

FAMILY

ABILITY

TRADITION

NO DISCRIMINATION

EQUALITY

PROTECTION

PROVISION

PARTICIPATION

SURVIVAL

DIVERSITY

INTEGRATION

AWARENESS

CULTURE

FREEDOM

NOMADIC



ARTICLE 12

I WITNESS: THE UNCRC IN THE UNITED KINGDOM
YOUNG GYPSY/TRAVELLERS' VOICES

»We cannot 'know' a community simply by counting them. While statistical data will reveal the numerics of a population and its geographic or demographic spread it will not provide us with a deep understanding, a 'thick description' of the culture of an individual, a tribe or a nation. It will not tell us why a community 'holds tight to its values and attitudes' and steadfastly resists establishment led interventions designed to 'improve their life situations'. Only by recognising the influence of [social] structures [or intersectionalities] of class, gender, ethnicity, culture, nation, age and so on and how the individual, tribe or nation shapes or makes meaning of these structures will we get to the truth of the matter.«
Lynne Tammi, Director, Article 12 in Scotland, 2013

»During my visit I have [...] received multiple testimonies on the shortage of sufficient, adequate and safe sites for Gypsy and Traveller communities across the United Kingdom, many of whom feel this is part of the stigma and discrimination they regularly face from Governments and society as a whole. Despite multiple efforts and policies put in place to address this situation, it is fair to say that leaving local authorities to make their own decisions with no accountability and national process to reconcile the Gypsy and Traveller communities with settled communities remains a source of concern.«
Ms Raquel Rolnik, UN Special Rapporteur on the Right to Adequate Housing: visit to Scottish Gypsy/Traveller communities, September 2013

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Article 12 in Scotland, Young Gypsy Travellers' Lives [YGTL]

YGTL - *Young Gypsy Travellers' Lives* - is a project run by *Article 12 in Scotland*. The YGTL's aim is to equip young Gypsy/Travellers with the skills, knowledge and confidence necessary to identify and highlight issues relating to them and the wider Gypsy/Traveller community.

Bryson An Munia Tober

Bryson An Munia Tober Youth Project, based in Belfast, Northern Ireland, aims to support and create opportunities for young people from the Gypsy/Traveller community by engaging them in programmes which meet their educational, personal and social needs; giving them a platform from which to express their views.

Leeds Gypsy Traveller Exchange [Leeds GATE]

Leeds Gypsy and Traveller Exchange [GATE] is a member organisation for the Gypsy and Traveller community in West Yorkshire. The organisation is an advocacy and advice project which works alongside

Gypsy/Travellers who live in or resort to Leeds. *GATE* aims to highlight and tackle the discrimination and inequalities faced by Gypsies and Irish Travellers. It has a range of projects in which key objectives are focussed on improving accommodation; health and well-being; education; employment and financial inclusion; and citizenship and social inclusion.

Save the Children [Wales]

Travelling Ahead

Travelling Ahead supports the participation of young Gypsy, Roma and Travellers across Wales to have a voice in the local and national issues which affect their daily lives. *Travelling Ahead* has a *National Gypsy and Traveller Youth Forum* which is made up of, and supported by, locally established fora run by partner organisations.

Article 12 in Scotland would also like to thank Jill Keegan, Co-ordinator of our *Young Gypsy Travellers' Lives* Project, for her support in the production of this report.

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What is the UNCRRC

The *United Nations Convention on the Rights of the Child [UNCRC]* is a list of 54 Articles that cover all aspects of life for young people under the age of eighteen. 40 of the Articles describe the rights that the government must make sure they have. The United Kingdom [UK] signed up to the *UNCRC* in 1991.¹

The *UNCRC* itself is not binding in the UK in a legal sense, however; some of the Articles are reflected in law, policy and practice and it does serve to establish recognised standards that are often referred to by national and international courts and bodies in their conclusions, recommendations and decisions.

When governments [referred to as State Parties] agree to put the *UNCRC* into practice, they must prepare a report for the *Committee on the Rights of the Child* after two years, and then every five years. This is known as the Reporting Process. The *Committee* is a group of adults from different countries who are experts on children and young people's rights. The *Committee* last examined the *UK Government's* record on implementing children and young people's human rights in September 2008 and published its Concluding Observations on the report in October 2008.²

Part of the Reporting Process is the Pre Session Hearing. This is an opportunity for Non-Governmental Organisations [NGOs] and Civil Society Organisations [CSOs] to present and discuss their Alternative Reports

[reports which outline their views on the state of children's rights in their country and on the contents of the government report]. *Article 12 in Scotland* is one of the organisations that present an Alternative Report.

For reporting purposes, the *United Nations* considers the UK to be a single entity and therefore one single UK governmental report is presented for consideration. However, as areas such as housing, social services, health and education are devolved to the *Scottish Government*, and the *Assemblies of Wales and Northern Ireland*, policy makers in these jurisdictions have a duty and responsibility to ensure that the rights of marginalised groups accessing these services are adequately being met.

Aware that the single UK report makes reference to matters affecting Scotland, England, Wales, Northern Ireland and the Overseas Territories and Crown Dependencies but, due to restrictions on length, does not allow for an in-depth view of the state of children and young people's rights in each jurisdiction, country specific reports have also been compiled and submitted to the *Committee*.

¹ A list of the Articles can be found in Appendix 1.

² Further information on the *UNCRC* and the Reporting Process can be found at: *Child Rights Connect*: <http://www.childrightsconnect.org>

About Article 12 in Scotland

Established in 1996, *Article 12 in Scotland* is a young person led network of individuals and organisations that work to promote young people's participation and information rights as set out in international human rights charters. We believe that governments, professionals, and the wider community all have a role to play in building an environment that respects, values and validates the contributions of young people.

Our work is underpinned by the principle of **free participation**: the right to participate as equal citizens at all levels of society without fear or favour and a process that facilitates the participation of all young people on their own terms and according to their own realities, a principle that, if realised, facilitates informed choice, freedom, dignity, respect and demonstrates an acceptance that young people have the same human rights entitlements as adults.

We work to achieve this by supporting some of the most marginalised young people, such as young Gypsy/Travellers, young people looked after by the state and young people experiencing mental ill-health.³

About this report

I Witness: The UNCRRC in the United Kingdom - Young Gypsy/Travellers' Voices aims to provide a narrative rich insight into the concerns, experiences, hopes and aspirations of young Gypsy/Travellers from across

³ Further information on the work of *Article 12 in Scotland* can be found at: www.article12.org

the UK – in their own words, on their own terms and according to their own realities – in a format easily accessible to each individual who shared their views and experiences for this report, their peers within the wider community and those with an interest in ensuring that the rights of **all** young Gypsy/Travellers are recognised, respected and promoted; without conditions attached.

The report highlights and presents solutions to the emerging rights issues raised by young Gypsy/Travellers involved in *Article 12 in Scotland's UNCRRC Reporting Process*. Our report also explores the impact of the implementation of the *UNCRC* on young Gypsy/Travellers' lives by gathering and presenting evidence, under the participative principle of Article 12 of the *UNCRC* – *young people have the right to express their views freely and the views of the child should be taken into consideration when decisions are being made that affect their lives*.

Participants

Article 12 in Scotland, their partner organisations and peer educators engaged and consulted widely with 118 young Gypsy/Travellers in a process of rights-based peer education. *I Witness: the UNCRRC in the UK - Young Gypsy/Travellers' Voices* comprises the voices of young Gypsy/Travellers from Scotland, England, Wales and Northern Ireland.

Young Scottish Gypsy/Travellers' views are also included in *Article's 12 in Scotland's* Alternative Report – *I Witness: The UNCRRC in Scotland*, alongside the voices of looked after young people, young people [directly

or in directly] experiencing mental ill-health, young people with disabilities, young carers and young offenders.

Methodology

Article 12 in Scotland's methodological approaches are underpinned by the principle of **free participation** – an informed process that facilitates the participation of young people on their own terms and according to their own realities.

In recognition of the need for, and the impact of, rich primary data, the research process and subsequent report is qualitative in nature; narrative rather than quantitative or large survey based research. Whilst large scale generalised survey type research – undertaken by statutory bodies, coalitions and associations working on behalf of young people – clearly has a pivotal role to play in reporting on the state of young people's rights, giving a general picture of the situation; it cannot, and indeed should not, replace rich primary and independent methodological approaches.

Methods

Over a 12 month period, *Article 12 in Scotland* provided core groups of young Gypsy/Travellers and their partner organisations with the skills and information necessary to participate in the Reporting Process. Over a further 12 month period, *Article 12 in Scotland* worked with its partner organisations to gather the data used in this report. Participants were informed of their right to participate [or not] in the process, and discreet

groups from each partner organisation took part in a series of *UNCRC* peer education workshops. The following *Article 12 in Scotland* resources: 'The *UNCRC* for Beginners' [*Article 12 in Scotland: 2009*] which contains activities and information designed to educate groups on the content of the *UNCRC* and the monitoring of it, and 'Work in Progress' [*Article 12 in Scotland: 2010*] which has many tools for generic workshop development, were utilised and made available to partner organisations. Four generic workshops were subsequently developed to skill-up young people on the *UNCRC*, the Reporting Process and the key principles of peer education; skills and knowledge that they in turn [if they chose to] multiplied with their peers. The workshops were also used as a tool to gather evidence and support young people to raise rights issues and recommendations for change. The most common issues and concerns raised in the workshop activities are included in this report. A *Rights Charter* representing the views, and associated key articles of the *UNCRC*, can be found in the appendices section.

Respect for participants' rights and dignity

Prior to participation, potential participants and partner agencies had the research agenda fully explained to them and informed consent was given.

When storing, processing and analysing the data collected from participants, confidentiality and anonymity of the participants was accorded the highest priority.

The right to privacy was upheld through

strict adherence to guidelines outlined in the *Data Protection Act [1998]*. All records were held in a password protected IT network with a secure back up system. Furthermore, the data collected was not used for any purpose other than to inform this specific research. Reports or papers that emerged from the data collected from participants were fully anonymised, with all personally identifiable information removed.

Competence

All methods were subject to audit and advice from the Director of *Article 12 in Scotland*.

Integrity

Participants were offered full feedback including the opportunity to see and comment on the draft reports via a monitoring and evaluation event.

Foreword:

Jill Keegan, YGTL Project Co-ordinator, Article 12 in Scotland

The term 'Traveller' is an all-encompassing and generic one, used to describe someone with a nomadic heritage and/or lifestyle. The identity of Gypsy/Travellers can take many forms: some families are constantly on the road, some only travel for part of the year whilst others live in 'bricks and mortar' accommodation. Regardless, the nomadic

lifestyle and heritage of Gypsy/Travellers is something that always provokes a strong reaction.

The young Gypsy/Travellers who have contributed their lived experience to make this report real, have spoken with passion and love for their communities across the UK. These young people value their families and the survival of their culture above all. Despite the many infringements upon their rights, on a daily basis to live as Gypsy/Travellers, they show constant resilience and strength. The groups *Article 12 in Scotland* consulted with across the UK have come about as a direct result of these young people working to raise awareness of their culture so that they and their community might have access to social justice for a better future. The evidence throughout the report, captured in the voices of the young people, would suggest that regardless of their efforts, young Gypsy/Travellers remain one of the most disenfranchised minority ethnic groups in society today. We should not wish to lose the vibrancy of a diverse society, but instead work in collaboration to ensure the progressive realisation of the *UNCRC* in empowering children and young people to celebrate and enjoy their rights as active, equal citizens.



