



**FRIENDS,
FAMILIES &
TRAVELLERS**

July 2024

**Submission to the Committee on the Elimination
of Racial Discrimination (CERD) on the rights of
Gypsies, Roma and Travellers in the United
Kingdom in preparation for the state
examination**

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**Report compiled by:
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About us

Friends, Families and Travellers is a leading national charity that working with Gypsies, Roma and Travellers regardless of ethnicity, culture or background.

Supporting organisations

This report has been endorsed by the following six civil society organisations working with Gypsies, Roma and Travellers.

Traveller Space is a registered charity supporting Gypsies, Irish Travellers and New Travellers in Cornwall and the South West.

Gypsy and Traveller Empowerment Hertfordshire is a community led organisation supporting Gypsies and Travellers in Hertfordshire.

Gypsy, Roma, and Traveller Friendly Churches helping Gypsies, Roma and Travellers to find welcome, support, mutual hospitality and learning in Churches

Southwark Travellers Action Group is a community organisation for Gypsies, Roma and Travellers based in Southwark.

Leeds Gypsy & Traveller Exchange is a grassroots organisation led by Gypsy and Traveller people in partnership with others in and across West Yorkshire.

Roma Support Group works with East European Roma refugees and migrants in the UK.

Introduction

The following evidence supersedes a previous joint submission from July 2021 sent to the Committee. Evidence is provided regarding the UK Government's actions, or lack thereof, to ensure that the rights of Gypsy, Roma and Traveller people¹ are upheld in line with the Articles contained within the Convention on the Elimination of Racial Discrimination.

Gypsy, Roma and Traveller communities experience high levels of race hate, contributing to and exacerbating inequalities. The submission focuses on previous recommendations from the Committee, covering the following areas: the need for a national strategy to address the inequalities experienced by Gypsy, Roma and Traveller communities; race hate crime and monitoring; discriminatory political discourse; the role of the media in fuelling race hate speech and crime; the overrepresentation of Gypsies, Roma and Travellers in prison; race hate in education and attainment; lack of site provision, and the introduction of tougher police powers for eviction; accessibility of the European Union Settlement Scheme for Roma; barriers to accessing to healthcare.

The submission highlights a failure of the UK Government to comply with the following Articles:

Article 2 'condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all-races.'

Article 4 'condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination.'

Article 5 'prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following

¹ Romany Gypsies, Irish Travellers, Roma, and Scottish and Welsh Gypsy Travellers are all recognised ethnic groups under the Equalities Act 2010 in the UK

rights...the right to housing, public health, medical care and education, free from discrimination.

Article 6 ‘assure... effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.’

Recommendations are included to address the issues outlined.

The need for a national strategy to address systemic racism and discrimination

In 2016 the Committee recommended the UK; ‘Develop a comprehensive strategy, in consultation with members of Gypsy, Traveller and Roma communities, to ensure a systematic and coherent approach in addressing the challenges that members of these communities continue to face in the fields of health, education, housing and employment, and ensure its effective implementation by adopting specific action plans, putting in place effective oversight and monitoring mechanisms to track progress, and providing adequate human and financial resources.’

Gypsies, Roma and Travellers experience stark inequalities across a range of areas and there is a need for a coherent, national strategy to address these issues².

Despite the Government announcing its commitment to developing a cross-departmental strategy in 2019³, they have failed to deliver on this. Steps to address structural inequalities faced by Gypsies, Roma and Travellers remain ad-hoc and piecemeal, lacking monitoring and accountability mechanisms⁴.

The Government’s lack of action with regard to the implementation of a cross-departmental strategy is in conflict with Article 2 and 5 of the Convention.

² Women and Equalities Committee (2019) <https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/360/full-report.html>

³ UK Government (2019) <https://www.gov.uk/government/news/new-national-strategy-to-tackle-gypsy-roma-and-traveller-inequalities>

⁴ Hansard debate (2022) <https://hansard.parliament.uk/lords/2022-06-27/debates/64DECF35-4DED-4D0A-B198-7D3FB715D2F6/RomaCommunityLevellingUp#contribution-36C167AE-9700-44A9-8F57-91D5B3621A3E>

Recommendation

The UK Government should take steps to fulfil their commitment to implement a cross-departmental strategy to tackle entrenched inequality and improve the lives of Gypsy, Roma and Traveller communities. This must include all key social indicators/policy areas and must have specific, measurable outcomes with coherent data collection.

Race hate

The extent of racial prejudice towards Gypsy, Roma and Traveller people in the UK is well evidenced. The Equality and Human Rights Commission (EHRC) found that people expressed openly negative feelings towards Gypsy, Roma and Traveller people at a significantly higher rate (44%) compared with other protected characteristic groups⁵.

A YouGov poll commissioned by Friends, Families and Travellers in 2021⁶ found that, of those surveyed:

- 45% of people would be uncomfortable with a Gypsy or Traveller person moving next door to them.
- 38% of people would be uncomfortable with their child meeting up with a Gypsy or Traveller child at their home.
- 33% of people would be uncomfortable with a family member marrying a Gypsy or Traveller person.

