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**‘INVISIBLE LIVES’:
THE GYPSIES AND TRAVELLERS OF BRITAIN**

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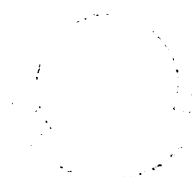
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ABSTRACT

This thesis examines the lives and experiences of relatively 'unknown' minority ethnic communities in Britain. As a group, they have been known by many names since their arrival in the 15th Century, although the most common one - and the one that has stuck - has been 'Gypsies'. This label, as the thesis demonstrates, is both historically and etymologically inaccurate, as well as being offensive to some of the people who are called a 'Gypsy'. Despite this, it is still the main label that features in the commentaries and literature that discuss this population. It is the aim of this thesis to get behind the headlines and sensationalism that surrounds 'Gypsy invasions', 'Gypsy scams' and 'Gypsy curses'. I aim to give a more factual and critical sociological and social policy account of who those persons known as 'Gypsies' are and how 'settled' Britain regards them. This account produces five distinct parts to the thesis:

Part 1 offers a critical overview of the context for the study and outlines the theoretical, conceptual and methodological approach that is taken during the course of the thesis (especially in relation to questions of ethnicity, ethnic identity, nomadism and the history of Gypsy stereotypes). This analysis is done by reviewing how Gypsies and other Travellers have been regarded in terms of 'race relations' and how they have been rendered, I argue, 'invisible' by the ethnic and racial studies academic community as well as by policy-makers.

Part 2 provides a comprehensive account of who the main groups of Gypsies and Travellers are in Britain today. As is shown, they are not just one homogeneous group but several different groups who each have their own languages, lifestyles, cultures and ways of expressing their unique identities. To be sure, it is unhelpful and lazy to merely lump them together and speak of 'one' British Gypsy/Traveller population.

Part 3 is specifically concerned with looking at how Gypsies and Travellers in England have been dealt with in terms of social/public policy and state services. The two main areas of investigation are sites (accommodation) and social security. However, these are not examined in isolation from the other social services as health, education and relationships with the Police are also critically assessed.

Part 4 broadens the questions and issues out by taking into consideration the European context. Increasingly, what happens at a European Union (EU) level regarding Gypsies and Travellers has a direct bearing on how Britain chooses to view and treat Gypsies and Travellers. I examine the social, legal and 'racial' context of Europe and the main institutions in the EU and their stance on Gypsies and 'nomad populations'. I briefly offer a critical view on why it is that the EU only appears to be interested in Gypsies when discussing education issues.

Part 5 is a general conclusion to the thesis and offers some final thoughts on the future for Gypsies and Travellers in Britain. It examines recent moves to try and steady the shaky legal ground that most Gypsies and Travellers currently occupy. This is most notably occurring through a revival of Romani lobbying and moves to bring about legal change. This section also summarises the main theoretical and policy implications of the thesis as a whole.

The picture that emerges from the research is of a variety of Gypsy and Traveller families in Britain who are misunderstood, unheard and subject to a type of discrimination and prejudice that could be termed, specifically, 'anti-Gypsyism'. Such *gaujos* (non-Gypsies) who are largely part of this problem include those who work for local authorities, district councils, social security offices, health and education authorities, police forces, national/local newspapers and other such institutions and service providers. The 'problem', we shall see, is not so much Gypsies and Travellers themselves; it is the discrimination they face from settled society that is the real problem. Though only a small ethnic/nomadic minority group, and despite a degree of legal protection from the Race Relations Act of 1976, it is found that many barriers and hurdles are faced by groups known or perceived as 'Gypsies' and 'Travellers' when they attempt to gain access to the kinds of goods and services to which the majority of the settled *gaujo* population take for granted. In this sense, I argue that they constitute one of the least 'visible' and understood ethnic minority groupings in Britain today.

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Dan, aged one and a half, only saw the end bit (lucky for him). My family started the firing pistol for all this, especially my Mum, who will be as glad as my supervisors to

see this finally at an end. *Parika-tut* (thank-you) to all of you. Needless to say, in the end, this work is dedicated to all my Gypsy and Traveller friends around Britain and Europe to whom I say:

*Kushti bok ta rokker sig...rigger opre the drom. Amendi zee lel the
pallani bori sav!*

OPRÉ ROMA!

Gelem gelem lungone dromençar

Maladilem baxtale romençar.

