GRT community members to report hate crime (e.g. the Traveller Movement's *#OperationReportHate*)¹⁷ and setting up a hate crime-reporting mechanism to make it easier for them to do so (Herts GATE's Report Racism Gypsy, Roma, Traveller website).¹⁸ The latter seeks to address the ease of use problems reported with regard to True Vision.

#OperationReportHate (which received funding from DCLG)¹⁹ directs those wishing to report a hate crime to either the Police or the Report Racism Gypsy, Roma, Traveller or True Vision websites.

Both True Vision and Report Racism GRT give details of organisations that can offer support specifically to GRT victims of hate crimes. All of those identified are NGOs that do not receive public funding for this work.

The EC has commented on the persistence of anti-Roma discrimination in the UK stating that "ensuring equality and non-discriminatory practices by service providers remain challenges to be addressed. Activities aimed at fighting stereotyping media coverage, prejudices against Roma and combating anti-Roma rhetoric and hate speech should be taken".²⁰

With regard to the media (and social media), the Advisory Committee on the Framework Convention for the Protection of National Minorities (Strasbourg, 27 February 2017) Found That:

"(p5) Certain sections of the media share responsibility in spreading intolerance and racially hostile narratives fuelling hate speech. Online hate speech is on the rise, in particular towards Muslims, while vilifying comments against Gypsies, Travellers and Roma are seldom firmly rejected".²¹

From an analysis of the press by the NGOs involved in preparing this report it is evident that in common with Gypsies and Travellers, the Roma continue to be targeted and vilified especially by the right-wing press. These communities have expressed considerable concern about the media acting as a catalyst for intolerance and discrimination. The use of racist language about GRT community members in the media endorses and promotes prejudice and discrimination.

<http://markansell.blogspot.co.uk/2016/09/roma-brexite.html?spref=tw> and
<http://www.migrationyorkshire.org.uk/userfiles/file/projects/roma-syorks/syr-2-roma-experiences-2017.pdf>

¹⁶ <http://www.report-it.org.uk/home>

¹⁷ <http://travellermovement.org.uk/operation-report-hate/>

¹⁸ <http://reportracismgrrt.com/>

¹⁹ <https://www.gov.uk/government/news/new-hate-crime-package-to-target-groups-at-need>

²⁰European Commission. *Assessing the implementation of the EU Framework for National Roma Integration Strategies and the Council Recommendation on Effective Roma integration measures in the Member States*. Available at: <http://www.reyn.eu/wp-content/uploads/2017/12/Effective-Roma-integration-measures-in-the-Member-States-in-2016.pdf>

²¹Advisory Committee on the Framework Convention For The Protection Of National Minorities. *Fourth Opinion on the United Kingdom adopted on 25 May 2016*. Available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806fb9ab>

It is also notable that the media coverage of Traveller issues is exacerbated by regular negative comments by local²² and national elected members on Traveller issues. GRT people are consistently presented in a negative light in the mainstream media. Evidence from online media monitoring indicates that the issue of Gypsy and Traveller accommodation (either regarding proposed new sites or Unauthorised Encampments)²³ dominates the majority of coverage.

The tabloid press has particularly targeted and vilified EU Roma citizens arriving in the UK.²⁴ They tend to apply negative stereotypes to the whole ethnic group and use emotive and sensationalist language. In terms of the printed media, GRT NGOs would like to see more action on the part of the Independent Press Standards Organisation in dealing with hate speech in the press. Point 12 of the Editor's Code of Practice states that:

"i) *The press must avoid prejudicial or pejorative reference to an individual's, race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability.*

ii) *Details of an individual's race, colour, religion, gender identity, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.*"²⁵

The former Press Complaints Commission supervised a code of practice, which made reference to racial offence but only considered complaints to be within its scope when the offensive words were used in relation to an *identified individual* who then themselves complained. Effectively this meant that the PCC never upheld any complaints on grounds of racial offence. The Editor's Code would appear to have the same weakness.

Successful complaints have been brought against the press, but these have been on "accuracy" grounds. As noted above, complaints to the press must be about a named individual rather than an ethnic group – as a result complaints are usually made on grounds of accuracy usually rather than discrimination. Social media are playing an increasing role in allowing hate speech to obtain a wider audience and, in some cases, lead to direct action against GRT communities.²⁶ The Crown Prosecution Service's "Guidelines on prosecuting cases involving communications sent via social media"²⁷ state, with regard to Social Media Hate Crime Offences, that:

"Prosecutors must also have regard to whether the offence was motivated by any form of discrimination against the victim's ethnic or national origin, gender, disability, age, religion or belief, sexual orientation or gender identity; or the suspect demonstrated hostility towards the victim based on any of those characteristics. The presence of any such motivation or hostility will mean that it is more likely that prosecution is required."

While the UK government has adopted policy measures to eliminate hate speech, a clearer strategy is therefore needed to take action against the media or individuals that incite discrimination and racism against Gypsy, Traveller and Roma communities and

2. ²² See, for example: "You can keep your f***** gypsies': Tory councillor suspended over offensive anti-Ireland Eurovision tweet", available at: <http://www.mirror.co.uk/news/politics/you-can-keep-your-f-10420001>, or "Execute Gypsy Travellers', says tory in middle of council meeting", available at: <https://politicalscrapbook.net/2014/10/tory-councillor-alan-mellins-calls-for-gypsy-travellers-to-be-executed/>.