34% of people would be uncomfortable having a Gypsy or Traveller person in their home, in either a social setting or as a tradesperson. Numerous research studies have sought to highlight the extent of hate crimes/incidents committed against Gypsy, Roma and Traveller people:

- Research from GATE Herts in 2020 found 78% of their survey respondents said that incidents of hate speech/crime happen very often⁷.

⁵ EHRC (2019) <https://www.equalityhumanrights.com/sites/default/files/national-barometer-of-prejudice-and-discrimination-in-britain-executive-summary.pdf#%3A%7E%3Atext%3DThis%20is%20the%20first%20national%20survey%20of%20prejudice%2Csexual%20orientation%2C%20pregnancy%20and%20maternity%2C%20and%20gender%20reassignment>

⁶ Friends, Families and Travellers (2021) <https://www.gypsy-traveller.org/news/yougov-research-highlights-prejudice-against-gypsies-and-travellers-in-the-uk/>

⁷ GATE Herts (2020) <https://gateherts.org.uk/wp-content/uploads/2020/12/Rain-Report-201211.pdf>

- A report by Traveller Movement found that police officers from 45 police forces in England, Scotland and Wales considered hate crime to be the most common issue Gypsy, Roma and Traveller people report to the police⁸.
- The Centre on the Dynamics of Ethnicity 2023 study found 62% of research participants in the Gypsy/Traveller category had experienced racist assault⁹.
- The Centre on the Dynamics of Ethnicity 2023 study also found 47% of Roma people had been racially assaulted (35% of which involved a physical attack)¹⁰.

An evaluation of submissions to the ‘Report Racism GRT’ reporting website, ‘*Recognise, Report, Resolve*’, found that the majority of Gypsies and Travellers who reported through the site were reluctant to report these crimes to the police¹¹. The most common reason given was a lack of confidence that the police would act. Decades of over-policing has resulted in a longstanding mistrust of the police and other elements of the criminal justice system amongst Gypsy, Roma and Traveller communities.

Reporting and monitoring of race hate crime/incidents

In 2016 the Committee recommended the UK; ‘...*Systematically collect disaggregated data on hate crimes, ensure that measures to combat racist hate crimes are developed with the meaningful participation of groups affected, and undertake a thorough impact assessment of the measures adopted, in order to ensure their continued effectiveness...*’

Police-recorded hate crime for the year ending March 2023 confirmed 101,906 racially motivated hate crimes¹². However, national datasets do not disaggregate ethnicity data, meaning the true extent of race hate crimes committed against Romany Gypsy, Roma and Irish Traveller’s is concealed.

⁸ Traveller Movement (2018) <https://wp-main.travellermovement.org.uk/wp-content/uploads/2021/09/Policing-by-Consent-Report-long.pdf>

⁹ Finney *et al* (2023) <https://bristoluniversitypressdigital.com/edcollbook-oa/book/9781447368861/9781447368861.xml>

¹⁰ Ibid

¹¹ Gate Herts (2018) <https://gateherts.org.uk/wp-content/uploads/2021/10/Recognise-Report-Resolve.pdf>

¹² Gov.uk (2023) <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2022-to-2023/hate-crime-england-and-wales-2022-to-2023>

Hate speech in the media

In 2016 the Committee recommended that the UK; ‘...*Take effective measures to combat racist media coverage...combating racist hate speech, and ensure that such cases are thoroughly investigated, and where appropriate, that sanctions are imposed.*’

The EHRC’s 2016 ‘*Is England Fairer*’ report¹³ outlined numerous examples where UK media used prejudicial or pejorative references, or promoted bias, racism, and stereotyping. There has been a failure of regulatory bodies in dealing with instances of hate speech against Gypsies, Roma and Travellers. For example, the Channel 4 programme (April 2020), ‘*Dispatches: The Truth About Traveller Crime*’, encouraged hate towards Gypsy and Traveller people and reinforced false stereotypes. Over 7,000 people complained and Ofcom, the UK’s communications regulator, launched an investigation in May 2020 which took 503 days to complete, but found no breaches of the [code of broadcasting](#)¹⁴.

A 2021 article in the national newspaper, the Times, titled ‘*It’s time we stopped pandering to Travellers*’ called for the removal of special protections afforded under the Equality Act 2010 for Romany Gypsy and Irish Traveller communities. Existing mechanisms for challenging discrimination in UK print media through the Independent Press Standards Organisation (IPSO) are ineffective and inefficient, with the process for addressing discrimination being so lengthy that millions of people are able to read an article before it is amended or taken down. Inflammatory press pieces are also frequently accompanied by a comments section, which creates a forum for people to express hateful views against Gypsy, Roma and Traveller people.