A Roma!len, katar tumen aven

E caxrençar, bokhale chavençar?

A-a Roma!len, a-a chava!len!

GYPSIES ARISE!

I have travelled, travelled long roads

Everywhere meeting happy Gypsies

Oh, Gypsies, where are you coming from

With your tents and hungry children?

Oh, Gypsies! Oh, my Gypsy lads!

A Personal Preface

This preface is divided into two main sections. One section explains, briefly, how I have got this far (in terms of academia) and the second explains the ‘Why Gypsies?’ question that everyone always seems to ask me about. In many ways both are crucially connected to each other and are important for the thesis as a whole.

(a) How I got this far

I left Carnoustie High School, which is in Angus, Scotland, in the summer of 1988 thinking that I was going to be working next to my Dad on a building site for the next few years of my life. I’d assumed that I was leaving with what could best be described as a rather weak academic record. However, to my surprise, sixth year had done me the world of good and I managed to pass three Highers at ‘B’ level, to compliment the rather mediocre ‘C’ grade that I obtained in English the year before. I left in 1988 to the words of the then deputy head who assured me I wouldn’t make that much of my life as I didn’t have the ‘right attitude’ or the brains to do well.

Following this surprise, and not knowing what to do with a clutch of Highers, I noticed an advertisement in the *Daily Record* for the then Paisley College of Technology (now a University) one morning at the breakfast table. It said ‘*One Phone Call and You’re In!*’ True enough, as I found out, one ten-minute phone call later and I had a place to do Applied Social Studies. Following two years labouring in the West coast salt mines of Paisley ‘Tech’ I transferred to the more friendly East coast to finish my degree at Dundee. By the summer of 1992 I had a 2:1 in Politics

and Social Policy and more uncertainty about what to do, and where to go, next. One of my lecturers mentioned a Ph.D.. I thought why not and applied to the Politics department in Edinburgh to do a study on the concept and idea of the 'underclass', which was terribly fashionable at that point in time. Politics put me on to Social Policy and a few months later, via a strange and rather sad route, I had a place and some funding, thanks to the Department of Social Security (an old funder of mine at one point, ironically enough).

What happened during the period October 1992 to the present day is slightly less easy to document in a few lines. It has been an altogether much more complicated period of my life. As I speak of later, in the section 'methods of approach', my original idea for a Ph.D. topic gave way to another, more 'doable' topic as I took on a series of jobs in Higher Education. These jobs eventually led me to a temporary lectureship at Glasgow University and then to a permanent one at Newcastle, where I currently am. Along the way I also got married and have had, to date, two children (though not in that order, naturally). Life does have a habit of getting in the way of full time study. Thankfully so.

So, it is now the year 2001 and I find myself, aged 30, living in the North East of England and working at the University of Newcastle upon Tyne. I conduct research, write articles and, of course, teach. It's a good job, but like all aspects of teaching – as I'm sure you, the academic reader, know – institutions are underfunded, we are overworked and most of our students are on the poverty line. Tuition fees are just making this situation even worse and, in all, it can be very depressing at times.

However, I still love the job and without the help of key individuals from Carnoustie High School, Paisley, Dundee, Edinburgh, Glasgow and Newcastle Universities I would not be where I am today. It is these scholars, along with my mother, that got through to me, eventually, about how important a good education is. Mr Kosiba, an economics teacher at school with flair and vision, saw me through one fail and one successful resit in economics. He convinced me that it was a subject worth caring about and of the lunacy of the Thatcher 'low inflation at all costs' monetarist approach to economic policy. Likewise, Ms Clark from English equally encouraged me, though my 'C' was probably not a great surprise to her. I can still hear the word 'syntax' ringing in my ears. There were, of course, other teachers at school (who shall remain nameless) that did their best to patronise me, put me down and generally cared little about the kind of education I was getting. This apathy towards teaching now makes me angry and it is one of the reasons I always try and be enthusiastic about a subject or topic I am teaching, whether I actually like it or not.

At Paisley University it was Gerry Mooney that lit up the grey skies and never failed to amuse everyone in the room with his witty approach to lectures. His anecdotes and 'tall' stories – as well as his passion for his subject – made me say to myself 'I want to do that'. Along with Dr Mooney, it was Dr Dunphy at Dundee University who suggested to me that I could care and be passionate about Higher Education from the other side of the fence. Richard also was the first person to suggest to me that I should undertake a higher degree. So blame him.