INTRODUCTION

The Committee welcomes the State party's plans to consolidate and strengthen equality legislation, with clear opportunities to mainstream children's right to non-discrimination into the United Kingdom anti-discrimination law (the forthcoming Equality Bill). The Committee also welcomes the adoption of action plans and the monitoring and information collection work carried out on the issue of discrimination. However, the Committee is concerned that in practice certain groups of children, such as: Roma and Irish Travellers' children [...] continue to experience discrimination and social stigmatization. The Committee is also concerned at the general climate of intolerance and negative public attitudes towards children, especially adolescents, which appears to exist in the State party, including in the media, and may be often the underlying cause of further infringements of their rights.

Concluding Observations, 2008: Paragraph 24 [CRC/C/GBR/CO/4].

Article 12 in Scotland wholly agrees with the above statement, and sadly, little has changed since the Committee published its Concluding Observations in 2008. Young Gypsy/Travellers continue to experience high levels of discrimination within the UK on a daily basis and in almost every aspect of their lives.

We recognise the efforts made by the UK Government to try and improve the lives of young Gypsy/Travellers, such as 'piloting a virtual head teacher to champion the in-

terests of Gypsy, Roma and Traveller pupils across their local authority and measures to address the high levels of school exclusion amongst Gypsy and Traveller children'⁴; however huge gaps in equality still persist. We welcome the allocation of substantial funds across the jurisdictions to create new [and improve existing] site pitches to meet with the increasing demand. Nonetheless, the situation regarding a lack of suitable accommodation is still at crisis point, due largely to the 'not in my back yard' attitude exhibited by many local councillors and residents from the settled community. Policy does not become meaningful until it is firmly enshrined in practice; the situation regarding the discrimination against Gypsy/Travellers requires urgent national leadership, particularly with regards to their accommodation status and the discrimination that has become a part of their everyday lives. Until negative societal attitudes at **every** level change, there will be no meaningful improvement for the Gypsy/Traveller community living in the UK.

Throughout consultation, participants raised the issues that were of upmost concern to both themselves and their peers; Article 12 in Scotland has listened to and taken these views into account. Consequently, we feel the following areas require urgent attention in order to ensure that the children and young people living in one of the UK's most marginalised communities can enjoy the full range of rights entitlements; thereby living a happy and healthy life, free from discrimination.

- **Discrimination** [also see Concluding Observations 25 and 37⁵], with reference to issues of privacy, protection, respect for the individual and their culture and, in particular, **to the reporting practices of the mainstream media** [this list is not exhaustive];
- **Improved provision of appropriate accommodation** [also see Concluding Observations 64 and 65⁶]. The situation regarding sites has reached crisis point – **urgent action must be taken**;
- **Meaningful participation and access to relevant information**⁷;
- **Increased awareness and implementation of the UNCRCS**⁸;
- **Improved access to essential services** [see also Concluding Observation 66⁹], including [but not exclusively]: **a quality education sensitive to their identity, ethnicity and travelling practices; training opportunities; best available health care; recreation facilities and access to transport.**

While many of these areas of concern have generally seen improvement since the Committee published their Concluding Observations in 2008, it is important to remember that these areas for improvement cover one of the most marginalised and vulnerable groups living in the UK today. The national and devolved governments must ensure that all available resources are utilised in order to ensure the maximum rights entitlements of **all** marginalised children and young people.¹⁰ Please see appendix 2 for the *I Witness: The UNCRCS in the United Kingdom – Young Gypsy/Travellers'*

Charter; this Charter amalgamates the community issues raised and sets out the most important rights, which young Gypsy/Travellers should have, in relation to the *UNCRC*.

⁴ CRC/C/GBR/5.6749.E: Paragraph 14.

⁵ The Committee recommends that the State party ensure full protection against discrimination on any grounds, including by: (a) Taking urgent measures to address the intolerance and inappropriate characterization of children, especially adolescents, within the society, including in the media; (b) Strengthening its awareness-raising and other preventive activities against discrimination and, if necessary, taking affirmative actions for the benefit of vulnerable groups of children, such as Roma and Irish Travellers' children[...]; (c) Taking all necessary measures to ensure that cases of discrimination against children in all sectors of society are addressed effectively, including with disciplinary, administrative or – if necessary – penal sanctions. CRC/C/GBR/CO/4: Paragraph 25.

The Committee recommends that the State party: (a) Ensure, both in legislation and in practice, that children are protected against unlawful or arbitrary interference with their privacy, including by introducing stronger regulations for data protection; (b) Intensify its efforts, in cooperation with the media, to respect the privacy of children in the media, especially by avoiding messages publicly exposing them to shame, which is against the best interests of the child; (c) Regulate children's participation in TV programmes, notably reality shows, as to ensure that they do not violate their rights. CRC/C/GBR/CO/4: Paragraph 37.

⁶ The Committee welcomes the Government's commitment to end child poverty by 2020 as well as the Childcare Act 2006 requirement on local authorities to reduce inequalities among young children. It also notes with appreciation the information given by the delegation that this target will be reflected and enforced through legislative measures. However, the Committee – while noting that child poverty has been reduced in the last years – is concerned that poverty is a very serious problem affecting all parts of the United Kingdom, including the Overseas Territories, and that it is a particular concern in Northern Ireland, where over 20 per cent of children reportedly live in persistent poverty. Furthermore, the Committee is concerned that the Government's strategy is not sufficiently targeted at those groups of children in most severe poverty and that the standard of living of Traveller children is particularly poor. CRC/C/GBR/CO/4: Paragraph 64.

The Committee would like to highlight that an adequate standard of living is essential for a child's physical, mental, spiritual, moral and social development and that child poverty also affects infant mortality rates, access to health and education as well as everyday quality of life of children. In accordance with article 27 of the Convention, the Committee recommends that the State party: [...] (d) Reintroduce a statutory duty for local authorities to provide safe and adequate sites for Travellers. CRC/C/GBR/CO/4: Paragraph 65.

⁷ See also Concluding Observations, paragraphs 23 and 33.

⁸ See also Concluding Observations, paragraphs 15 and 21.

⁹ [...] significant inequalities persist with regard to school achievement of children living with their parents in economic hardship. Several groups of children have problems being enrolled in school or continuing or reentering education, either in regular schools or alternative educational facilities, and cannot fully enjoy their right to education, notably children with disabilities, children of Travellers, Roma children [...]. CRC/C/GBR/CO/4: Paragraph 66. See also Concluding Observations, paragraphs 3, 55, 57, 67 and 69.

¹⁰ The Committee recommends that the State party, in accordance with article 4 of the Convention, allocate the maximum extent of available resources for the implementation of children's rights, with a special focus on eradicating poverty and that it reduce inequalities across all jurisdictions. CRC/C/GBR/CO/4: Paragraph 19.

NB: The voices of young Gypsy/Travellers living in Scotland are also included in *Article 12 in Scotland's* main Alternative Report *I Witness: UNCRC in the Scotland*.

The *Scottish Government's* official terminology 'Gypsy/Traveller' has been employed throughout this report. However, it is important to note that this term is not accepted by all families. Indeed the term Gypsy/Traveller has sparked debate throughout the travelling community; every family naturally has a strong sense of heritage and identity, and will, therefore, self-define accordingly.

In the spirit of Article 12 of the *UNCRC* [respect for the views of the child]: *when adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account*, we feel that the best approach is to let the young people's views, hopes and ideas for action speak for themselves. Participants' concerns, views, hopes and [their own] recommendations for action, concerning the matters that affect them and impact upon their lives daily, can be found [in separate sections according to issues] within the remainder of this report.



**THE MEDIA
ALWAYS
SAY BAD
THINGS
ABOUT US.**

**WE HAVE NEWSPAPERS COMING
ONTO OUR CAMPS TRYING TO TAKE
PICTURES OF US.**

DISCRIMINATION

Discrimination, harassment and abuse are all themes which coexist with being a member of the travelling community; it is apparent that young Gypsy/Travellers living in the UK are currently facing unacceptable levels of discrimination, harassment and abuse at the hands of the media, the authorities and members of the settled community.

The identity of Gypsy/Travellers can take many forms: some families are constantly on the road, some only travel for part of the year and others live in 'bricks and mortar' [houses].

Romany Gypsy and Irish Traveller groups are fully protected by the anti-discrimination provisions in the *Equality Act [2010]* as are members of the community in Scotland and Wales. In Northern Ireland the *Race Relations [Northern Ireland] Order 1997* [as amended] provides protection to minority ethnic groups including Irish Travellers, and in Scotland Gypsy/Travellers are recognised and protected by the *Scottish Government* as an ethnic minority; however, the discrimination faced by this community, on a daily basis and on all levels, is still all too common.

It is difficult to judge the exact number of Gypsy/Travellers currently living in the UK, there are no realistic official figures [caravan counts are seen as largely tokenistic by the community and those who work with them] and many are unwilling to identify themselves as Gypsy/Travellers. This is due not only to the mistrust of official bodies, but also for fear of negative repercussions for themselves – and members of their family – in both their

personal and professional lives:

»We used to have bricks thrown at us and called names every day at one site, but you just get used to it«;

»I WANT PEOPLE TO HAVE MORE UNDERSTANDING ABOUT GYPSY/TRAVELLERS AND TO BE LESS DISCRIMINATED AGAINST - NOT TO BE ALL BRANDED THE SAME«;

»on one site when we were shifting [moving on] last week, there were men who came to where we were camped and were throwing metal poles at our trailers«; »when we are shifting, it can be bad but when we are on our usual site, its fine because people know us here«; »a lot of people don't like us, some people are fine but others are not«
[young Scottish Gypsy/Travellers' voices].

In Wales, the young people spoke of facing discrimination on many different levels which negatively affected their daily lives. They felt not only were they unfairly judged by the settled community as a result of being a Gypsy/Traveller, but that they were further stereotyped due to being a young person; that assumptions were made about them as a group in public places: *»people think we are out to cause trouble«*. Indeed, it was stated that many services and businesses will refuse to visit Gypsy/Traveller sites. It was also felt that Gypsy/Travellers are constantly blamed for crime, particularly theft. The young people also said they often felt

intimidated by, for example, *»police driving up and down on the sites«*. In general they felt that as a community, Gypsy/Travellers are viewed with suspicion and they therefore lacked privacy as a result [for example, CCTV cameras filming on sites]. Some of the young people also touched upon how acts such as the *Scrap Metal Act [2013]* serve to unfairly discriminate against Gypsy/Traveller heritage and their ability to take part in traditional forms of work. Participants believed that, in principle, everyone is born with rights, but did not believe that the rights of young Gypsy/Travellers were necessarily promoted or respected. Prejudices were said to be further amplified by the media and T.V. shows such as *Channel 4's My Big Fat Gypsy Wedding*. In regards to an awareness of the *UNCRC*, many of the young people had never even heard of the *Convention*.