In 2021, Netflix aired Jimmy Carr’s ‘*His Dark Material*,’ in which the comedian made a joke describing the deaths of ‘thousands of Gypsies’ during the Holocaust as a ‘positive.’ Netflix’s approval and funding of this material legitimises and perpetuates discrimination and racism against Gypsy, Roma and Traveller communities. This incident also highlights the lack of sufficient regulation of streaming services.

¹³ EHRC (2016) <https://www.equalityhumanrights.com/sites/default/files/is-england-fairer-2016-most-disadvantaged-groups-gypsies-travellers-roma.pdf>

¹⁴ The Guardian (2024) <https://www.theguardian.com/world/2021/sep/01/ofcom-accused-of-institutional-racism-over-dispatches-traveller-episode>

The role of elected officials in fuelling prejudicial views and hate speech

In 2016 the Committee recommended the UK; *‘...adopt comprehensive measures to combat racist hate speech and xenophobic political discourse, including on the Internet, particularly with regard to the application of appropriate sanctions, and ensure that public officials not only refrain from such speech but also formally reject hate speech and condemn the hateful ideas expressed, so as to promote a culture of tolerance and respect...’*

Hostile and prejudicial language is frequently used among public officials against Gypsy, Roma and Traveller communities. This normalises and legitimises race hate towards Gypsy, Roma and Traveller people. Examples of the nature of language used by members of parliament include:

- *‘These people think the normal rules of civilised society do not apply to them.’*
- *‘...a big Traveller problem.’*
- *‘...an expensive menace...’*
- *‘...people in the UK who repeatedly suffer from being besieged by Gypsy and Traveller communities.’*
- *‘This year Surrey has been particularly plagued by groups who descend on open land’.*

‘HOPE not hate’ polled 521 Conservative Party members in February 2024 and found that 49% held negative views of ‘Roma/Travellers’¹⁵. There is a lack of accountability and absence of effective recourse to challenge such prejudicial language. For example, Friends, Families and Travellers submitted nine complaints regarding discriminatory language used by Conservative Party members of parliament between 2018-2021. Every one of these complaints were dismissed on the following grounds: *‘The Code of Conduct states: ‘In no way should anything in this Code interfere with an elected representative carrying out his or her duties and exercising his or her judgement in relation to his or her work . . .’*

The Government has failed to take steps to effectively address racial incitement and inflammatory language against Gypsies, Roma and Travellers in the media and among elected officials. There is a lack of trust among Gypsy, Roma and Traveller

¹⁵ HOPE not hate (2024) <https://hopenothate.org.uk/2024/02/28/press-release-polling-conservative-party-members-2024/>

communities in reporting hate incidents/crimes and ethnic monitoring of these crimes are not disaggregated and therefore, there is no national data on these hate crimes. The lack of action from Government to address these issues are in conflict with Article 2, 4 and 6 of the Convention.

Recommendations

- The UK Government and police forces should disaggregate their data on hate crimes/incidents using separate categories for Romany Gypsies, Roma, and Irish Travellers.
- The Government must take steps to ensure police forces build trust and confidence among Gypsy, Roma and Traveller communities by improving their responses to complaints of crime, including hate crime.
- The UK Government and political parties should take steps to address discriminatory political discourse surrounding Gypsies, Roma and Travellers as part of a wider plan to address race hate against Gypsy, Roma and Traveller communities.
- The UK Government should take steps to address racist media coverage and hate speech in the media, ensuring investigation are carried out with appropriate sanctions.

Overrepresentation of Gypsies, Roma and Travellers in the prison system

In 2016 the Committee recommended that the UK; *'ensure that the overrepresentation of black people and people belonging to ethnic minority groups at all stages of the criminal justice system... is thoroughly investigated, and that it take concrete measures to effectively address racial prejudice and bias in the criminal justice system.'*

The 2017 Lammy review highlighted the stark overrepresentation of Gypsies and Travellers in the prison system; *Gypsies, Roma and Irish Travellers represent just 0.1% of the wider population, they [Romany Gypsies and Irish Travellers] are estimated to account for 5% of male prisoners*¹⁶. However, these figures are

¹⁶ Lammy (2017)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf

estimates as there is no standard monitoring system across the criminal justice system which disaggregates data for Romany Gypsies, Roma and Irish Travellers.

In response to the Lammy review, the Government announced it would ‘*review the potential further breakdown of data for this [Gypsies and Travellers] ethnic group as new data becomes available with the new criminal justice system data standard capture system 18+1.*’¹⁷ However, in the 2022 statistics on Ethnicity and the Criminal Justice System¹⁸, ethnicity data is still not disaggregated nationally and therefore, Romany Gypsy, Roma and Irish Traveller prisoners are included in the ‘any other white background’ category.

There are more recent figures available for individual prisons which show the percentage of prisoners who identify as Gypsy or Irish Traveller. For example: HMP Peterborough 2.4%¹⁹, HMP Bedford 2.6%²⁰, HMP Highpoint 2.9%²¹, HMP Littlehey 2.28%²². When these figures are compared with the national 2021 Census data on the Gypsy and Traveller population, there is an indication of significant overrepresentation, given that just 0.12% of the population identify as Gypsy or Irish Traveller²³.

