



**FRIENDS,
FAMILIES &
TRAVELLERS**

January 2023

**Written evidence for the 2023
Pre-Sessional Working Group
Report to the United Nations
Committee on Economic, Social
and Cultural Rights**

**Report compiled by:
Friends, Families and Travellers**

Introduction

The following submission presents evidence on upholding the rights of Gypsy, Roma and Traveller communities in England, under the framework of the Covenant on Economic, Social and Cultural rights. Our submission focuses on progress relating to the Committee's 2016 Concluding Observations, addressing the following areas of concern: accommodation provision and the criminalisation of nomadic lifestyles, access to healthcare and suicide prevention, education provision, and the energy crisis.

Accommodation and criminalisation

In the 2016 Concluding Observations¹ the Committee made the following recommendation:

“Ensure adequate access to culturally appropriate accommodation and stopping sites for the Roma, Gypsy and Traveller communities, as appropriate; take steps to avoid all forms of discrimination in the provision of accommodation...”

The State Party published their progress report in May 2022² and referenced a 40% increase in transit pitches between 2010 and 2020. However, the increase in transit pitches is relatively small, only 101 transit pitches over a 10-year period. We note that the State Party have failed to report on the provision of *permanent* pitches. Below (see next page) are the Government figures on permanent and transit pitch provision from the Caravan Counts (2010 and 2020).

¹<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmIBEDzFEovLCuW3XRinAE8KCBFqOHNz%2fvuC%2bTxEKAI18bzE0UfQhJkxxOSGuoMUxHGypYLjNFkwxnMR6GmqogLJF8BzscMe9zpGfTXBkZ4pEaigi44xqiL>

²https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fGBR%2f7&Lang=en

	January 2010 ³	January 2020 ⁴	% difference
Number of transit pitches	253	354	+ 39.9%
Number of permanent pitches	4665	4149	- 11.1%
Total number of pitches	4918	4503	- 8.4%

The figures on socially-rented permanent pitches show there has been a decrease of 516 pitches. The January 2022 Caravan Count recorded 2,892 caravans with no place to stop, defining these households as statutorily homeless⁵.

Gypsy and Traveller families have no place they are permitted to stop because of the chronic, national shortage of Gypsy and Traveller sites in the England^{6,7}, which persists despite the existence of a national policy for site provision⁸. There is both a lack of will from local authorities to accommodate Gypsy and Traveller communities and a lack of accountability from central Government on site provision policies^{9,10}.

On 20th March 2022, the Government announced a £10 million Traveller Site Fund¹¹, available for use in the 2022/23 financial year, for local authorities to enter bids up until the 13th June 2022 for building new transit and permanent sites/pitches and temporary stopping places, and for the refurbishment of existing sites. Whilst ring-fenced funding is welcome, three months is a limited timeframe and £10 million is a drop in the ocean when addressing national need. It will do very little to meaningfully address the site shortage.

³ <https://www.gov.uk/government/statistics/gypsy-and-traveller-caravan-count-january-2010>

⁴ <https://www.gov.uk/government/statistics/traveller-caravan-count-january-2020>

⁵ <https://www.gov.uk/government/statistics/traveller-caravan-count-january-2022>

⁶ <https://www.gypsy-traveller.org/wp-content/uploads/2017/12/Lack-of-increase-in-affordable-pitches-report-Dec-2017-FINAL.pdf>

⁷ <https://raceequalityfoundation.org.uk/wp-content/uploads/2018/02/Housing-Briefing-26.pdf>

⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf

⁹ <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2019-01-10/HL12767/>

¹⁰ <https://www.gypsy-traveller.org/wp-content/uploads/2016/12/Five-Year-Supply-Research-Findings-Statement-FINAL.pdf>

¹¹ <https://www.gov.uk/government/publications/traveller-site-fund-202223-prospectus/traveller-site-fund-202223-prospectus>

In 2015 the planning definition of Gypsies and Travellers was changed so that Gypsies and Travellers who had ceased to travel for any reason would not be counted as needing a Traveller pitch in the assessment of accommodation need. So, Gypsies and Travellers who have lived in a caravan all their life but cannot travel any more due to illness, disability, caring responsibilities or old age are no longer assessed as having a need for a Traveller pitch. Research carried out by the Equalities and Human Rights Commission in 2019¹² on the impact of the definition change found that across 20 local planning authorities, the pre-2015 total requirement was for 1,584 further pitches. After the revised definition was introduced, the assessed need fell to just 345. The definition was challenged in 2022 in the [Court of Appeal](#)¹³ and found to be unlawfully discriminatory. In the hearing on 29th-30th June 2022, the Court of Appeal ruled that, *“the nature of the discrimination...was the negative impact on those Gypsies and Travellers who had permanently ceased to travel due to old age or illness, but who lived or wanted to live in a caravan. This discrimination was inextricably linked to their ethnic identity.”*

In terms of enforcement against those families who have no place to stop in their caravans, the Government have introduced new legislation which came into force on the 28th of June 2022 (see amended Criminal Justice and Public Order Act 1994¹⁴) which actively targets Gypsy and Traveller families through criminalising homelessness and those pursuing cultural traditions. This new legislation gives police stronger powers to evict families, to seize the vehicles/homes of families, issue fines of £2500 and arrest and imprison them. This is a direct threat to the nomadic way of life and the cultural practices of Gypsy and Traveller people.