Participants in Northern Ireland indicated that young Gypsy/Travellers still experience substantial racism and negative societal attitudes and assumptions towards their community, culture and traditions; resulting in discrimination on all levels: *»young people are barred from cinemas«; »when booking weddings we need to get 'country/settled people' to book on our behalf, if the venue finds out it is a Traveller wedding they will cancel at the last minute«; »security guards follow us around shops«* [some participants didn't recognise this as discrimination as they are so used to it happening]; *»hate crime – broken windows or egged windows«; »police don't listen to us, they hate Travellers,*

they listen to settled people before us«.

The offensive words which were used to describe the community – *»dirty, tinkers, live in dumps, thieves, negative opinions, big dresses, diamonds, holy [religious]«* – also indicate that these are terms which Gypsy/Travellers have become accustomed to hearing in Northern Ireland; they felt they were negatively stereotyped and disliked by mainstream society: *»people don't like Travellers living beside them – they are racist«*. Whilst the young people did not indicate where they believed such negative societal attitudes came from, they did raise concerns about the impact of negative media reporting; local and national newspapers and television shows such as *Channel 4's My Big Fat Gypsy Wedding* were regarded as particularly negative: they stated that the programme *»increases attention towards the community for all the wrong reasons«* and portrays a completely inaccurate view of the Gypsy/Traveller community.

Many young Gypsy/Travellers in England generally did not view their fundamental rights as being connected to their daily lives; there is an acceptance of the way things are, and how they are negatively viewed, which is reflected in the young people's attitudes and resilience. Once again, participants identified the media as a major driving force in the enduring discrimination faced by the Gypsy/Traveller community:

»WE FACE DISCRIMINATION BECAUSE OF BEING A GYPSY«;

THE MEDIA

»can't walk around shops without being followed«; »getting shouted at in the street«; »banned from cinemas - when you go to the pictures you're not allowed in«; »discrimination in the job centre«; »access to services, dentists and doctors is difficult«
[young people also spoke of giving false addresses to access G.P. surgeries];

»it depends where you are, whether people respect you«; »can't get taxis«; »police can be unfair - asking why you aren't at school and not being culturally sensitive«; »racism - people shouting abuse in the street because we are Gypsy/Travellers«; »if you have a job and they find out [you are a Gypsy/Traveller] you get sacked«; »when you stop in trailers you get given notice and moved by police«; »signs on doors saying you ain't allowed in if you're a Gypsy«; »the RSPCA judge us just because we are Gypsy/Travellers«.

Across Scotland, and indeed the UK as a whole, Gypsy/Travellers continue to be regularly vilified by certain representatives of the media. This deliberate reification of an already marginalised group is not only unethical; it also serves to put a whole community at risk from harm:

»the media always say things that are bad about us, we have newspapers coming onto our camps trying to take pictures of us, asking us questions«; »the media targets us, there is never anything positive said about Travellers and they always stereotype us. It makes people judge us«; »people learn how to think from their parents/family/TV«

[young Scottish Gypsy/Travellers' voices].

Unbalanced reporting encourages prejudice; Gypsy/Travellers are a diverse people, and a vulnerable group in the hands of the media. Negative portrayals of Gypsy/Travellers fuel division and segregation from the settled community, increase prejudice and discrimination, and serve to galvanise inaccurate, widely held social beliefs about the culture of Gypsy/Travellers.

Led by the young people who make up the Management Committee of *Article 12 in Scotland's Young Gypsy/Travellers' Lives Project* [and who have identified negative media coverage as one of the main driving forces in the discrimination faced by their community - a major concern which was echoed by all young Gypsy/Travellers who participated in the Reporting Process], we have committed to a 4 year audit of online news publications within Scotland.

Our latest report found:

- **195 articles over 12 months in 21 publications - an average of around 4 articles per week; the number of articles has increased every year since the beginning of this audit;**
- **62% of articles were focused on sites [unauthorised encampments, official sites, plans for new official sites and so on], 38% discussed the Gypsy/Traveller community in general, 24% of articles contained negative stereotyping and 12% focused on crime. Only 0.5% reported on life from the perspective of a member of the Gypsy/Traveller community;**
- **Only 7% of articles were classed as positive; negative reporting accounted for over half of audited articles, with a further 15% falling within the categories of discriminatory and racist;**
- **Nearly a fifth of publications audited still do not capitalise 'Gypsy' and/or 'Traveller'. This is disrespectful and does not give due regard to ethnic status;**
- **Social networking sites have created an environment from which individuals and groups can make worrying statements and suggestions regarding Gypsy/Travellers [and indeed other ethnic minorities] via public platforms. This is especially worrying given the sharp increase recent years have seen in the cyber bullying of young people.**¹¹

¹¹ *Article 12 in Scotland, Discrimination and online media*, 2014.
Online at: http://www.article12.org/wp-content/uploads/2014/12/YGTL-Media-Audit-Year-3_Final-.pdf

¹² *Equality and Human Rights Commission [2009] Inequalities experienced by Gypsy and Traveller communities: A review*, p164.
Online at: http://www.equalityhumanrights.com/uploaded_files/research/12in-equalities_experienced_by_gypsy_and_traveller_communities_a_review.pdf

Despite having recognised ethnic minority status; the Gypsy/Traveller community continues to be marginalised from mainstream society. This is, in part, fuelled by the media and poses a serious risk to the well-being of young people within the community; creating a barrier to positive change and bridge building with members of the settled community.

As a result of the negative media attention, families are often unable to celebrate cultural and family traditions such as birthdays, weddings and funerals in Northern Ireland. This is humiliating for families who are barred from venues because of their ethnicity, or forced to hide their identity.

Negative stereotyping - expressed through the public and media's allegations of increased crime when Gypsy/Travellers enter an area - has led to the wide-spread belief that the Gypsy/Traveller community is comprised of criminals, leaving young Gypsy/Travellers increasingly cast-out from mainstream society. This is in spite of evidence to the contrary; indeed, the *Association of Chief Police Officers* state that they have no disproportionate problems of criminal activities within the travelling community, while the *Equality and Human Rights Commission* believe: 'the suspicion with which Travellers are regarded means they are likely to be reported by neighbours or targeted unfairly by the police'.¹²

Forced to live 'illegally', many are being pushed to the fringes of society. Those who are living on one of the few council sites available in Scotland can be, and have been,

subjected to racial harassment from those living around them: *»we feel like Gypsy/ Travellers are an endangered species.«*

Frustratingly, little has changed with regards to implementing change for the Gypsy/Traveller community, and the vulnerable and disenfranchised children and young people who are a part of it. Free and meaningful participation in decision making processes is key to ensuring that young Gypsy/Travellers views and concerns are taken into account. In doing so, young Gypsy/Travellers will have the space, knowledge and resources in order to empower themselves to become active participants in holding to account both local and national governments, to ensure improved public access to information and transparency in decision-making, creating increased opportunity to participate in critical debate and scrutiny of often discriminatory practices. Accommodation status should not cause or pose barriers to an already marginalised group of young people in accessing effective measures for the violation of their human rights. Nor should a community that exists out with the 'mainstream' be denied basic services and amenities such as water, sanitation, access to social facilities and so on.

The issues and inequalities faced by the community regarding their access to [and realisation of] their human rights, as a result of poor access to social justice and experiencing multiple discrimination at all levels, are deeply disturbing.

During consultation, participants raised their concerns in relation to the UNCRRC Articles they felt were most relevant to their community, they are as follows: Articles 2, 6, 12, 14, 15, 16, 18, 19, 24, 27, 28, 29, 30 and 31.

Young Gypsy/Travellers stated:

»I now realise there are so many rights that Gypsy/Travellers are neglected from«;

»GYPSY/TRAVELLER CHILDREN HAVE THE SAME RIGHTS AS ALL CHILDREN«;

»GYPSY/TRAVELLERS HAVE THE SAME RIGHTS AS ANYONE IN THE U.K - WE MAY LIVE DIFFERENT LIVES, BUT WE STILL HAVE THE SAME RIGHTS«;

»we all have our similarities no matter where we are from«; »I want Gypsy/Travellers to be more respected and welcomed and less hatred against us«; »more respect from the media«; »less racism«; »more respect for Gypsy/Travellers«;

»GYPSY/TRAVELLERS TO GET THE SAME RESPECT AND RIGHTS AS ANY OTHER PERSON«; »TO HAVE RESPECT OF SHOPS, POLICE AND NEWSPAPERS«;

»for Gypsy/Travellers to have a right to just be; to get water and roam where they like to go and for people to see us in a different way«.

PARTICIPANTS' RECOMMENDATIONS

The media should use its power to effect positive changes and show an increase in more neutral and ethical reporting;

A more robust monitoring system for online reader comments/social media sites; stricter guidelines regarding the reporting of Gypsy/Travellers;

Participants recognise the right to free speech, but this cannot extend to racial profiling;

More awareness-raising projects, such as the projects which took part in *Article 12 in Scotland's Reporting Process*, to help alleviate tensions with the settled community;

Young person led awareness-raising must also be carried out, as standard, with all professionals working with the community, policy makers and the police;

An immediate increase in the number of sites and available pitches [permanent, transit and private]; creating more pitches is essential if there is to be a reduction in roadside encampments - one of the key driving forces in the tension towards the Gypsy/Traveller community;

Equal access to support, services and participation - particularly education, family support and support to tackle bullying and hate crime issues;

An adequate standard of living through provision of adequate site accommodation/housing;

Access to financial and other support aimed at tackling poverty - for example, Gypsy/Traveller families miss out on almost all the child poverty initiatives in Wales due to a combination of factors such as postcode lotteries, travelling, lack of awareness of rights and entitlements, social exclusion and so on;

There is a lack of inclusiveness, awareness and willingness which acknowledge the particular and differential impact on Gypsy/Traveller families in legislation and policy.



**OUR SITES
ARE FAR
AWAY**

FROM EVERYTHING.

ACCOMMODATION

The UK ratified the *International Covenant on Economic, Social and Cultural Rights*, Articles 2 and 11, on 20th May 1976 – without reservation. Accordingly, the UK has obligations to take steps to ensure, and sustain, the progressive realisation of the rights to adequate housing, making use of the maximum of its available resources. Progressive realisation represents a strong presumption against retrogressive measures in the protection and promotion of human rights. State parties cannot make backwards measures without offering evidence based justification of the need to take such measures, and without having weighted various alternatives. Most importantly, governments must put in place effective safeguards to protect the most vulnerable of society, if such decisions are made.

The lack of official sites, the blocking off of traditional stopping places and the discrimination many face when they try to camp on public campsites, result in Gypsy/Travellers often being forced into camping on unsuitable plots of land: next to busy roads, on industrial estates, near pollutants and so on. Others, having been subjected to continuing harassment from the media, local authorities and members of the settled community, choose to camp very remotely so as to avoid further victimisation:

»IF THEY [THE AUTHORITIES] WOULD BE CIVIL, WE WOULD MOVE – BUT THEY HAVE NO RESPECT FOR US.«

These types of camps are not suitable for various reasons, and it is difficult to access the services most take for granted such as fresh water, electricity and basic health care – leading to the community becoming increasingly cut-off and cast-out.