The UK Government has failed to implement effective national ethnic monitoring of Gypsies, Roma and Travellers in the criminal justice system; therefore no

¹⁷ Ministry of Justice (2017)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/669206/Response_to_David_Lammy_Review.pdf

¹⁸ Ministry of Justice (2022)

https://assets.publishing.service.gov.uk/media/65b22b781702b1000dcb126d/Statistics_on_Ethnicity_and_the_Criminal_Justice_System_2022.pdf

¹⁹ HMP Peterborough (men) (2024) <https://cloud-platform->

[e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/04/MIS-Adult-HMP-Establishments-Population-Breakdown-2-1.pdf](https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/04/MIS-Adult-HMP-Establishments-Population-Breakdown-2-1.pdf)

²⁰ HMP Bedford (2024) <https://cloud-platform->

[e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/03/OFFICIAL-SENSITIVE-Bedford-lists.pdf](https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/03/OFFICIAL-SENSITIVE-Bedford-lists.pdf)

²¹ HMP Highpoint (2024) <https://cloud-platform->

[e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/03/MIS-Adult-HMP-Establishments-Population-Breakdown-2-2.pdf](https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/03/MIS-Adult-HMP-Establishments-Population-Breakdown-2-2.pdf)

²² HMP Littlehey (2023) <https://cloud-platform->

[e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/02/Population-Statistics.pdf](https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/02/Population-Statistics.pdf)

²³ Census (2021)

<https://cy.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/gypsyoririshtravellerpopulationsenglandandwales/census2021#:~:text=In%20the%202021%20Census%2C%20.12%25%20%2871%2C440%29%20of%20the,in%20England%20and%205.1%25%20%283%2C630%29%20lived%20in%20Wales.>

investigation has been carried out on the overrepresentation of Gypsies, Roma and Travellers in prison, in conflict with Articles 2, 5 and 6 of the Convention.

Recommendations

- The Government should ensure that criminal justice system agencies use separate ethnic group categories in their monitoring systems for Romany Gypsies, Roma, and Irish Travellers.
- The Government should carry out a full investigation into the overrepresentation of Gypsies, Roma and Travellers in prison and take steps to address racial bias and discrimination.

Discrimination and exclusion in education settings

In 2016 the Committee recommended that the UK; *‘Strengthen efforts to eliminate all racist bullying and harassment in the State party’s schools, including by requiring schools to collect qualitative and quantitative data on bullying and exclusions from school on the grounds of race, colour, descent, or national or ethnic origin, and to use the data to develop concrete strategies.’*

Education outcomes

Gypsy, Roma and Traveller pupils have the lowest educational attainment, at all key stages up to and including KS4, of any ethnic group in the UK²⁴:

- In the 2021 to 2022 school year, only 15% of ‘Gypsy/Roma’ pupils and 16% of ‘Irish Traveller’ pupils met the expected standard in KS2 reading, writing and maths combined for 10- to 11-year-olds (compared to 59% of all).
- In the 2021 to 2022 school year, only 8.5% of ‘Gypsy/Roma’ pupils got a grade 5 or above in GCSE English and Maths, and 14.4% of ‘Irish Travellers’ (compared to 49.8% for all).
- ‘Gypsy/Roma’ (67%) and ‘Irish Traveller’ (72%) pupils were the least likely to stay in education after GCSE’s.

²⁴ Gov.uk <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/>

Racially motivated bullying

The factors which influence education outcomes are complex and must be understood within the context of discrimination and exclusion. Many Gypsy, Roma and Traveller children experience racist bullying and prejudicial treatment within educational institutions. A survey conducted by Friends, Families and Travellers in 2019²⁵ asked Gypsy, Roma and Traveller young people what the biggest challenge they faced in school was. 86% of pupils reported the biggest challenge at school is bullying, followed by racism at 73%.

In research with the Anti-Bullying Alliance²⁶ the experiences of Gypsy, Roma and Traveller young people in school were brought to the fore:

- Being negatively labelled, judged and having presumptions made about them being troublemakers, or not willing to learn.
- Being treated differently from other pupils and unable to access additional support when they needed it.
- Racist and offensive language about Gypsy, Roma and Traveller people and communities went unchallenged.
- Not being believed when they reported bullying.
- Presumptions being made about them having a tendency to bully others.
- Feeling they had to retaliate or hide that they are Gypsy, Roma or Traveller.
- Assumptions that no action would be taken to respond to bullying or prevent it.