The experience of constant evictions and criminalisation, has a knock-on effect on mental and physical health, with access to education and healthcare disrupted. The State’s approach to the culturally appropriate accommodation needs of Gypsy and Traveller communities is not compatible with Article 11 of the Covenant.

Recommendations

- Local and national government should switch from an enforcement approach to encampments to an approach of provision, including permanent and transit

¹² <https://www.equalityhumanrights.com/en/publication-download/gypsy-and-traveller-sites-revised-planning-definition%E2%80%99s-impact-assessing>

¹³ See full judgement: *Smith v Secretary of State for Levelling Up, Housing & Communities & Anor* [2022] EWCA Civ 1391

¹⁴ <https://www.legislation.gov.uk/ukpga/1994/33/contents>

sites and the promotion and adoption of negotiated stopping agreements¹⁵ across the country.

- The Government should reintroduce pitch targets and a statutory duty onto local authorities to meet the assessed need for Gypsy and Traveller sites.
- The Government should urgently review the *Smith v Secretary of State for Levelling up, Housing & Communities* judgment and adopt a definition of a Traveller in planning terms that incorporates all Gypsies and Travellers who need a pitch to live on.

Adequate housing and the cost of energy

A growing concern is the impact of the energy price crisis for Gypsies and Travellers living in caravans (on sites and roadside camps). Arrangements for energy use are often different to those living in bricks and mortar accommodation and the subsequent inflated costs have long been an issue for Gypsy and Traveller households. The energy costs crisis will compound the experience of fuel poverty for these households, who face other impacts from a wider cost-of-living crisis.

Friends, Families and Travellers conducted [research into energy access and costs](#), for Gypsies and Travellers living in caravans. The research found that on 97% of the Gypsy and Traveller local authority sites in the South-East of England, there was no access to mains gas, forcing families to purchase gas bottles, which are comparatively far more expensive. Given the most recent gas bottle prices, Gypsies and Travellers could be paying anywhere from £184 up to £589 a month on gas alone in winter 2022. Other key findings include a disproportionate number of Gypsy and Traveller families on prepayment meters, and lack of freedom to choose electricity supplier. Many Gypsy and Traveller families have also been excluded from the Government Energy Bills Support scheme £400 grant, due to the way the scheme is designed¹⁶. The lack of action from the Government to ensure adequate access to affordable energy for Gypsies and Travelers living in caravans, conflicts with Article 11 of the Covenant.

¹⁵ <https://www.negotiatedstopping.co.uk/>

¹⁶ To access the grant, households need to have a direct contract with an electricity provider, which excludes some living on local authority sites, private sites, and all those living on roadside camps.

Recommendation

- Government and local authorities should review and address fuel poverty and energy access on Gypsy and Traveller sites.

Access to healthcare

In the 2016 Concluding Observations the Committee recommended:

“the State party take steps to ensure that temporary migrants and undocumented migrants, asylum seekers, refused asylum seekers, refugees and Roma, Gypsies and Travellers have access to all necessary health-care services and reminds the State party that health facilities, goods and services should be accessible to everyone without discrimination...”

The State Party report states:

“Everyone living in the UK is entitled to register and consult with a General Practitioner (GP) free of charge, including temporary and undocumented migrants, asylum seekers, refused asylum seekers, Travellers....”

However, access to primary care through GPs continues to be an issue for Gypsies and Travellers. Friends, Families and Travellers carried out research between March and April 2021 by ‘mystery shopping’ 100 GP surgeries. The findings show that 74 of these GP surgeries broke NHS England guidance by refusing to register the mystery shopper because they were unable to provide proof of identity, proof of fixed address or register online¹⁷.

Gypsy and Traveller people have life expectancies between ten and 25 years less than the general population and experience a significantly higher prevalence of long-term illness, health problems or disabilities, which limit daily activities or work¹⁸. One of the key issues for Gypsy and Traveller health is access to primary care.

¹⁷ <https://www.gypsy-traveller.org/news/locked-out-74-of-gps-refused-registration-to-nomadic-patients-during-covid-19-pandemic/>

¹⁸ <https://www.equalityhumanrights.com/en/gypsies-and-travellers-simple-solutions-living-together>

Although Government have taken some steps to address this issue, as outlined in the 2022 State report, ultimately, these actions have not been effective enough to change the outcomes of longstanding issues with refused registration.

In terms of mental health, the Committee recommended in 2016:

“that the State party ensure the effective implementation of the duty introduced by the Health and Social Care Act 2012 and allocate sufficient resources to the mental health sector. The Committee urges the State party to continue its efforts to guarantee the effective implementation of the mental health legislation in all jurisdictions of the State party and to ensure the accessibility, availability and quality of mental health care, including for persons in detention.”