»THERE IS A LACK OF PERMANENT TRAVELLER SITES. *When you are moved on, you're told there are plenty of Traveller sites but people don't realise YOU HAVE TO PUT YOUR NAME ON A WAITING LIST, IT CAN TAKE MONTHS!*«

[young Scottish Gypsy/Traveller].

Site issues raised by participants in Scotland include: high electricity rates and poor energy efficient heating, with some families paying up to £150 per week for power, or those who could not afford these costs simply going without basic necessities such as heat or leaving the site altogether [forcing more children and young people into roadside encampments]; the threatened closure of a trusted school [Castlebrae High School] potentially leaving local children and young people without access to an education and recreational activities; site issues such as: infestations of rats; drains overflowing with sewage and council employees leaving the removed contents of the drains in black sacks on site, exposing the community to further health hazards; experience of illness and missing school due to poor sanitation facilities; damp utility blocks; drug paraphernalia left on

the periphery of sites; parks in a poor state of disrepair with no bin to dispose of rubbish and equipment needing to be cleaned, updated and made safe; the chip stones surrounding plots host a range of germs, vermin faeces and cannot be cleaned adequately; fly tipping near the site blamed on the community; unsafe roads and the concrete at some plots has large gaps which can be hazardous for tripping over [and fill up with ice in winter]; trees left to grow to an unsafe height over families' plots; shrubbery around plots has not been cut back in years, making it difficult to reach any rubbish caught in them; bins on site are only lifted once each fortnight.

»OUR SITES ARE VERY FAR AWAY FROM EVERYTHING: *swimming pools, school [we don't get transport provided anymore], cinemas, shops and places to eat«;*

»our rubbish doesn't get lifted often enough and we can get rat problems on site«; »there isn't enough parking spaces on our site, we need the site to be upgraded«; »the chalets are terrible and get damp«; »there needs to be better public transport«; »we would like a better park to play in on site, the one we have is rusty and dangerous because you slip«

[young Scottish Gypsy/Travellers' voices].

Concerns raised about site accommodation by participants in England include:

»A LACK OF CHOICE, SAFE SPACE AND FACILITIES«; *»the location – the site is close to a graveyard, it can feel uncomfortable«* [although others spoke positively of this as it allows them to visit with deceased relatives];

»children lack places to play such as a park and older young people lack places to go«; »the shed gets used for nothing [on our site]«; »the nearby road is busy and dangerous which is especially concerning for younger children and access to local amenities«; »you have to walk along the road to get to shops«; »don't have peace and quiet«.

Disrespect and even criminalisation towards the Gypsy/Traveller culture and tradition to 'shift' is a big issue:

»it's hard to get plots, which makes it difficult for Travellers to get a place on a site and also for families to visit and be close together«.

Participants also feel they are always being watched due to police presence and surveillance on their site: *»the police are always there«.* It was felt that there must be improvements to the support, information and treatment Gypsy/Travellers receive from the police – either as a victim of crime or as a young person involved in the criminal justice system. The main issues raised by

participants are: a lack of sites and where they are situated [they stated *»no transport«* was provided by schools and getting to the public bus stop was made dangerous by the distance and the busy roads; taxis were also said to refuse to go onto the sites and young people's freedom was limited as a result]; environmental issues and conditions on sites: traffic, pollution, uncollected rubbish, rats, sewage, worries over asbestos in the sheds and radiation from nearby power plants [resulting in a genuine fear of themselves or their relatives getting cancer]; health, facilities and access to services [racial discrimination and attitudinal barriers from professionals, services and the settled community are viewed as a major barrier, as were inflexible and insensitive mainstream systems]; a distinct lack of safe places to play and opportunities for older young people. More positively however, participants spoke of Leeds GATE as being a place in which they had a voice and were listened to, where they could learn and get help – both on and off site.

Inadequate standards of living pose serious risks to participant's health and well-being. The geographical location of sites and the lack of public transport are also barriers which restrict young Gypsy/Travellers access not only to education, but to social and recreational activities. Young Gypsy/Travellers rights to associate and play are also reported as being disproportionately affected due to the lack of safe and suitable spaces for

children to play on sites. The few that are lucky enough to live on private land are in the minority. Planning permission is rarely granted, in part largely due to local opposition from residents and council officials. Being forced to move constantly puts young Gypsy/Travellers behind the settled community in terms of their access to legal representation, healthcare, education and employment – factors which all impact upon their daily lives.

Young Gypsy/Travellers in Wales rightly felt that forcing Gypsy/Travellers to move constantly means that they are without a home or place to settle; children are not getting an education [and are experiencing bullying in mainstream educational settings], families are unable to access health services, local amenities and finding/maintaining employment becomes increasingly difficult:

»why have the family been shifted in the first place if they haven't harmed you [the settled community] or anything around you?«; »where are Travellers meant to go?«; »how can Traveller Mams and Dads get water and make food?«; »how will we wash?«; »all children have the right to education – how will they go to school or get a job?«; »sites should be cleaned up, the council should take away rubbish, or Gypsy/Travellers should be able to go to the council with rubbish – we must also not forget that the settled community contribute to fly tipping«; »consider the needs of the community in general for all sites – disability needs are often not considered«;

»[more and better] toilet blocks and access to water and facilities to wash«.

Participants felt that *»the council could make a transit site or help Gypsy/Travellers secure land and help with planning«* to help with the accommodation crisis and that if *»the council could talk to the settled community and make them see sense – that we've got nowhere to go«* and arrange *»more meetings between the council, Gypsy/Travellers and the settled community«*, it might help to alleviate tensions.

Article 12 in Scotland, were particularly concerned by young people's reports on how their privacy rights were violated by journalists on sites within Scotland. It is also apparent that the community's cultural rights are not respected; most young people in Scotland reported that they have become the victims of hate crime when they travel to new areas. It is particularly concerning when children as young as 10 years old report that they are 'disliked' by members of the settled community.

PARTICIPANTS' RECOMMENDATIONS

The lack of adequate sites, both transit and permanent, has reached crisis point; local authorities have a duty to push through the creation of more, decent, appropriately located authorised sites. This would in turn reduce the amount of 'unauthorised' encampments, a key driver in tensions, and lead to less negative media coverage;

Young Gypsy/Travellers must be consulted with regards to the type, location and facilities of planned sites [current sites should be upgraded and there needs to be more provision for disabled residents];

More young Gypsy/Travellers should be educated on, and involved with, the planning process, through government led initiatives and the work of relevant organisation such as *Planning Aid Scotland*;

Improved transport links, with particular regard to getting to and from schools and other educational bodies;

Better play and recreational facilities on sites.

**AT COLLEGE
I WAS MADE
TO FEEL
WORTHLESS.**

**PEOPLE WOULD SNIGGER AND
LAUGH AT YOU AND THEN YOU
THINK »WELL, WHAT'S THE POINT?«**

EDUCATION

Many of the skills traditionally required by Gypsy/Travellers are not dependent upon participation in formal education. Issues such as a lack of authorised sites [which makes long-term access to education difficult], and the unacceptable abuse and bullying Gypsy/Travellers often face at school because of their ethnicity and way of life, means that Gypsy/Travellers often do not complete mainstream education:

»AT COLLEGE I WAS MADE TO FEEL WORTHLESS. People would snigger and laugh at you and then YOU THINK 'WELL, WHAT'S THE POINT?«

Young Gypsy/Travellers in Northern Ireland experienced negative issues in mainstream education and participants felt that their transition to secondary school was often difficult as they had not attended a 'mainstream' primary school. Due to there being a lack of support in this area, the young people said that they felt excluded in secondary school as a result. They also spoke about having to see a 'Traveller Social Worker' in school, which made them feel different - this can be seen as furthering their segregation as 'the other'. Overall, it was felt that the Gypsy/Traveller community were discriminated against by educational providers, that the govern-

ment did not fulfil their responsibilities to young Gypsy/Travellers' educational requirements and that educational bodies did not address non-attendance issues, nor did they hold parents accountable [as they would with other communities]. It was also raised that post-school governmental courses are not flexible or culturally sensitive to the communities' needs, which results in young people being unable to access and sustain training opportunities. Major issues raised by the staff supporting the young people were:

- Literacy issues and lack of holistic family support - staff felt that this affected parents' abilities to support young people to attend and do well at school. Not understanding or providing adults with support regarding their literacy also affected parents' abilities to support young people with their homework and continued learning at home. Furthermore, the lack of holistic support and understanding of the communities' cultural needs and literacy issues affected families' access to education, health and other services if they were travelling in Northern Ireland.
- Youth provision - young people's access to mainstream youth provision was also raised as a real issue. Staff did not feel

that the current National Youth Strategy and subsequent provision is inclusive of Gypsy/Traveller children. Staff and young people said that they chose not to access any provision unless it was specifically for Gypsy/Travellers. Young people stated this was because either their families or they themselves felt that they **»would not be welcomed«** or that they would be **»different from everybody else«**. The staff at *Bryson An Munia Tober* believed this was also due to professionals' lack of knowledge and understanding of the community and the local authorities commitment and approaches to inclusion.

Participants in England stated that education is such a big part of a young person's life, yet the majority of Gypsy/Travellers living in England are missing out because they don't go to school. Negative experiences at school such as bullying can result in a lack of formal qualifications, this in turn can have a detrimental effect on the ability to find and maintain work: **»most Gypsy/Travellers feel very stereotyped when we're not all the same«**. Leeds GATE staff felt that home education is a huge barrier as it can restrict some young people from learning, which in turn makes it difficult to progress. If parents have literacy issues they are unable to adequately

support their children through their education. The EHE requirements in this area do not encourage young people to learn and there is no curriculum/structure for young people to follow.

»It would be good if there was **BETTER TRAINING FOR TEACHERS ABOUT OUR CULTURE.** Or even if we had *Gypsy/Traveller teachers.*«

A more culturally aware approach to education needs to be implemented on a nationwide basis; remote learning – or ‘e-learning’ – provides a realistic platform for non-mainstream education, as would on-site teachers. More Gypsy/Travellers working in the teaching profession would also perhaps encourage young Gypsy/Travellers to attend school, thus helping to resolve the literacy issues that many young Gypsy/Travellers living in the UK face today. Literacy issues impact upon many important areas of everyday life, such as: health care, employment and learning to drive.

PARTICIPANTS' RECOMMENDATIONS

More peer-led awareness-raising/conflict resolution workshops delivered, such as the successful model rolled out by the YGTL throughout the duration of their current project. Across Edinburgh, the YGTL workshops saw a 69.4% positive change in attitude, an 82.4% positive change recorded at *Kemnay Academy* in Aberdeenshire, and a 66.8% positive change in attitude at *Larkhall Academy* [findings taken from *Article 12 in Scotland* internal reports, these are available on request]. These findings clearly demonstrate that awareness-raising in school is not only successful, but also essential in the fight to end the discrimination, abuse and racial harassment faced by Gypsy/Travellers on a daily basis;

Schools to include meaningful rather than tokenistic education about the culture,

history and contributions Gypsy/Travellers have made to society. *Kemnay Academy* in Aberdeenshire, Scotland, is commended for implementing this as a result of hosting a series of YGTL workshops;

The nationwide implementation of a more culturally sensitive, easily accessible form of learning;

Awareness-raising training for teachers;

A drive to see more teachers in schools that come from the Gypsy/Traveller community;

Accredited courses for keen young Gypsy/Travellers where they can gain a qualification through vocational learning.