The individuals at Edinburgh, Glasgow and Newcastle are thanked properly in the acknowledgements section of this Ph.D. and that is where they should be. The above commentary on my route to where I am now belongs in a preface because this ‘statement of introduction’ is all about two things; how I got here and ‘Why Gypsies?’. I have outlined the ‘how’, I now go on to detail the ‘why’.

(b) *‘Why Gypsies?’*

There are many reasons ‘why Gypsies’ but it goes back, in an academic sense, to my undergraduate and postgraduate years of study where I started to drift towards an interest in ethnic and racial studies. As I read more, I came to the view that something more - indeed, something *accurate* - had to be said about those people we call ‘Travelling People’ or ‘Gypsies’. The stereotypes, prejudice and myths that exist about this group of people surely told only a part of the story I thought. Luckily, I met academics who were interested in this as well; such as Judith Okely, Thomas Acton and Donald Kenrick. They are some of the few *gaujos* (non-Gypsies) to have written about Gypsies without relying on fiction, gross caricatures and untruths. It has been my pleasure to know them and work with them in the last few years.

On a personal level, my interest in Travellers goes back to two key events. One of these events, from my days at school, involved a group of Travelling Showpeople (the O’Briens) who would arrive and set up their fair down by the beach every summer in Carnoustie. One boy who was my age, Dax, attended the school during this time and was regularly called names and bullied. He was a ‘mink’, a ‘gyppo’ and ‘lived in a skip’ according to his classmates. Although I did not actively engage in this racist behaviour, I never said anything to stop it or challenge it. The teachers did

not do anything either. I imagine they just wanted to let it slide and ignore it, knowing that he would be on the road again in a few weeks anyway. As it was, the last time I saw him at the school was in 1986. He left that year with no qualifications but a number of bad memories about the ‘settled folk’ or ‘*flatties*’ at the school I would have thought (See Appendix 2 for a glossary of terms, such as ‘*flattie*’). One does hope that times have changed a little since then; we can only look to the future and remain optimistic about our children being more tolerant and respectful of different cultures and ethnic groups than ourselves. As I have said, I have two young children myself now and I hope they would challenge such behaviour rather than just ‘not get involved’.

The second event is more difficult to relate on paper as it occurred at the time that my mother and father finally and painfully (and violently) separated. It was 1991 and I was in my final year at Dundee University. That winter, when I came home for the Christmas break, I would find out – on New Years Eve - about my mother’s family history for the first time in all its glorious complexity. Some of this I do not want to dwell on here, despite the calls for ‘the personal being political’ and our anthropologist colleagues reminding us of the importance of the autobiographical approach to writing and research. Some things must remain private – out of respect for the living as well as the dead. Nonetheless, I was to find out about my mother’s Traveller background (being a Robertson from the Aberdeenshire area of Scotland and a distant relative of the famous folk-singer Jeannie Robertson) and about her split from the family as a young woman (16) due to very distressing reasons. Being told of her background, and thus my own background (and ‘identity’), was a revelation to me and began my search

for family and friends from the Travelling community in North East Scotland. It is in this context, and with this (some would say) cultural 'baggage' that I present this Ph.D. thesis and now offer a profile of what I refer to as an 'invisible' ethnic minority community and how it negotiates the majority 'settled' *gaujo* society.

PART ONE: GENERAL INTRODUCTION

In this first Part, I introduce the study and its background. I go on to outline the methodology that I have used to put the thesis together and how I accessed the information I did and some of the problems I faced. Then I move on to look at the related themes of Gypsy origins, identity, ethnicity, nomadism, migration and also at the many (mis)representations of Gypsies by non-Gypsies and their impact on the community. I also outline my theoretical position which suggests that we should pay as much critical attention to the issue of nomadism as ethnicity when examining the situation of Gypsies and other Travellers in Britain.

Chapter 1

An introduction to the study and methods

But is there anything more to say that has not been said already?

(Elkins, 1976: 1)

The books you read at school
Do not mention me
Because I am the invisible man
In this country's history...
[And] I'm living on the edge of your town

(‘Living on the edge of your town’ by Ted Atkinson and Paddy Hoolahan.)