Gypsies and Travellers however, continue to experience disproportionately high suicide rates compared with the general population, along with high instances of poor mental health. According to the All-Ireland Traveller Health Study, the suicide rate for members of the Irish Traveller community is six to seven times higher than the general population¹⁹. Anecdotally, we believe there is a similar crisis with high levels of suicide in England. In addition to this, a study found that Gypsies and Travellers are nearly three times more likely to be anxious than others and just over twice as likely to be depressed, with women twice as likely as men to experience mental health problems²⁰

Despite the significant inequalities in relation to mental health and suicide within Gypsy and Traveller communities, research conducted by Friends, Families and Travellers in 2020 shows that of 89 local suicide prevention plans representing 110 local areas in England, only 5 mention Gypsy and Traveller communities. Of these 5, only 2 list any action to address the high suicide rate in their local Gypsy and Traveller communities²¹. Despite the fact that Gypsy and Traveller communities are at high risk of poor mental health, members of Gypsy and Traveller communities are often missed out by whole population approaches to prevent poor mental health.

¹⁹ <https://www.gov.ie/en/publication/b9c48a-all-ireland-traveller-health-study/>

²⁰ Parry et al (2007) 'Health status of Gypsies and Travellers in England'. J Epidemiol Community Health. 2007 Mar; 61(3): 198–204.

²¹ <https://www.gypsy-traveller.org/wp-content/uploads/2020/10/Suicide-Prevention-Report-FINAL.pdf>

Gypsies and Travellers in England have not been able to access the right to the enjoyment of the highest attainable standard of physical and mental health, which conflicts with Article 12 of the Covenant.

Recommendations

- NHS England and NHS Improvement should develop a national and local accountability framework for GP registrations, in partnership with the Care Quality Commission and the voluntary sector.
- Gypsy and Traveller communities should be listed as a high-risk group in the national suicide prevention plan, with actions identified to address this inequality.

Education inequalities

The Committees 2016 Concluding Observations included the following recommendation:

“The Committee recommends that the State party take all necessary measures to reduce the attainment gaps, particularly among children belonging to low-income families, including by reconsidering the austerity program adopted and effectively implementing measures aimed at reducing de facto discrimination and segregation of students based on their religion, national or social origin, as well as their economic background.”

The State Party reported in 2022, investment in “...GRT education areas and catch-up tutoring, to improve educational attainment and pathways to education and employment for GRT children and young people.”

The investment refers to a £1 million education fund, announced in July 2021. The scheme aims to reach 150 schools and 600 pupils and whilst this is a welcome initiative, it is vital to have a broader set of measures to reach pupils in schools who are not part of these funded programmes.

Gypsy, Roma and Traveller pupils continue to have the lowest education attainment at all key stages up to and including KS4, compared with all other ethnic groups in the UK. The most recent Government statistics on educational outcomes for Gypsies, Roma and Travellers show:

- In the 2018 to 2019 school year only 19% of Gypsy/Roma²² pupils and 26% of Irish Travellers met the expected standard in key stage 2 reading, writing and maths for 10 to 11 year olds (compared to 65% of all)²³.
- In the 2020 to 2021 school year, only 9.1% of Gypsy/Roma pupils got a grade 5 or above in GCSE English and maths, and 21.1 % of Irish Travellers (compared to 51.9% for all)²⁴.
- Gypsy, Roma and Traveller children have amongst the highest rate of exclusions out of any ethnic group in the UK. In the 2020 to 2021 school year Gypsies/Roma had a suspension rate of 15%, and Irish Travellers of 11.22% - the highest rates out of all ethnic groups. Gypsy/Roma pupils also had the highest school permanent exclusion rates in the same school year²⁵.

The stark educational inequalities experienced by Gypsy, Roma and Traveller children conflict with Article 13 of the Covenant.

Recommendations

- The Government should develop and publish the promised cross departmental Strategy to tackle the inequalities experienced by Gypsy, Roma and Traveller communities, with educational outcomes firmly embedded in the Strategy.
- The Government should re-introduce ring-fenced targeted funding for local authorities across the country, to ensure Gypsy, Roma and Traveller children can be supported to access and maintain education (as formerly existed through a network of Traveller Education Services).
- The Government should implement the Council of Europe recommendation of July 2020 that Gypsy, Roma and Traveller history and culture, including the Holocaust, is on the school curriculum.
- The Office for Standards in Education, should ask specific questions about the attainment of Gypsy, Roma and Traveller children in their inspections.

²² The Department of Education group Romany Gypsies and Roma under the same ethnic category in their monitoring.

²³ <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/7-to-11-years-old/reading-writing-and-maths-attainments-for-children-aged-7-to-11-key-stage-2/latest#by-ethnicity>

²⁴ <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/11-to-16-years-old/a-to-c-in-english-and-maths-gcse-attainment-for-children-aged-14-to-16-key-stage-4/latest>

²⁵ <https://explore-education-statistics.service.gov.uk/find-statistics/permanent-and-fixed-period-exclusions-in-england>

About us

Friends, Families and Travellers is a leading national charity that works on behalf of all Gypsies, Roma and Travellers regardless of ethnicity, culture or background.

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