EMPLOYERS CHANGE TOWARDS YOU

**WHEN THEY KNOW
YOUR ETHNICITY.**

WORK

Many young Gypsy/Travellers are self-employed; this is due in large to both their lifestyle, and the fact that discrimination and prejudice still play a major part in the problems they face in gaining employment within the settled community. Indeed many often hide their ethnicity from employers and colleagues for fear of losing their job:

»I was employed in a clothes shop as a teenager. One day my cousin came in and we were told to watch them because they were 'Gypsies'. I told them that was my cousin they were talking about, and a few weeks later I was accused of stealing clothes from the shop«.

Participants in England spoke about the discrimination and lack of respect many face when dealing with the Job Centre; discrimination within employment was raised as a major factor:

»EMPLOYERS CHANGE TOWARDS YOU WHEN THEY KNOW YOUR ETHNICITY«.

The young people also discussed the practice of not including their ethnicity or address on application forms for fear of discrimination, with some even resorting to hiding their family when being picked up from places of work due to fear that their colleagues or employer would find out they are a Gypsy/Traveller: *»making you feel like scum«.*

This discrimination, coupled with the literacy issues that are still all too prevalent, means that Gypsy/Travellers are still living and working very much as an insular community.

PARTICIPANTS' RECOMMENDATIONS

More work placements tailored for young Gypsy/Travellers;

More opportunities and initiatives for young Gypsy/Travellers to try out new skills;

Increased vocational learning in schools;

Increased awareness-raising of the Gypsy/Traveller community for Job Centre employees.



**WE WANT
TO BE
TREATED
THE SAME**

**[AS THE SETTLED
COMMUNITY.]**

HEALTH

Health is one of the key areas in which participants face major discrimination and inequality. Many find it difficult to access a decent level of health care – a basic human right which the majority of the settled community in the UK take for granted.

Issues such as a lack of fixed address and a reluctance to interact with health professionals [due to familial mistrust and experience of prejudice and discrimination], have led to Gypsy/Travellers suffering a range of preventable health problems – leaving them subject to a shorter life expectancy [compared with the general population]. According to the *Equality and Human Rights Commission [EHRC]*, the life expectancy for Gypsy/Travellers, both male and female, is around ten years less than the national average. The *EHRC* further states that Gypsy/Traveller parents are 20 times more likely to experience the death of a child than parents within the wider general population.¹³

The absence of any real culturally tailored health care system, stress as a result of the lack of official sites/continually being moved on by authorities, discrimination within the work sector and literacy issues can all cause physical and mental ill-health – with mental ill-health still being a subject of fear and denial. It is important also to note that being forced into ‘bricks and mortar’ accommodation can itself bring its own range of issues.

What do young Gypsy/Travellers need to be happy, healthy and safe?

Having somewhere to live and be safe and secure is a basic right; having a trailer, decent sites and secure grounds to stay on are essential to young Gypsy/Travellers’ well-being, as is access to facilities such as healthcare, dental checks, shops, a range of services and education. Participants’ stated that they want *»to be treated the same [as the settled community] and respected«,* to be listened to – not judged – and treated fairly, that people should not make assumptions about their personal identity, culture or traditions based on stereotypes: *»don't accuse people of things they haven't done«;* *»don't listen to stereotypes, get to know people first«.* All of the young people said that there must be less discrimination and racism in order for young Gypsy/Travellers to live happy, healthy and safe lives. Culture, religion and tradition are very important, as is the freedom to roam:

»[the] RIGHT TO TRAVEL«; *»TO HAVE PLACES TO PULL [in to]«;* *»[the] RIGHT TO STICK TO OUR CULTURE«* and to *»BE TREATED EQUALLY in school and work«.*

Having a say and being heard is very important to all of the young people, with one group stating that *»we want to have our voices heard all around the world«.*

¹³ *Equality and Human Rights Commission, 2009, Gypsies and Travellers: simple solutions for living together.*

PARTICIPANTS' RECOMMENDATIONS

More flexible healthcare for the Gypsy/Traveller community;

More health professionals [such as midwives and health visitors] routinely visiting sites and building relationships with the community;

Increased training for health care professionals with the aim of building trust and encouraging young Gypsy/Travellers to access their right to decent medical care.



THINGS WOULD IMPROVE
**IF PEOPLE
LISTENED
TO US.**

PARTICIPATION

Structural inequalities are a continuing barrier for young Gypsy/Travellers, principally the lack of opportunities that recognise their contributions as active citizens. Participants highlighted that they can now identify that this has been one of the main drivers in treating them as the 'other'; many young people felt that they were not listened to by professionals and little efforts were made to support them to understand why certain decisions were made for them. The language used in letters and forms is often heavy with jargon and as a result, the community were often unable to access services or understand important information. Furthermore, there is a lack of advocacy services available to support Gypsy/Traveller children and their families.

Gaining work experience was viewed as a key tool to ensure their aspirations become a reality. Aspirations of young Scottish Gypsy/Travellers included:

»go into further education«; »continue to become more independent«; »peace and respect as a Traveller«; »become a Gypsy/Traveller Liaison Officer«; »understand myself better«; »pass my driving test«; »become less discriminated against«; »get a job«; »have more self-belief«.

Whilst positive change has been apparent for themselves as well as their community, it is obvious that more action must be taken at both local and national levels to improve the situation for Gypsy/Travellers. Responses suggest that young Gypsy/Travellers do not have equal opportunities to exercise their participation rights, that their participation depended very much upon the relationships professionals and organisations had forged with the community. Taking part in activities and being listened to is clearly important to these young people, yet they feel these rights are not respected. Participants were clear in their desire to be supported in expressing their opinions regarding education and local decision making processes. Participants felt that governments must ensure sincere and improved democratic participation in ways that are respectful and sensitive to the cultural rights of the Gypsy/Traveller community as a whole.

The voices of young Gypsy/Travellers speak for themselves:

»**THINGS WOULD IMPROVE IF PEOPLE LISTENED TO US.**«

»I now realise there are **SO MANY RIGHTS THAT GYPSY/TRAVELLERS ARE NEGLECTED FROM.**«

»**I HAVE LEARNT SO MUCH ABOUT MY OWN RIGHTS** and I am becoming very confident with myself.«

»**GYPSY/TRAVELLERS HAVE THE SAME RIGHTS AS ANYONE IN THE U.K.** We may live different lives but we still have the same rights.«

»**PLANNING IS RELEVANT IN ALL ENVIRONMENTS,** it is a complicated process that should involve everyone but often does not.«

»**PLANNING PROCESSES NEED TO BECOME MORE RELEVANT TO OUR CULTURE** and important decision makers need to gain a better understanding themselves.«

»**IT IS IMPORTANT TO LEARN ABOUT YOUR OWN ROLE WITHIN PLANNING PROCESSES;** we now know where to look for information.«

»**GAINING USEFUL KNOWLEDGE THAT CAN BE PASSED ON TO OTHERS IS IMPORTANT.**«

»Having the right to **BE ALLOWED TO TALK IN OUR OWN LANGUAGE.**«

»**RIGHTS** are things **WE ARE ENTITLED TO.**«

»[I had] **NEVER HEARD OF THE UNCRIC BEFORE NOW.**«

»**WE WANT]TO TAKE PART.**«

»[There needs to be more] **OPPORTUNITIES TO HAVE [our] OPINIONS LISTENED TO.**«

»We want people to know **WE AREN'T ALL THE SAME.**«

»We want to talk to people, **GIVE PEOPLE THE OPPORTUNITY TO MEET TRAVELLERS.**«

»**MORE SITES, HOUSES, LAND.**«

»**LET US ROAM FREE.**«

»We want **SOMEWHERE** where we can meet up **TO SOCIALISE.**«

The young people had varying experiences of participating in decision making processes. For many, participation in such processes was generally via local organisations and fora specifically for young Gypsy/Travellers, as opposed to mainstream and traditional forms of participation such as youth parliaments. There was a feeling that mainstream politics either *»wasn't for them«* or *»wouldn't make a difference«* to their lives. Whilst the young people believed having a say was important, they often did not feel listened to and felt the attitudes towards Gypsy/Travellers were so negative, that change was so slow it felt insignificant [young Gypsy/Travellers today spoke of facing the same issues their parents – and even grandparents – experienced as children]. However, participants were interested in taking part in decision making if it was through organisations and processes which were tailored for them [that understood their cultural needs and worked in ways which were relevant to their daily lives]. These were the preferred methods of participation; the young people cared about them and voluntarily chose to actively take part in them. That said, the young people did in fact participate in mainstream politics, but only if it was through processes they were supported to understand and in which they could visualise meaningful change.

No young Gypsy/Travellers had heard of the *UNCRC* prior to their involvement in the Reporting Process [although some had heard of 'rights']: they did not know who was res-

ponsible for protecting or promoting their rights, what they could do if their rights were not respected or who their Children and Young People's Commissioner was. Local authorities, elected members, school governors, local services and so on, remain almost entirely unaccountable to Gypsy/Traveller young people – either through a lack of data collection [how can you improve health services for example when you don't monitor ethnicity properly, who is monitoring the uptake of education, employment and training?], or through lack of willingness to listen, communicate or **effectively** consult with the community. It is vital that young Gypsy/Travellers are meaningfully engaged in decision making processes, in every aspect of their lives; that they do not simply become aware of their rights only when they experience rights issues.

Young Gypsy/Travellers are keen to engage with professionals and public services when they have understanding, cultural sensitivity and respect for their needs. Indeed, they shared that their parents were very supportive of the process, but that this support and consent depended very much upon the services being flexible and having an understanding of their family's cultural and individual needs. Furthermore, participation depended upon the individual workers themselves, whether they were transparent in their approaches and trusting in their professional relationships.

PARTICIPANTS' RECOMMENDATIONS

Local authorities must ensure that they are transparent in their decision making processes and are willing to engage with the Gypsy/Traveller community;

The young Gypsy/Travellers who participated in our *UNCRC* Reporting Process are now very much aware of their rights. It is recommended that the *UNCRC* is promoted widely in a format that is easily accessible to young people in the Gypsy/Traveller community to ensure the community is clued-up on their fundamental rights;

Greater efforts to include the community in mainstream services;

More opportunities for young Gypsy/Travellers to meaningfully participate in decision-making processes and have their voice heard; Professionals working with the community

must be trained in the *UNCRC*; there is a distinct lack of this within every jurisdiction of the UK;

The implementation of effective monitoring of local authority services and equality duties in connection to Gypsy/Traveller children and their families – this should include the delivery of obligatory training to professionals;

Frequent reviews of relevant policy via consultations with the Gypsy/Traveller community;

Increased awareness-raising to help foster a more positive relationship between young Gypsy/Travellers, the authorities and their peers within the settled community.



THE REPORTING PROCESS

The UNCRC Peer Education Training and Reporting Process has enabled young Gypsy/ Travellers from across the UK to further their knowledge and understanding of rights and peer education. In their evaluations, the young people stated that the process [learning from their peers] had enabled them to increase confidence in their abilities to speak out, share experiences and raise real rights issues.