What the study involves

As an undergraduate student of political science and social policy in the late 1980s/early 1990s, I was told a great deal about the famous ‘Five Giants’ of William Beveridge. I was informed that the giants of idleness, squalor, ignorance, disease and want were still as relevant today as they were back in the 1940’s when Beveridge had first written about them (Beveridge, 1942). True, my lecturers would say, some had changed their form a little and some were now talked about in new ways, but largely they were still with us; unemployment, homelessness, truancy, ill-health, poverty and social exclusion and the like.

I was also taught, to some extent, about how these ‘giants’ affected different groups of people in society; for example, how women were badly catered for in the patriarchal Beveridge model of welfare and how people with disabilities – although one of the

first groups in British society to 'receive' equal opportunities of some description (Disabled Persons Employment Act 1944) – were still socially excluded and discriminated against in trying to play an active and valued role in society (Bagilhole, 1997: 127). I was told slightly less about some other groups in society, particularly those known as 'ethnic minority groups'. When the experiences of Britain's ethnic minority groups were spoken of they were invariably all lumped together under the label of 'black', with little recognition of the differences and diversity in culture and experiences that they had as individual ethnic groups; for example, how, when compared to the Chinese community did the Bangladeshi community have such a disadvantaged position in the British labour and housing markets? These differences were not generally aired and usually contained to one lecture or seminar at most.

In making the transition from undergraduate to postgraduate student (and then to a lecturer) I found myself wanting to know more about what I came to think of as 'invisible' minority groups. In many ways, as this thesis demonstrates, Gypsies and Travellers are just such an 'invisible' ethnic/nomadic minority group in terms of academic and policy-making discourses. They are largely unseen and unheard (with some notable exceptions, see below). I wanted to know how they, as several distinctive minority groups, experienced the social policy world and the Beveridge 'Five Giants'. I wanted, in some small way, to help tell of their unique experiences and illustrate how modern Britain perceived them.

Of course, the issue of 'visibility' is an ironic one. The 'invisibility' of Gypsies and Travellers in an intellectual and policy 'space' that should be theirs contrasts with their

extremely high 'visibility' when it comes to accusations of 'aggressive begging' on the streets and tube network of London (as in March 2000) or when a roadside Gypsy encampment is established on the outskirts of a home counties village (Morris, 2000). In such instances as this they become all too visible as a population group – and always in a very negative and prejudiced light. This thesis sets out to address this imbalance and to make their 'visibility' felt more, both within the academic and ethnic and racial studies world and also, one hopes, within the policy context as well.

The aim of this thesis is to examine the situation and experiences in contemporary Britain of one of the least understood minority ethnic groups which inhabit these Islands. A range of policy areas are examined from accommodation issues to social security, health and education. These ethnic/nomadic groups have been known by many names since their arrival in the 15th Century, although the most common name they have been called is 'Gypsy'. Though this label is both etymologically inaccurate and offensive to some people who are called a 'Gypsy', it is still the label that dominates the commentaries and discourses that modern Britain – and indeed Europe – use through various channels to discuss these people.

The reader will no doubt be aware that the terms 'Gypsy', 'Traveller' and 'Roma/Romani' are not neutral terms. For example, in Part 3 of this thesis, we shall examine the *legal* definitions of who is and who is not a 'Gypsy'. This is very relevant when it comes to matters such as site accommodation and planning law (Sandland, 1996). In a sociological and anthropological sense, the issues of definition are no less complicated. However, for us to proceed, an attempt should be made for

the purposes of this thesis. I will now outline the commonly cited *cultural* definitions that were employed by the Minority Rights Group in the latest edition of their influential Report entitled *Roma/Gypsies: A European Minority* (Liégeois and Gheorghe, 1995: 6) and then detail which groups we have in Britain today:

- ‘*Gypsy*’ – ‘Term used to denote ethnic groups formed by the dispersal of commercial, nomadic and other groups from within India from the tenth century, and their mixing with European and other groups during their Diaspora’.
- ‘*Traveller*’ – ‘A member of any of the (predominantly) indigenous European ethnic groups (*Woonwagenbewoners, Minceiri, Jenisch, Quinquis, Resende*, etc.) whose culture is characterized, inter-alia, by self-employment, occupational fluidity, and nomadism. These groups have been influenced, to a greater or lesser degree by ethnic groups of (predominantly) Indian origin with a similar cultural base’.
- ‘*Roma / Rom*’ - ‘A broad term used in various ways, to signify: (a) Those ethnic groups (e.g., *Kalderash, Lovari* etc.) who speak the ‘*Vlach*’, ‘*Xoraxane*’ or ‘*Rom*’ varieties of the Romani language. (b) Any person identified by others as ‘*Tsigane*’ in Central and Eastern Europe and Turkey, plus those outside the region of East European extraction. (c) Romani people in general’.