²³ See, for example: <https://www.birminghammail.co.uk/news/local-news/walsall-travellers-council-ignored-calls-13747905> and <https://www.birminghammail.co.uk/news/midlands-news/birmingham-city-council-reveals-location-13344344>

²⁴ See, for example: <https://www.thesun.co.uk/news/2336124/locals-blast-crime-hit-sheffield-ghetto-where-6000-eastern-european-immigrants-have-settled-since-2012/>

²⁵ <https://www.ipso.co.uk/editors-code-of-practice/>

²⁶ For example, in August 2017, Facebook posts regarding an Unauthorised Encampment in Weston-super-Mare encouraged local people to march on the Unauthorised Encampment, included an image of a burning caravan, referred to the Travellers as an "infestation" and "'COMMUNITY' OF FREeloaders" [their capitals] and stated that "these groups are gangs of criminals causing fear in communities and damaged property and land in their wake. They are foul-mouthed, selfish and don't care how there [sic] actions affect others".

²⁷ <https://www.cps.gov.uk/legal-guidance/guidelines-prosecuting-cases-involving-communications-sent-social-media>

individuals. Both the European Court of Human Rights and the UN have drawn attention to the discrimination that Gypsy, Traveller and Roma people face in the UK. The media (including social media) needs to take urgent action to address discriminatory reporting on and comments against Gypsy, Traveller and Roma people and refrain from stereotyping. Any media (including social media) that incites direct or indirect discrimination, hatred or violence against these communities should be condemned and legal action needs to be taken against them or those responsible for the "hate speech".

Analysing and forming narratives and attitudes towards Roma

The Eurobarometer Discrimination Report for 2015²⁸ paints the UK in a comparatively favourable light with regard to attitudes to Roma. For example, the UK was rated third (behind only Spain and Sweden) in terms of the percentage of the population (79%) declaring themselves to be being comfortable or indifferent if one of their colleagues at work would be Roma and second (behind only Sweden) when it comes to feeling comfortable if one of one's children was in a love relationship with a Roma person (65%). While these are encouraging the issue of the interpretation of the UK interpretation of "Roma" (i.e. as excluding Gypsies and Travellers) should be noted. Also these findings do not reflect the lived experience of members of the community. As noted previously, there is widespread antigypsyism and stereotyping both on the part of the media and on the part of both local and national politicians and wider society. Indeed, a Traveller Movement/YouGov survey of October 2017²⁹ found that (with specific regard to Gypsies and Travellers rather than Roma):

- Only four in ten (41%) GB parents would be happy for their child having a "playdate" at the home of a child who is a Gypsy/ Traveller.
- Over one in ten (13%) GB adults think that pubs and restaurants in the UK should refuse Gypsies/ Travellers because they are a Gypsy/Traveller.
- 42% of GB adults said they would be unhappy with a close relative having a long-term relationship or marriage with a Gypsy/Traveller. This compares with 28%, 10% and 3% of GB adults would be unhappy with a close relative having a long-term relationship or marriage with a person who is a refugee/asylum seeker, Black Caribbean or White British respectively. Gypsy/Traveller was the only group out of those listed in which the "net unhappy" was larger than the "net happy".

Negative attitudes are commonplace, although more positive attitudes can emerge when work has been carried out to raise the awareness and knowledge of the wider community with regard to GRT communities. For example, work carried out with school pupils by GRT community members has found that responses to the term "Gypsy" include "sub-human", "dirty"; "thieving", "don't pay taxes" and "they stink".³⁰ It should, however, be pointed out that following awareness-raising sessions these views did change with pupils making the following comments:

- It made me reflect on my behaviour towards Gypsies and how I will view them from now on.
- Changed our common view and made us more aware of the problems they face.

Such work is, however, often done at the initiative of NGOs (or agencies such as the NHS,³¹ the Police, local authorities) and on an ad hoc basis. There is no systematic awareness-raising programme and no government funding for the work that has been carried out.

²⁸ SPECIAL EUROBAROMETER 437 "Discrimination in the EU in 2015" – downloadable from: <http://ec.europa.eu/COMMFrontOffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/SPECIAL/surveyKy/2077>

²⁹ <http://travellermovement.org.uk/wp-content/uploads/171002-v3-Summary-of-results.pdf>

³⁰ The Clearwater Gypsies (2012/13) Progress Report and Final report to the Esmee Fairbairn Foundation.

³¹ NHS has a leaflet on Roma culture (written by Roma Support Group) on their website <https://www.england.nhs.uk/wp-content/uploads/2016/07/roma-info-leaflet.pdf>.

RECOMMENDATIONS

1. As mainstream approaches have failed to facilitate equal opportunities for Gypsy, Traveller and Roma communities we recommend that the UK Government establish a National Roma Integration Strategy (as recommended by the European commission and exemplified by the Welsh Government).
2. EU structural funds have been allocated to the UK to support all disadvantaged people, including the 'Roma'. Targeted funding should be allocated to Gypsy, Traveller and Roma community organisations in order to build capacity and promote civic engagement with authorities. This will help to support the integration of the communities and ensure they have equal access to services and civil society.
3. Romany Gypsy, Irish Traveller and Roma categories need to be included in all service delivery and employment monitoring systems so that there is an effective way of measuring improvement.
4. A clearer strategy is needed to take action against the media or individuals that incite discrimination and racism against Gypsy, Traveller and Roma communities and individuals. The media needs to take urgent action to address the discriminatory reporting against Gypsy, Traveller and Roma people and refrain from stereotyping. Any media that incites direct or indirect discrimination, hatred or violence against these communities should be condemned and legal action needs to be taken against them.
5. A Review of recent changes in Legal Aid is needed. Cases including housing and immigration are in relation to some of the most vulnerable families and they have been left with little justice.

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