Exclusions

Experiences of racist bullying within the learning environment affects education attainment negatively, and is also linked with high exclusion rates. The Office of the Children's Commissioner's School Exclusions Inquiry²⁷ outlined the high rates of wrongful exclusion of Gypsy, Roma and Traveller children, stating:

'Success rates of appeals give a reasonable proxy measure indicating that, for whatever reason, a school has made a mistake in deciding to exclude a pupil..., for

²⁵ Friends, Families and Travellers (2019) <https://anti-bullyingalliance.org.uk/sites/default/files/uploads/attachments/GRT%20report%20FINAL%20rebranded.pdf>

²⁶ Friends, Families and Travellers & Anti-bullying Alliance (2020) <https://anti-bullyingalliance.org.uk/sites/default/files/uploads/attachments/GRT%20report%20FINAL%20rebranded.pdf>

²⁷ Office of the Childrens Commissioner School Exclusions inquiry (2012) <https://assets.childrenscommissioner.gov.uk/wpuploads/2017/07/They-never-give-up-on-you-final-report.pdf>

Gypsy and Roma Traveller and Irish Traveller children, who are the most likely ethnic group in the system to be excluded, 100 per cent of appeals were successful.'

For the 2021-2022 school year, the Government data shows that 'Gypsies/Roma'²⁸ and 'Irish Travellers' had the highest rates of suspension and permanent exclusion compared with other ethnicities. The suspension rate by ethnicity for 'all' was 6.91 compared with 25.63 for 'Gypsy/Roma' pupils and 19.34 for 'Irish Traveller' pupils^{29,30}. The rates of permanent exclusion for 'all' were 0.08, compared with 0.31 for Gypsy/Roma and Irish Travellers³¹.

Culturally inclusive curriculum

Many schools do not include Gypsy, Roma and Traveller cultures and histories in their teaching, even neglecting to include European Roma and Sinti people as targets of the Holocaust. Including the histories of Gypsy, Roma and Traveller communities in the school curriculum and celebrating Gypsy, Roma and Traveller History Month in June, would contribute to a wider understanding that the communities are an integral part of both national and European societies.

There is little representation of Gypsy, Roma and Traveller people in books used in schools, highlighted by a 2020 Council of Europe research project on 20 European countries, which showed the UK as joint lowest on coverage of Roma in school textbooks³². The inclusion of positive narratives about Gypsy, Roma and Traveller communities is a crucial component to creating a welcoming learning environment for these pupils. The Government have failed to address the disproportionate exclusion rates and race-based bullying experienced by Gypsy, Roma and Traveller pupils, in conflict with Article 2 and 5 of the Convention.

²⁸ The Department of Education report on ethnicity in schools under the categories of 'Romany Gypsy/Roma' and 'Irish Traveller'.

²⁹ Rates are calculated using the number of pupils in January each year and the number of suspensions in the whole school year. For example, a suspension rate of 11.22% is the equivalent of 1,122 suspensions for every 10,000 pupils

³⁰ <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/absence-and-exclusions/pupil-exclusions/latest/>

³¹ <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/absence-and-exclusions/permanent-exclusions/latest/>

³² Council of Europe (2020) <https://www.coe.int/en/web/roma-and-travellers/-/publication-of-the-analytical-report-on-the-representation-of-roma-in-european-curricula-and-textbooks?msclid=1e04ffa9c0a911ec84e79f19edd70b27>

Recommendations

- Gypsy, Roma and Traveller histories and cultures should be included across the national curriculum.
- The UK Government should reintroduce ring-fenced funding for Traveller Education Services to create a more inclusive environment and improve education attainment for Gypsy, Roma and Traveller pupils.
- The UK Government should take steps to address the high exclusion rates experienced by Gypsy, Roma and Traveller pupils.
- The UK Government should take steps to address racial bullying throughout educational institutions.

Site provision and eviction powers

Site provision

In 2016 the Committee recommended that the UK; *‘Ensure the provision of adequate and culturally appropriate accommodation and stopping sites as a matter of priority throughout the State party and regularly publish the net increase of pitches for Gypsies and Travellers created through the Traveller Pitch Fund.’*

There is a chronic shortage of Gypsy and Traveller sites, which the Government has failed to address. According to the Government Caravan Count figures, between January 2013 and January 2023 there was an increase in transit provision of 177 pitches and a decrease of 240 permanent pitches³³. The increase in transit provision is welcome but does little to address the existing need. The 2023 July Caravan Count found 3,531 caravans without a place to stop³⁴.

The Government’s ‘Planning Policy for Traveller Sites’, requires local planning authorities (LPA’s) in England, to identify a 5-year supply of land for Gypsy and Traveller pitches to be built. However, a recent research report, ‘Kicking the can down the road,’³⁵ found that out of the 100 planning authorities which formed part of the research, 64% had failed to allocate sites as part of their development process. Furthermore, the report found that of the 149 socially provided sites across the 100 LPAs, 119 were built before 1994, with only 30 built since then (after the statutory

³³ Caravan Count <https://www.gov.uk/government/collections/traveller-caravan-count#2023>

³⁴ Caravan Count (2023) <https://www.gov.uk/government/statistics/traveller-caravan-count-july-2023>

³⁵ Ruston (2023) https://www.gypsy-traveller.org/wp-content/uploads/2023/11/Oak-Project-Report_links.pdf

duty to provide sites had been revoked). The research indicates that the existence of a statutory duty is essential in ensuring that local authorities meet their assessed need for Gypsy and Traveller pitches in England.

