

Amnesty International



Mr Franck David
Assistant Clerk to the Public Petitions Committee
Tower 2, T3.40
The Scottish Parliament
Holyrood EH99 1SP

16th December 2010

Re: Amnesty International response to written question for PE 1363.

Dear Mr David,

Amnesty International welcomes the opportunity to respond to the call for written evidence by the Scottish Parliament on Petition PE1363, concerning the treatment of Gypsy Travellers in Scotland.

Overview

The situation for Scottish Gypsy Travellers raises fundamental human rights concerns – particularly the rights to health, education, housing, family life and cultural life and the requirement to be free from discrimination in the realisation of these rights.¹

Amnesty International agrees that Gypsy Travellers are among the most marginalised and discriminated against communities in Scotland and furthermore would suggest that there has been a general consensus on this point for some years. At the behest of our members, we are currently working to draw attention to this situation and to promote political solutions.

We feel that the petitioner, Mr MacLennan, makes some very salient points on this matter within the petition. Amnesty International is familiar with much of the research quoted and we concur that this work repeatedly leads towards the same message: that Scottish Gypsy Travellers experience discrimination and curtailed access to services and that despite widespread recognition this situation is proving resistant to change.

Given the very clear findings and recommendations for action that have been made both by independent researchers and by the Scottish Parliament's Equal Opportunities Committee, and having seen the 2005 Scottish Executive response to that Committee's report, we can only conclude that it is not primarily the statutory or regulatory framework that is at fault but instead a broad failure of political will to force through change against numerous practical difficulties and widespread public hostility.

Issues

For example, this year Amnesty has conducted its own survey into the provision of services to Scottish Gypsy Travellers by Scottish local authorities, using Freedom of Information requests to examine performance against four of the specific recommendations contained in the 2001 report

¹ From Universal Declaration of Human Rights – <http://www.un.org/en/documents/udhr/index.shtml>

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by the Equal Opportunities Committee.² The results have shown that while a small number of local authorities have made commendable efforts to deliver on their race equality and accommodation duties towards this community, there are many that have given very limited consideration to the circumstances, needs and aspirations of Scottish Gypsy Travellers.

The latest review of the UK by the UN's Committee on Economic Social and Cultural Rights³ noted that "The Committee is concerned about the shortage of adequate stopping sites for Roma/Gypsies and Irish Travellers" and "recommends that the State party ensure the provision of sufficient, adequate and secure stopping sites". Amnesty International is concerned that in spite of some local authorities' efforts towards creating transit sites to address unauthorised camping in their localities, and the existence of a government fund to support investment in site provision, negative media coverage and opposition from the settled community make improving and expanding provision difficult.

Such negative attitudes are clear within the findings of the 2006 social attitudes surveys, which speak volumes on the current racial prejudice that Scottish Gypsy Travellers face in their daily lives:

- "Evidently discriminatory attitudes towards Scottish Gypsy Travellers are widely held in Scottish society".
- 37% of respondents would be 'unhappy/very unhappy' 'if close relative formed a long-term relationship with a Scottish Gypsy Traveller, while 31% agreed that they would be 'happy/very happy. This is broadly the same result as for an asylum seeker with only 'someone who had a sex change operation' having a more negative response.
- 31% of those who say 'Scotland should get rid of all kinds of prejudice' (65% of sample) remain unhappy about a relative forming a long-term relationship with a Scottish Gypsy Traveller.
- "Only a handful of people (4%) think that a black or Asian person would be unsuitable to be a primary school teacher, 15% think this of a Muslim and 21% say the same of a gay man or lesbian. Three in ten (30%) express unease about a transsexual person holding such a position while as many as half say that a Scottish Gypsy Traveller, a person who sometimes experiences depression and a person aged over 70 would be unsuitable."

Meanwhile there is evidence to suggest that provision of local authority-run transit sites can be more cost effective than battling unauthorised stopping, whilst also reducing community tensions.⁴

We are currently conducting a review of Scottish media coverage of Scottish Gypsy Travellers, and expect to report in the Spring. In the meantime we can say that there has been widespread

² <http://www.scottish.parliament.uk/business/committees/historic/equal/reports-01/eor01-01-vol01-02.htm#9>
Amnesty International generally uses the term "Scottish Gypsy Travellers", following recommendation 1 of that report.

³

<http://www.universalhumanrightsindex.org/hrsearch/displayDocumentVersions.do;jsessionid=7E4EBD23F3.ECA4D2D97A0760ED2812B1?docId=1545&lang=en>

⁴ Morris, R and Clements, L *At What Cost? The economics of Gypsy and Traveller encampments* Bristol: Policy Press.

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negative coverage of the travelling community, including a variety of unhelpful stereotypes, which we can assume fuels hostility from the settled population.

Conclusions

Amnesty International concludes, from our own work and our review of other research and recommendations, that what is needed from the Scottish Government is the acceptance of a central role in driving forward change and ensuring the various regulatory and service providing bodies in Scotland work together to tackle prejudice and discrimination while meeting the needs of both travelling and settled communities.

Such a role could encompass a range of activities such as:

- reconvening the Gypsy/Traveller Strategic Group, which met during 2005 and 2006, and tasking it with producing a specific, time-bound national action plan;
- returning to the 2001 Equal Opportunities Committee report and producing an updated performance scorecard, setting out how outstanding recommendations will be addressed;
- auditing public body compliance with the duty to promote good race relations, with particular reference to Scottish Gypsy Travellers;
- pressing the Scottish Housing Regulator to demonstrate how it is delivering on its mandate to regulate local authority site provision, with the last such activity being a Communities Scotland review in 2005/6;
- auditing the consideration given to Scottish Gypsy Travellers in Local Housing Strategies across Scotland, and the results delivered;
- reinvigorating support for local authorities to establish a network of transit sites in order to reduce the incidence of unauthorised camps and thereby reduce tensions between Gypsy Travellers and local settled communities. This must extend beyond simply making funding available to encompass political support for identifying land and taking planning applications to completion;
- addressing existing community tensions through interventions to bring stakeholders around the table, such as the recent meeting of interested parties in the north-east of Scotland chaired by the Minister for Housing and Communities;
- promoting cross-party initiatives to stand up to negative stereotyping of Gypsy Travellers in the media;
- using a human rights framework to make explicit the Gypsy Traveller right to cultural and family life and access to housing, health and education, alongside the settled community rights to property and privacy, so that the needs to each community can be respected and balanced as solutions are progressed; and
- mainstreaming consultation with the Gypsy Traveller community.

I trust that the above meets the needs of your request and would be happy to provide any further information or explanation should you require it.

Yours sincerely,

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