The young people want their basic needs to be met and to enjoy the rights they are entitled to: they want to live in a safe, clean place, to have more and better sites - including transit sites, to have better transport and to have local amenities where they live or close by.

They want to *»live in a good community with nice people«, »where [they] are not judged«,* to feel safe and have things to do and places in which they can play safely, to be able to spend time with their friends and to access shops and take part in activities such as going to the cinema or bowling. In their dream communities they would have equal access to all services; health visitors and education providers would visit the sites and children and young people would be welcomed at nursery and school. Ultimately, they want their culture and traditions to be sensitively considered and treated respectfully, their right to privacy maintained and the right to speak up and have their opinions listened to fully supported.

»I now realise there are so many rights that Gypsy/Travellers are neglected from«

[young Gypsy/Traveller, Scotland];

»We have opportunities«

[young Gypsy/Traveller, Northern Ireland];

»I learned that I should not be used to being followed around a shop«

[young Gypsy/Traveller, Northern Ireland];

»I learned that we have the right to have our voices heard«

[young Gypsy/Traveller, Northern Ireland];

»I know a load about peer education and have learned about my rights and can say my opinion and get my voice heard«

[young Gypsy/Traveller, Wales];

»I have learned about my rights and know what I can and can't do«

[young Gypsy/Traveller, Wales].

Similarities and differences

»Don't just judge us because we are Travellers«.

The vast majority of the issues raised throughout the Reporting Process were standard across the lives of young Gypsy/Travellers living throughout the UK; discrimination from the media, professionals and the settled community has had a profoundly negative impact on their access to mainstream services and youth provision.

Article 12 in Scotland's Peer Educators felt that in both England and Wales, there were more sites and services; they liked the way in which Leeds GATE acted as a hub for support and services and thought that something similar in Scotland would work well. They felt the sites around England were also better; particularly as some young people had mentioned that doctors, schools and other services could be based on the site or do outreach work. Peer Educators also stated that it seemed there was, generally, less respect for Gypsy/Travellers in Scotland and that there was more acceptance in Wales – due to the fact that there was greater recognition for their ethnicity and rights; the appointment of an Assembly Member [Julie Morgan] in having responsibility within the Welsh Assembly for Gypsy/Travellers, and as Chair of the specific Gypsy and Traveller Cross Party Group, will have aided this greater recognition at government level. The group also spoke about some of the other young people in the UK being shocked by the lack of accessible services in Scotland [it is also important to note here that participants in Northern Ireland chose to remove 'the right to access clean drinking water' from their Charter; however, the feedback indicates that this was due to their fear of stigmatisation].

Peer Educators identified bullying, discrimination [employment, access to leisure, shops and so on], negative media reports and harassment from the police as issues which affected

all Gypsy/Travellers in the UK. They felt that from participating in the Reporting Process, they had learned about a shared culture and ethnicity with Gypsy/Travellers from England and Wales, which meant that they often raised similar issues in relation to discrimination and the UNCRRC. Nonetheless, whilst there were many similarities, they also learned that there were differences between the nations, particularly in respect to how their rights were implemented at local and national levels. Indeed, for many of the young people, it was the first time that they had really considered that they were unfairly treated and discriminated against [this was particularly apparent in the young people's feedback from Northern Ireland]. What Peer Educators found most notable was that in Scotland, Gypsy/Travellers are 'hidden' and often make a conscious effort to hide their culture and traditions, whereas in England and Wales, Peer Educators felt that many »aren't frightened to show it«. For some of the young people this was not something they had considered before; they felt they had educated and learned mutually from one another in a positive and meaningful way.

Their self-desires are as follows:

»confidence«; »independence«; »peace and respect as a Traveller«; »education«; »employment«; »more say in my own life [control]«; »start a family«; »have my own place«.

SUMMARY AND OVERARCHING KEY ACTION POINTS

The 5th UK Government Report to The UN Committee on the Rights of The Child clearly highlights the differences between the UK jurisdictions and the varying rights challenges we face. Here in Scotland, we recognise and commend the Scottish Government's hard work in trying to make children and young people's fundamental rights a reality for all, enshrining the UNCRRC deeply into policy and practice vis a vis the GIRFEC approach and the Children and Young People [Scotland] Act 2014. We also commend their continued commitment to rights and the improvement of services available to children and young people in times of austerity. The Welsh Government is making good progress in developing a more positive and proactive policy and legislative framework for Gypsy/Travellers, and have undertaken some good consultations with the community [for example: the Managing Unauthorised Encampments guidance and the new Housing Bill; it has been suggested there is a great need for cross portfolio awareness vis a vis the impact of UK legislation on Welsh Gypsy/Travellers].

Nonetheless, it is clear that young Gypsy/Travellers are still facing unacceptably high levels of discrimination on a daily basis in almost every aspect of their lives. Indeed, there is a general lack of awareness of the

UNCRRC amongst the Gypsy/Traveller community in Northern Ireland and as a result young people were often not aware that they were experiencing discrimination. It is also apparent that young Gypsy/Travellers in Northern Ireland are not afforded with equal opportunities to exercise their participation rights effectively. The government in Northern Ireland needs to demonstrate its commitment to children's rights and work harder to implement and monitor the UNCRRC in policy and practice. They should formulate a clear children's rights action plan and all professionals should be trained on the UNCRRC, including government ministers. The strategy should also support advocacy and mechanisms for participation.

The most marginalised in society are often the most in need of support, and indeed can be the most difficult to reach, many vulnerable groups of children and young people living in the UK can become 'hidden' from wider society.

It is of vital importance that all marginalised, 'hidden' and 'hardly reached' Gypsy/Traveller children and young people not only become more visible, but that they are supported to understand their rights, and achieve positive change vis a vis the many recommendations they have put forward in this report.

The issues and recommendations raised in this report require immediate consideration to ensure that young Gypsy/Travellers' rights are better implemented across the UK.

Addressing negative societal attitudes and discrimination towards the Gypsy/Traveller community requires a strategic action plan and strong national leadership. Young Gypsy/Travellers urge the *UK Government* to support each of the jurisdictions to launch national awareness-raising campaigns in order to reduce negative media reporting and the subsequent stigma that young Gypsy/Travellers face.

All young people have the right to access basic facilities such as clean drinking water and sanitation, regardless of their accommodation status. The shortage of adequate accommodation which appropriately meets the Gypsy/Traveller community's cultural and social needs is unacceptable. Accommodation status is also a discriminatory barrier which affects young Gypsy/Travellers' access to health and education services. Negative attitudes, a lack of cultural understanding and poor family support are all major barriers which prevent young Gypsy/Travellers from accessing essential services and educational opportunities. We urge the *UK Government* to take immediate action to address these inequalities throughout the UK, supporting each of the jurisdictions to come together

to improve the Gypsy/Traveller community's access to their fundamental rights through positive and proactive legislation.

We have seen the benefits that incorporating children's rights into domestic law has had in Wales and we commend the Scottish and Welsh Government's commitment to take children's rights into account through their new ministerial duties. Whilst jurisdictions have agreed to implement children's rights into policy and practice, our report indicates that their actions do not adequately address the Gypsy/Traveller community's unequal access to rights.

Article 12 in Scotland recommends that the *UK Government* makes a commitment to promote and protect young Gypsy/Travellers rights by implementing a strategic UK-wide action plan. This should include adequate resources to train professionals and to increase the Gypsy/Traveller community's awareness of the *UNCRC*, by creating relevant opportunities for young Gypsy/Travellers to learn about their rights and to monitor implementation. Young Gypsy/Travellers also believe that the Children and Young People's Commissioners need to do more to ensure that the community is meaningfully involved in their work.

Overarching key action points

- *Article 12 in Scotland* recommends the *UNCRC* is fully incorporated into law, across the UK.
- Changes and improvements in legislation only become meaningful when they are understood and implemented at a wider level of society. All those working with, and for, young Gypsy/Travellers – from the national government and local authorities to voluntary community organisations – must understand, implement and build upon these changes in order to reflect and ensure the rights and real needs of children and young people are being met. Lack of knowledge by decision makers regarding their awareness of Gypsy/Traveller culture is detrimental to progress – more peer education is needed.
- Immediate attention in meeting the lack of culturally sensitive accommodation to meet with the ever increasing need [i.e. 'bricks and mortar', geographical, temporary halt sites and so on]. The 'state' of sites, i.e. environmental degradation and threats to health as a result of biohazards and a fear of children being exposed to these while playing, lack of services on site, the time it takes for repairs/lack of action, poor access to local amenities and so on, is of huge concern for the young people and community as a whole.
- The education system is seen as discriminatory for many young Gypsy/Travellers.
- Increased participation from the young people within the community in the development of services in relation to accommodation.
- The *UK Government*, devolved governments, local authorities and the community must work together to develop an action plan that ensures all Gypsy/Travellers can access their fundamental human rights [such as access to clean water, health and education services and a voice in decision making processes]. Working with young people would ensure that bridges are being built and the views of the next generation are taken into account. Agreed actions should be enshrined in local and national law, policy and practice.
- Discrimination and stereotyping vis a vis the mainstream media is a huge problem; negative myths are perpetuated, bullying and hate crimes increase – impacting on all areas of life for vulnerable children and young people within the Gypsy/Traveller community. We urge the *UK Government* to take immediate action in increasing the protection of vulnerable children and young people with regards to unbalanced, stereotypical reporting – on a national basis. All young Gypsy/Travellers involved in *Article 12 in Scotland's* Reporting Process

stated that more needs to be done and believe the media plays a substantial role in the negative portrayal of their community – fuelling stereotypes; increasing discrimination and bullying.

- Increased awareness-raising and fresh anti-bullying campaigns, at a national level, to specifically challenge negative societal attitudes faced by Gypsy/Travellers; the young people should play a key role in the development and delivery of this.
- In the spirit of Article 12 of the *UNCRC*, young Gypsy/Travellers must be consulted in the development of all policies, practices and services that affect themselves and their communities. Increased participation and advocacy are essential; and it must be meaningful. Many attempts to engage children and young people in the participation process can be viewed as largely tokenistic by the Gypsy/Traveller community. A shift in focus from service providers to the empowerment of children and young people in making decisions concerning the services they use, will help enable them to ensure the best outcome for themselves, their families and their community.
- Knowledge surrounding the *UNCRC* is still low; greater awareness-raising, both for young Gypsy/Travellers and any person who will be working with them, at all levels, is

essential. The *UNCRC* is highly valued by the children and young people who know of its existence, as is the ‘right to know your rights’. If we are to see a meaningful change in realising the rights of vulnerable children and young people such as young Gypsy/Travellers, it is essential that the *UNCRC* be widely and aggressively promoted.