However, to note the situation in Wales: despite the existence of a statutory duty under the Housing (Wales) Act 2014, to ensure the assessed need for sites is met, the Ombudsman for Wales carried out an investigation after receiving complaints from families waiting for site provision in the areas where they lived. The Ombudsman concluded that the Welsh Government had failed to hold local authorities that were not meeting their statutory duty under the Housing Act 2014³⁶ to account.

In March 2022 the Government announced new ring-fenced funding under the 'Traveller Site Fund' for Gypsy and Traveller sites to be refurbished or built³⁷. In June 2023, they announced that nine local authorities had received a grant from the fund³⁸. However, not a single new permanent site will be created through the funding, and just one of the 16 grants awarded has gone towards the development of a new transit site. Most of the funding was awarded to the refurbishment of pitches, and whilst refurbishments are desperately needed, the fund has done nothing to address the chronic shortage of pitches nationally.

There is separate, wider funding programme which local authorities can apply to for social housing from the 'Affordable Homes programme'. Through this programme, 7 new sites with 68 pitches have been delivered since 2016; 36 of which are transit pitches, and 32 permanent pitches. While the fund has resulted in new sites being built, this small number falls short of addressing the national shortage of sites.

In addition to the shortage of sites and stopping places, many socially provided Gypsy and Traveller sites are in a state of disrepair. Research from 167 councils found that 73% had received environmental complaints from Gypsy and Travellers site resident, half of which related to vermin³⁹. Sites are often segregated from the general population, with many located dangerously close to environmental hazards

³⁶ Ombudsmen for Wales (2024) <https://www.ombudsman.wales/app/uploads/2024/04/Welsh-Government-202206003-April-2024.pdf>

³⁷ DLUHC (2022) <https://www.gov.uk/government/news/10-million-for-traveller-sites-across-england-will-improve-life-chances-and-reduce-unauthorised-encampments>

³⁸ DLUHC (2022) <https://www.gov.uk/government/collections/traveller-site-fund-202223>

³⁹ Bloch & Quarmby (2024) <https://journals.sagepub.com/doi/pdf/10.1177/02610183241229053>

such as motorways, sewage works and refuse and recycling centres. Research which reviewed the locations of 242 local authority sites across England, Scotland and Wales found that *'almost four in 10 sites in Great Britain are within 50 metres of at least one environmental hazard and more than half are within 100 metres'*⁴⁰. Residents on Gypsy and Traveller sites also often pay higher rates for their energy compared with those living in bricks and mortar due to poor site design and energy access arrangements on sites⁴¹.

A 2016 recommendation from the Committee called on the Government to amend the 2015 definition of a Traveller in 'PPTS' to include those who have ceased to travel permanently due to the discriminatory nature and negative impact on those excluded from the definition. However, up until December 2023 the Government had failed to comply with the Committee recommendation. The Government has since reverted back to the more inclusive 2012 definition⁴² following the successful judicial review challenge from Romany Gypsy Lisa Smith, in 2022⁴³.

Eviction powers

Despite the failure of local authorities to properly assess and meet the accommodation needs of Gypsies and Travellers in their local areas, the Government have strengthened existing police powers to criminalise Gypsy and Traveller families who are left with no place to stop. The Police, Crime, Sentencing and Court's Act (PCSCA) 2022, s83 inserts s60C into the Criminal Justice and Public Order Act 1994 (CJPOA). This change makes it an offence, punishable with up to 3 months' imprisonment and/or a fine, seizure of the home (vehicle), for someone residing on land with a vehicle to fail to comply with a request to leave the land⁴⁴.

Prior to s. 60C-E CJPOA coming into force, there already existed a wide range of other powers of eviction and removal, which were available to deal with unauthorised encampments. These powers included those already contained in the CJPOA and possession proceedings under Part 55 of the Civil Procedure Rules (CPR).

⁴⁰ *ibid*

⁴¹ Friends, Families and Travellers (2022) <https://www.gypsy-traveller.org/wp-content/uploads/2022/12/Access-to-energy-for-Gypsies-and-Travellers-living-in-caravans.pdf>

⁴² DLUHC & MHCLG (2023) <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

⁴³ Smith v SSLUHC & Ors (2022) <https://www.gypsy-traveller.org/wp-content/uploads/2022/10/Smith-judgment-31-October-2022.pdf>

⁴⁴ Community Law Partnership (2023) <https://www.communitylawpartnership.co.uk/gypsy-and-traveller-news/challenge-to-the-new-police-powers-of-eviction-against-gypsies-and-travellers>

In January 2024 a judicial review was brought by Romany Gypsy, Wendy Smith, challenging amendments to the CJPOA made by the PCSCA. Following this challenge, on May 14th 2024, the High Court ruled⁴⁵ ⁴⁶ that certain provisions contained within the Act are incompatible with Article 14 of the European Convention on Human Rights read with Article 8, as they amount to unjustified discrimination against Gypsies and Travellers. Subsequently, Parliament should amend the relevant provisions.

Although, this dilution of the Act in line with the judgment will ease the burden on Gypsies and Travellers subject to these powers, the powers and sanctions contained within the Act remain disproportionate and discriminatory, given the national shortage of sites for Gypsies and Travellers to stop on.

The Government's failure to address the chronic site shortage and actions to criminalise the nomadic way of life of Gypsies and Travellers are in conflict with Article 2 and 5 and 6 of the Convention.

Recommendations

- The Government should reintroduce pitch targets and a statutory duty on local authorities to meet the assessed need for Gypsy and Traveller sites.
- The Government should repeal new police powers targeting Gypsy and Traveller encampments introduced by the Police, Crime, Sentencing and Courts Act 2022 (s61, s62A and s60C-E).
- The Government should hold local authorities to account for the environmental standards of Gypsy and Traveller sites, and ensure site residents have the same protections as other social housing residents.

Access to the European Union Settlement Scheme (EUSS) for Roma

The introduction of the EUSS followed the UK's withdrawal from the European Union. The scheme required those EU citizens living in the UK to apply for pre-settled/settled status in order to continue living in the UK. The scheme has proved

⁴⁵ Smith v SSHD & orgs (2024)

https://assets.caselaw.nationalarchives.gov.uk/ewhc/admin/2024/1137/ewhc_admin_2024_1137.pdf

⁴⁶ Garden Court Chambers (2024) <https://www.gardencourtchambers.co.uk/news/high-court-issues-declaration-of-incompatibility-finding-that-provisions-in-the-police-act-unlawfully-discriminate-against-gypsies-and-travellers>

disproportionately inaccessible for Roma due to high levels of digital exclusion, low literacy and language barriers⁴⁷. Research conducted by Roma Support Group between 2020 and 2023 among Roma living in London found that of those surveyed⁴⁸:

- over 70% of Roma people in London report needing help to access and update EUSS digitally.
- 75% of Roma people in London do not know when and how to update to settled status.
- Many Roma in the UK do not have settled or pre-settled status, often when they are likely eligible.

The barriers to access the EUSS for Roma and digital only status have in turn impacted on the ability to access housing, employment, health care and travel. The Roma Support Group and Sheffield University report 'Roma EU citizens in the UK: Ongoing struggles with the EU Settlement Scheme' gives a comprehensive account of the issues with the EUSS for Roma ⁴⁹.

Overall, the digitisation of the immigration system indirectly discriminates against Roma and exacerbates existing inequalities, in conflict with Article 2 and 5 of the Convention.

Recommendations

- For a full list of recommendations relating to the EUSS for Roma, refer to pg 5-7 of the 2024 Roma Support Group and Sheffield University report⁵⁰

Health

In 2016 the Committee recommended that the UK; *'should take effective measures to ensure the accessibility and availability of quality health-care services to persons belonging to ethnic minorities...'*

⁴⁷ Roma Support Group (2024)

https://www.romasupportgroup.org.uk/uploads/9/3/6/8/93687016/eu_settlement_scheme_post_deadline_experiences_and_challenges_for_the_roma_communities_in_london_june_2024_final.pdf

⁴⁸ *ibid*

⁴⁹ Roma Support Group and Sheffield University (2024)

https://www.romasupportgroup.org.uk/uploads/9/3/6/8/93687016/policy_report_version_2.pdf

⁵⁰ *ibid*

Health inequalities

- Almost a third of Gypsies, Roma and Travellers reported that they had experienced discrimination within the healthcare system⁵¹.
- Gypsy and Traveller people are estimated to have life expectancies ten years shorter than the general population⁵²
- Gypsy and Traveller mothers are 20 times more likely to experience the death of a child than those from the general population⁵³.
- Romany and Traveller people experience significantly higher prevalence of long-term illness, health problems or disabilities, which limit daily activities or work⁵⁴.
- Gypsies and Travellers suffer higher levels of stress, are three times as likely to suffer from anxiety, and twice as likely to suffer from depression, compared the general population⁵⁵.
- The suicide rate in the Irish Traveller community in Ireland is six to seven times higher than in the general population and anecdotal evidence suggests the same to be true for Gypsy and Traveller people in Britain⁵⁶.

National Health Service (NHS) Data

As a result of a historic failure to include Gypsy, Roma and Traveller ethnic groups within the NHS Data Dictionary, healthcare services currently do not routinely collect disaggregated data on ethnicity for these groups. As such, services may not be identifying the needs of Gypsy, Roma and Traveller patient groups, and may design services that are exclusionary.