- It is recommended that the *UNCRC* is promoted widely in a format that is easily accessible to young people in the Gypsy/Traveller community.
- There needs to be stronger national leadership and accountability from the government in implementing the *UNCRC* at a local government level for all children and young people. There should be a commitment and strategy for all local authorities to ensure resources are in place for *UNCRC* implementation. Minority groups such as young Gypsy/Travellers need to be considered in this at a national strategic level to ensure local governments plan and account for this in their resource allocation.
- Local authorities possess too much power in decision making processes on behalf of the Gypsy/Traveller community, as well as there being a lack of transparency in allocation of funds. They must be held accountable. The *UK Government* must exert legal

pressure on local authorities for provision of accommodation for the community: a statutory duty for local authorities to provide safe and adequate sites for Gypsy/Travellers is urgently required. The Gypsy/Traveller community must be meaningfully involved in all relevant planning processes. This will require skilling up members of the community and planning officials.

- Increased meaningful opportunity to participate, especially in planning processes; many events are viewed as largely tokenistic.
- The living conditions and access to essential services [including access to health and education services; further education and employment opportunities; social and recreational activities and their participation in civil and cultural life; access to personal support; financial assistance and suitable accommodation] requires attention. All young people have the right to a safe, healthy environment and a wide range of available, accessible support and facilities to aid their development and increase well-being. Young people have poor access to other important services as a result of inadequate living standards and the geographical setting of sites. More sites in better locations are urgently needed. Young people should be consulted in this.

- Increased support for self-advocacy; greater, sensitive, advocacy is required at local levels to enable capacity building and participation in decision making processes.
- *Article 12 in Scotland* also recommends that the *UK Government*, and indeed all its devolved counterparts, support more youth-led projects which empower young people to directly educate professionals [and other young people via peer education] in health and education services.
- Staff training and strategic plans are needed to ensure there are equality policies in place and that services are accessible, flexible and culturally sensitive to the needs of Gypsy/Travellers. Midwives and health visitors need to ensure they respect the rights of the child and provide outreach services and visits. Many young Gypsy/Travellers have said this is not happening. Also, access to services needs to improve and the issue of having a fixed address needs to change to make health services and medical care universally accessible, particularly to young Gypsy/Travellers.

FINAL CONCLUSION

States Parties shall respect and ensure the rights set forth in the present *Convention* to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 2 of the *UNCRC*

Numerous rights issues have been documented in this report, however, it is apparent that the overarching theme of the data gathered is one of discrimination. Discrimination, fuelled by the mass media and combined with poor participation and a lack of knowledge surrounding the *UNCRC*, is having a profoundly negative impact on the realisation of rights for the vulnerable and marginalised young people living in the Gypsy/Traveller community. It is clear that there are substantial gaps in the general knowledge and understanding of children and young people's rights; young Gypsy/Travellers are disproportionately affected by this, due in part to the fact that they lack equal opportunities to learn about their rights and voice their opinions. As a result of negative societal attitudes and limited understandings, many of the young people have stated that their rights have been confused with privileges, that their enjoyment of rights has been situational and dependent on their accommodation status, behaviour or perceived abilities.

We believe that governments, professionals and wider society all have a role to play in building an environment that respects, values and validates the contributions of all young people. We strongly recommend that the *UK Government*, all devolved governments and their local authorities, and all professionals who work with children and young people, consider more free and meaningful forms of participation which respect young people's participation rights.

In short, it has become widely acceptable to discriminate against, harass and racially abuse Gypsy/Travellers. Discrimination towards Gypsy/Travellers has been widely described as the last socially acceptable form of racism. This must change, and for change to happen we need motivation, trust, understanding and tolerance – not only between the travelling and settled communities, but from the government: national and devolved, on every level, thus fulfilling the rights entitlements of the Gypsy/Traveller community living in the UK.

Article 12 in Scotland hopes the issues and recommendations presented in this report will encourage key decision makers in each of the jurisdictions to consider how they will effectively include the community in their future actions. We expect each of the jurisdictions to work harder to ensure that this vulnerable group of marginalised young people's opinions are given the due weight and attention that they deserve and we look forward to hearing how their recommendations will be taken forward.

UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC)

The following outlines the 54 Articles of the *United Nations Convention on the Rights of the Child [UNCRC]*. **Articles 1 – 40** describe the rights that Governments must make sure young people have; **Articles 41 – 54** describe the things that adults and Governments must do to make sure all young people realise all their rights.

ARTICLE 1: Every young person under 18 years of age has all the rights in this *Convention*.

ARTICLE 2: The *Convention* applies to all young people under 18 years of age whatever their race, religion, abilities, whatever they think or say, whatever family they come from.

ARTICLE 3: All organisations that work with or for young people should work towards what is best for each child or young person.

ARTICLE 4: Governments should work to make these rights available to all young people.

ARTICLE 5: Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.

ARTICLE 6: All young people have the right to life. Governments should insure that young people survive and develop healthily.

ARTICLE 7: All young people have the right to a legally registered name, the right to a nationality and the right to know and, as far as possible, be cared for by their parents.

ARTICLE 8: Governments should respect young people's rights to a name, a nationality and family ties.

ARTICLE 9: Young people should not be separated from their parents unless it is for their own good, for example: if a parent is mistreating or neglecting a young person. Young people whose parents have separated have the right to stay in contact with both parents, unless they may harm the young person.

ARTICLE 10: Families who live in different countries should be allowed to move between those countries so that parents and young people can stay in contact or get back together as a family.

ARTICLE 11: Governments should take steps to stop young people being taken out of their own country illegally.

ARTICLE 12: Young people have the right to say what they think should happen when adults are making decisions that affect them, and to have their opinions taken into account.

ARTICLE 13: Young people have the right to get and share information as long as the information is not damaging to them or others.

ARTICLE 14: Young people have the right to think and believe what they want and to practice their religion, as long as they are not stopping other people from enjoying their rights. Adults should guide young people on these matters.

ARTICLE 15: Young people have the right to meet together and to join organisations, as long as this does not stop other people from enjoying their rights.

ARTICLE 16: Young people have the right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

ARTICLE 17: Young people have the right to reliable information from the mass media. Television, radio and newspapers should provide information that young people can understand and should not promote materials that could harm young people.

ARTICLE 18: Both parents share responsibility for raising their children and should always consider what is best for their children.

ARTICLE 19: Governments should ensure that young people are properly cared for and protect

them from violence, abuse and neglect by their parents or anyone else who looks after them.

ARTICLE 20: Young people who cannot be looked after by their own families must be looked after properly by people who respect their religion, culture and language.

ARTICLE 21: When young people are adopted the first concern must be what is best for them. The same rules should apply whether the young people are adopted in the country where they were born or taken to live in another country.

ARTICLE 22: Young people who come into a country as refugees or asylum seekers should have the same rights as young people born in the country.

ARTICLE 23: Young people who have any kind of disability should have special care and support so they can live full and independent lives.

ARTICLE 24: Young people have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries to achieve this.

ARTICLE 25: Young people who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

ARTICLE 26: The Government should provide extra money for young people from families in need.

ARTICLE 27: Young people have a right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families who cannot afford to provide this.

ARTICLE 28: Young people have a right to an education. Discipline in schools should respect a young person's dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.

ARTICLE 29: Education should develop each young person's personality and talents to the full. It should encourage young people to respect their parents, their own and other cultures.

ARTICLE 30: Young people have a right to learn and use the language and customs of their families, whether or not these are shared by the majority of the people in the country in which they live.

ARTICLE 31: All young people have a right to relax and play, and to join in a wide range of activities.

ARTICLE 32: The Government should protect young people from work that is dangerous or might harm their health or their education.

ARTICLE 33: The Government should provide ways of protecting young people from dangerous drugs.

ARTICLE 34: The Government should protect young people from sexual abuse.

ARTICLE 35: The Government should make sure that young people are not abducted or sold.

ARTICLE 36: Young people should be protected from any activities that could harm their development.

ARTICLE 37: Young people who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.

ARTICLE 38: Governments should not allow young people under the age of 15 to join the armed forces. Young people in war zones should receive special protection.

ARTICLE 39: Young people who have been neglected or abused should receive special help to restore their self-respect.

ARTICLE 40: Young people who are accused of breaking the law should receive legal help.

Prison sentences for young people should only be used for the most serious offences.

ARTICLE 41: If the laws of a particular country protect young people better than the *Convention* then those laws should stay.

ARTICLE 42: The Government should tell all adults and young people about the *Convention*.

ARTICLE 43: A group of ten experts from all over the world [*The Committee on the Rights of the Child*] has been set up to make sure that Governments are doing all they can to give young people their rights. This group usually meet at the *United Nations* Headquarters in Geneva.

ARTICLE 44: Governments have to submit their first report to *The Committee on the Rights of the Child* within two years of signing up to the *Convention* and on a five yearly basis after that. Government reports have to explain how they are making sure that all young people get the rights, and if they are not, why they are not.

ARTICLE 45: *The Committee on the Rights of the Child* can ask non-governmental organisations [NGOs], with an interest in or working with young people, their views and opinions on the state of children and young people's rights. Based on information received from Governments and NGOs *The Committee on the Rights of the Child* can make suggestions and recommendations as to how those Governments should improve the situation for children and young people.

ARTICLE 46: The *Convention* is open to all countries to sign up to. Signing up means that your Government agrees that the *Convention* is a good idea.

ARTICLE 47: The *Convention* is subject to ratification. Ratification means that your Government formally approves the *Convention*, meaning it agrees to put the articles of the *Convention* in to action in your country. Governments have to inform the *United Nations* of their decision to ratify.

ARTICLE 48: The *Convention* is open for accession by any country. Accession means the formal acceptance of the *Convention* by your Government. Governments have to inform the *United Nations* of their decision.

ARTICLE 49: The *Convention* enters into force thirty days after a Government has informed the *United Nations* of its ratification or accession. This means that after thirty days the Government has a duty to ensure that all children and young people get their rights and to report back regularly to *The Committee on the Rights of the Child*.

ARTICLE 50: Any country can propose an amendment to the *Convention*. Any proposed amendment has to be considered and voted on by all countries who have signed up to the *Convention*. Agreed amendments only have to be adhered to by those countries that have voted for them. Those countries who did not vote in favour remain bound only by the original articles or any other amendments that they have voted for.

ARTICLE 51: Governments have the right to make certain reservations to their obligations as set out in the *Convention*. For example, a Government may reserve the right not to afford young people who come into a country as refugees or asylum seekers the same rights as young people born in the country [ARTICLE 22].

ARTICLE 52: Governments can withdraw their agreement to apply the *Convention*. They have to inform the Secretary-General of the *United Nations* of their decision. Their withdrawal enters into force one year after their notification to the *United Nations*.

ARTICLE 53: The Secretary-General of the *United Nations* is the person responsible for the *Convention*.

ARTICLE 54: The originals of the *Convention*, in English, Arabic, Chinese, French, Russian and Spanish languages, are held by the Secretary-General of the *United Nations*.

YOUNG GYPSY/TRAVELLERS' UK CHARTER OF RIGHTS

Article 12 in Scotland

This Charter represents the voices of young Gypsy/Travellers across the UK and is a combination of the Charters created by the groups of young Gypsy/Travellers who participated in *Article 12 in Scotland's UNCRC Reporting Process*. Independent Charters were produced by each group in order to represent the priority rights issues of the four nations within the UK. The young people from *Article 12 in Scotland's YGTL Project* reviewed these Charters and created a UK-wide Charter which sets out the ten most important rights, which **all** young Gypsy/Travellers should have, in relation to the *UNCRC*. These rights are as follows:

»The right to survival of our Gypsy/Traveller identity, culture, language and traditions.«

All young people should be proud of their nomadic heritage and identity. They should be able to practise their religion and cultural traditions, regardless of where they live in the UK. Young people should be able to publicly celebrate family and cultural events such as weddings and fairs; families should not be unfairly discriminated against or banned from hosting such events in their community.