The NHS Data Model and Dictionary for England currently utilises ethnic data categories defined in the 2001 Census⁵⁷, which did not include any categories representing Gypsy, Roma and Traveller communities. In 2011, the Census was

⁵¹ Traveller Movement (2017) <https://travellermovement.org.uk/phocadownload/userupload/equality-human-rights/last-acceptable-form-of-racism-traveller-movement-report.pdf>

⁵² EHRC (2009) https://www.equalityhumanrights.com/sites/default/files/2021/gypsies_and_travellers_0.pdf

⁵³ Parry et al (2007) 'Health status of Gypsies and Travellers in England'. J Epidemiol Community Health. 2007 Mar; 61(3): 198–204

⁵⁴ EHRC (2009) https://www.equalityhumanrights.com/sites/default/files/2021/gypsies_and_travellers_0.pdf

⁵⁵ University College Dublin (2010) 'All Ireland Traveller Health Study: Our Geels'. https://www.ucd.ie/t4cms/AITHS_SUMMARY.pdf

⁵⁶ ibid

⁵⁷ NHS Data Dictionary https://www.datadictionary.nhs.uk/data_elements/ethnic_category.html

updated to include a 'Gypsy or Irish Traveller' category⁵⁸, before a 'Roma' category was added in 2021⁵⁹.

Although the NHS Wales Data Dictionary⁶⁰ has been updated to reflect the 2011 categories, and Public Health Scotland's Data Dictionary⁶¹ reflects the Scotland Census' inclusion of 'Gypsy/Traveller', 'Roma' and 'Showman/Showwoman', no plans have been announced to update the NHS England ethnicity categories to reflect later census groupings – despite longstanding calls for this change from Gypsy, Roma and Traveller community members and civil society actors, as well as inclusion health specialists⁶².

In addition to this, where services are collecting data, many Gypsy, Roma and Traveller people may be reluctant to disclose ethnicity for fear of experiencing discrimination within services. This further contributes to an underrepresentation of Gypsy, Roma and Traveller patients within data collection, and a failure to identify population needs within local health systems.

Access to primary care

Gypsies and Travellers in England face longstanding barriers to primary healthcare services^{63,64}. Research carried out in 2021 on 100 GP surgeries found:

- 74 GP surgeries broke NHS England guidance and refused to register the mystery shopper because they were unable to provide proof of identity, proof of fixed address, register online, or another reason.
- 17 GP surgeries did not answer the phone, despite receiving phone calls on three different dates and times from the mystery shopper.
- 2 GP surgeries who otherwise agreed to register the mystery shopper refused to give help with form filling.

⁵⁸ Gov.uk (2021) <https://www.ethnicity-facts-figures.service.gov.uk/style-guide/ethnic-groups/>

⁵⁹ Census (2021)

<https://www.ons.gov.uk/census/census2021dictionary/variablesbytopic/ethnicgroupnationalidentitylanguageandreligionvariables/census2021/ethnicgroup/classifications>

⁶⁰ Date Dictionary Wales <https://www.datadictionary.wales.nhs.uk/index.html#!WordDocuments/ethnicgroup.htm>

⁶¹ Public Health Scotland <https://publichealthscotland.scot/services/national-data-catalogue/data-dictionary/a-to-z-of-data-dictionary-terms/ethnic-group/>

⁶² Traveller Movement (2014) <https://travellermovement.org.uk/policy-and-publications/traveller-movement-note-on-inclusion-of-gypsies-and-irish-travellers-in-the-nhs-data-dictionary>

⁶³ Aspinall (2014) https://assets.publishing.service.gov.uk/media/5a7db8b2e5274a5eaea65ee4/Inclusive_Practice.pdf

⁶⁴ Friends, Families and Travellers (2019) <https://www.gypsy-traveller.org/wp-content/uploads/2019/03/No-room-at-the-inn-findings-from-mystery-shopping-GP-practices.pdf>

Digital exclusion

The adoption by many healthcare services of digital-by-default approaches to healthcare during the COVID-19 pandemic has meant greater barriers to healthcare for many⁶⁵. When services refuse to register Gypsy and Traveller people or offer digital-only options to people who cannot utilise these⁶⁶, this has a huge impact on the individual, but there is very little accountability for the service.

The Government has failed to address issues of access to primary care, digital exclusion, and inclusive ethnic monitoring across the NHS, in conflict with Article 2 and 5 of the Convention.

Recommendations

- The UK Government should strengthen accountability where healthcare services directly or indirectly discriminate against someone, and this affects the individual's ability to access healthcare.
- The NHS Data Model and Dictionary for England should include disaggregated ethnicity data for Romany Gypsy, Roma and Irish Traveller people, and ensure routine collection across healthcare providers.

⁶⁵ Friends, Families and Travellers (2021) <https://www.gypsy-traveller.org/wp-content/uploads/2021/07/Locked-out-A-snapshot-of-access-to-General-Practice-for-nomadic-communities-during-the-COVID-19-pandemic.pdf>

⁶⁶ Friends, Families and Travellers (2018) <https://www.gypsy-traveller.org/wp-content/uploads/2018/09/Digital-Inclusion-in-Gypsy-and-Traveller-communities-FINAL-1.pdf>