Non-discrimination

ARTICLE 2 – *States parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parents or legal guardians race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or status. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.*

Parental guidance and the child's evolving capacities

ARTICLE 5 – *States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of rights recognised in the present convention.*

Freedom of expression

ARTICLE 13 – *The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers,*

either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Freedom of thought, conscience and religion

ARTICLE 14 – *States Parties shall respect the right of the child to freedom of thought, conscience and religion. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.*

Freedom of association

ARTICLE 15 – *States Parties recognise the rights of the child to freedom of association and to freedom of peaceful assembly. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of the rights and freedoms of others.*

Children of minorities or indigenous peoples

ARTICLE 30 – *In those states in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to progress and practise his or her own religion, or to use his or her own language.*

»The right to culturally sensitive education which respects our cultural rights.«

All young people have the right to an education. Schools should work in ways which are culturally relevant and inclusive of young Gypsy/Travellers. Parents and young people should be able to access support whenever they need to and education records should be easily accessible to ensure that all young

Gypsy/Travellers can access education if their families travel or work across the UK.

It is everyone's responsibility to ensure that young people do well in education and have positive learning experiences. Young Gypsy/Travellers should be able to access education at home, on sites, in schools or through alternative education providers. Vocational learning opportunities should be available in order to enable young Gypsy/Travellers to develop relevant skills for traditional work. Government training schemes and further education establishments such as colleges should provide flexible and inclusive learning opportunities which cater to the Gypsy/Traveller community's interests and needs.

Non-discrimination

ARTICLE 2 – States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parents or legal guardians race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or status. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Best interests of the child

ARTICLE 3 – In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration.

Parental guidance and the child's evolving capacities

ARTICLE 5 – States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons

legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of rights recognised in the present Convention.

The child's opinion

ARTICLE 12 – States Parties shall assure to the child who is capable of forming his or her own views the rights to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Freedom of expression

ARTICLE 13 – The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Education

ARTICLE 28 – States Parties recognise the rights of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity. They shall make primary education compulsory and available to all, encourage the development of different forms of secondary education.

Aims of education

ARTICLE 29 – States Parties agree that the education of the child shall be directed to:

- a.) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- b.) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the UN;

c.) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

d.) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

e.) The development of respect for the natural environment.

Children of minorities or indigenous peoples

ARTICLE 30 – In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in a community with other members of his or her group, to enjoy his or her own culture, to progress and practice his or her own religion, or to use his or her own language.

»The right to privacy and protection from harassment and abuse [including from the mass media] on sites or whilst travelling, or wherever you live.«

All young people should have happy, healthy and safe childhoods in the UK. Young Gypsy/Travellers should not be subjected to violence or cruel and racist treatment. All young people have the right to associate and to enjoy activities in their communities according to their age and stage of development. Young Gypsy/Travellers should not be harassed or abused as a result of their ethnicity or feel like they are under surveillance from police or CCTV cameras on sites. The police should always take Gypsy/Travellers seriously when reporting crimes or in raising concerns about their safety.

Non-discrimination

ARTICLE 2 – States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parents or legal guardians race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or status. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

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Freedom of association

ARTICLE 15 – States Parties recognise the rights of the child to freedom of association and to freedom of peaceful assembly. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of the rights and freedoms of others.

Protection of privacy

ARTICLE 16 – No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honour and reputation. The child has the right to the protection of the law against such interference and attacks.

Access to appropriate information

ARTICLE 17 – Young people have the right to reliable information from the mass media. States Parties recognise the important function performed by the mass media and shall ensure that the child has access to information

and material aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall encourage the mass media to disseminate information and material of social and cultural benefit of the child.

Protection from abuse and neglect

ARTICLE 19 – All young people have the right to life. Governments should ensure that young people survive and develop healthily. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of the child's maltreatment.

Standard of living

ARTICLE 27 – States Parties recognise the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

Children of minorities or indigenous peoples

ARTICLE 30 – In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin shall exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to progress and practice his or her own religion, or to use his or her own language.

Leisure, recreation and cultural activities

ARTICLE 31 – States Parties recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

»The right to be skilled up on your rights, to receive help if your rights are ignored and to be involved in meaningful participation processes.«

All young people should be able to access information about their rights that is relevant and easy to understand. Young Gypsy/Travellers should be able to access advocacy and support if they believe their rights are violated or if they get in trouble with the police. Any suggestions of rights violations should be taken seriously and acted upon by professionals.

All young people should be valued as rights holders and active citizens. Young Gypsy/Travellers should have equal opportunities to participate and to have their voices heard, through processes which are meaningful to them. Decision makers should have a good knowledge and cultural understanding of the community's needs. Participation processes should value young people's lived experiences and enable them to build the capacity of their community. Gypsy/Travellers should not need to 'fit' with mainstream forms of participation in order to have their voices heard.

Non-discrimination

ARTICLE 2 – States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parents or legal guardians race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or status. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Implementation of rights

ARTICLE 4 – States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognised in the present Convention.

With regard to economic, social and cultural rights, States Parties shall undertake of their available reasons and where needed, within the framework of international co-operation.

The child's opinion

ARTICLE 12: States Parties shall assure to the child who is capable of forming his or her own views the rights to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Freedom of expression

ARTICLE 13 - The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

»The right to have equal access to services that are flexible and sensitive to your cultural needs, regardless of your ethnicity.«

Young Gypsy/Travellers should not have to hide their ethnicity in order to access services, to enter employment or to avoid discrimination and abuse in the UK. Young Gypsy/Travellers should be able to enjoy a good standard of living and be able to access free health care and education wherever they live. Families should not have to live in fixed or 'bricks and mortar' accommodation in order to access services and support. Gypsy/Travellers should not be forced to access health care through emergency services and health care visitors should carry out their duties by visiting families on sites. Services should give due regard to literacy levels of

community members and professionals should have a good knowledge and understanding of the community's needs.

Non-discrimination

ARTICLE 2 - States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parents or legal guardians race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or status. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Best interests of the child

ARTICLE 3 - In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration.

Survival and development

ARTICLE 6 - States Parties recognise that every child has the inherent right to life. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Health and health services

ARTICLE 24 - Young people have the right to good quality health care and to clean water, nutritious foods and a clean environment so that they will stay healthy. States Parties recognise the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

Social security

ARTICLE 26 - Every child has the right to

benefit from social security. The benefits should, where appropriate be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Standard of living

ARTICLE 27 - States Parties recognise the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

Children of minorities or indigenous peoples

ARTICLE 30 - In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin shall exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to progress and practice his or her own religion, or to use his or her own language.

»The right to understand and participate fully without fear of discrimination in planning processes.«

Young Gypsy/Travellers should be involved in planning processes in order to ensure accommodation is to a good standard and meets the needs of the community. Families should be able to acquire planning permission for private sites, which meet their social and cultural needs. Local authorities should ensure the provision of more permanent and temporary halt sites so that the community may carry out their cultural traditions. Community members should not feel that they are being discriminated against in planning applications as a result of their ethnicity.

Non-discrimination

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without discrimination of any kind, irrespective of the child's or his or her parents or legal guardians race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or status. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

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Standard of living

ARTICLE 27 - States Parties recognise the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

»The right to access clean drinking water when travelling and have access to accommodation that is of a good standard and does not hinder our practice of our cultural traditions.«

Young Gypsy/Travellers should have access to a good standard of living and be able to access services and facilities, such as water and sanitation, regardless of their accommodation status. These basic rights should not be violated because the community do not conform with traditional mainstream values. Young Gypsy/Travellers should not be forced to live on sites in industrial areas, surrounded

by busy roads and pollutants. Sites should be situated in easily accessible, safe and habitable areas close to local amenities and services. Sites provided by local authorities should be well maintained and families should have access to all the basic facilities and services that they need.

Non-discrimination

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Best interests of the child

ARTICLE 3 - In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well a competent supervision.

Survival and development

ARTICLE 6 - States Parties recognise that every child has the inherent right to life. States Parties shall ensure to the maximum extent possible the survival and development of the child.

The child's opinion

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Charter conclusion

The rights listed in this Charter, should be regarded as priority rights issues which require serious attention for young Gypsy/ Travellers living in the UK. Each group shared their experiences and voiced their concerns about numerous issues which affected their rights in their local communities. As the reader can see, many of the rights regard a number of *UNCRC* Articles. It is important to point out that the young Gypsy/Travellers regarded all of the *UNCRC* Articles as important measures of their health and well-being; however, the *YGTL* project wrote their own rights, to set out what they had identified as the most common human rights issues for young Gypsy/Travellers in the UK.

Whilst the young people lived in different areas of the country, they all experienced high levels of discrimination, harassment and abuse on a daily basis; such discrimination has a detrimental effect on young Gypsy/ Travellers' most basic human rights. We asked young Gypsy/Travellers from Northern Ireland to rank the rights which were listed in the Charter and they considered *the right to the survival of our Gypsy/Traveller identity, culture, language and traditions* to be the most important. It is clear to see from the issues raised in the Charter, why they felt this right was particularly important. We heard directly from young Gypsy/Travellers how discriminatory practices and negative media reporting prevented their families from travelling and

practising the cultural traditions which form their identity. We also heard how the community were excluded from the most basic services and facilities that members of the settled community take for granted; cultural barriers and discriminatory practises excluded the Gypsy/Travellers' community from accessing services when they were travelling. Many of the young people felt that these were direct attempts from mainstream society to eradicate their identity, as they are forced to move into fixed accommodation or 'bricks and mortar' housing to access basic services and facilities.

All of the young people who participated in the making of this Charter feel it is important that their communities have an awareness of rights, enabling them to challenge these serious rights violations.

The guiding principles of the *UNCRC* of non-discrimination [Article 2]; best interests of the child [Article 3], right to life, survival and development [Article 6] and respect for the views of the child [Article 12] are the general requirements for all rights holders. However, young Gypsy/Travellers continue to experience discrimination throughout the UK based on their ethnicity and accommodation status. Our Charter calls for young Gypsy/Travellers to be recognised as the equal rights holders that they are, so that their rights are respected and realised.

Young Scottish Gypsy/Travellers' Human Rights Act

- The right to move about freely without harassment;
- The right to roam should be applied equally to Gypsy/Travellers as any other member of society [Scots Law];
- The right to access clean drinking water;
- The right to culturally sensitive/competent education;
- The right not to be geographically segregated;
- The right to be part of and not be discriminated against in planning processes.

Young Scottish Gypsy/Travellers' Bill of Rights

- The right to follow our own culture without discrimination;
- The right to be kept safe from torture/humiliating treatment;
- The right to feel secure;
- The right to survival;
- The right to get and receive help if your rights are ignored;
- The right to access culturally sensitive and competent services;
- The right to the survival of Gypsy/Traveller culture;
- Freedom of expression;
- The right to know your rights.