However, it should be noted that even these quite detailed definitions are contentious and some critical attention must be given to them. For example, I tend to agree with

the social anthropologist Judith Okely when she questions ‘the non-Gypsy scholar’s affirmation of a single Indian origin and homeland as entirely unproblematic’ (Okely, 1997a: 191). For a response to this, see the recent work of Ian Hancock (2000: 10-11) who asserts that the ‘social and linguistic clues’ now exist to suggest that the initial form of the Romani language was a military *koïné* and the Indian origin is ‘beyond any doubt’. My own view is that this is still an unresolved issue and I go into this in more depth later in the thesis (chapter 2).

In Britain, we have four main groups of Gypsies and Travellers. In their own languages they are the *Romanichals* (English Gypsies), the *Kalé* (Welsh Gypsies), the *Nachins* (Scottish Travellers) and the *Minceir* (Irish Travellers). Added to these main groups we also have various groups of immigrant Romanies who have come to Britain from different parts of Central and Eastern Europe and a group of nomads rather specific to the UK who have been called by the media New (Age) Travellers. All together they number about 120,000 people (Kenrick & Clark, 1999: 21). Later chapters in Part 2 of the thesis cover these groups in much more detail.

It is the principal aim of this thesis to try and get behind the headlines and sensationalism that so often surrounds ‘Gypsy invasions’, ‘Gypsy scams’ and ‘Gypsy curses’ and give a more factual and critical sociological and social policy account of who those persons known as ‘Gypsies’ really are. This account encompasses five distinct parts to the thesis:

Part 1 offers a critical overview of the context for the study and outlines the theoretical, conceptual and methodological approach that is taken during the course of the thesis (especially in relation to questions of ethnicity, ethnic identity and nomadism). This analysis is done by reviewing how Gypsies and other Travellers have been regarded in terms of ‘race relations’ and how they have been rendered, I argue, ‘invisible’ by the ethnic and racial studies academic community as well as by policy-makers.

Part 2 provides a comprehensive account of who the main groups of Gypsies and Travellers are in Britain today. As is shown, they are not just one homogeneous group but several different groups each with their own languages, lifestyles, cultures and ways of expressing their unique identities (NB: see Appendix 6 for some details on languages).

Part 3 is specifically concerned with looking at how Gypsies and Travellers in England have been dealt with in terms of public policy and state services. The two main areas of investigation are sites (accommodation) and social security. However, these are not examined in isolation from the other social services and health, education and relationships with the Police are also critically assessed (as with earlier chapters in Part 2 of the thesis on Wales, Scotland and New Travellers).

Part 4 broadens the questions and issues out by taking into consideration the European context. Increasingly what happens at a European Union (EU) level, in terms of social policies and legal matters, has a direct bearing on how Britain tackles various social,

economic and political concerns. When it comes to issues that affect Gypsies and Travellers this is also very much the case. As well as giving an overview of the social, legal and 'racial' context of Europe, I also examine the main institutions in Europe and the EU and their stance on Gypsies and 'nomad populations'. I also critically investigate how it is that to date the main concern of European bodies such as the European Commission, European Parliament and Council of Europe, when it comes to Gypsies, has been education policy.

Part 5 offers some concluding thoughts on the future for Gypsies and Travellers in Britain and examines recent moves to try and steady the shaky legal ground that most Gypsies and Travellers currently occupy. An examination of the revival of Romani lobbying in the last three years is undertaken and some final thoughts given on (realistic) prospects for the 21st century. Part 5 also comments on the policy implications of Europe for British social policy regarding Gypsies and Travellers and draws together the main arguments of the thesis as a whole.

The overall picture which emerges from the research is of a variety of groups who are 'known' by *gaujos* (non-Gypsies) as 'Gypsies' or as 'Travellers' as being misunderstood, unheard and subject to a type of discrimination and prejudice that could be termed, specifically, 'anti-Gypsyism'. Such *gaujos* who are part of the problem include those who work for local authorities, social security offices, health authorities, police forces, national and local newspapers and other such institutions and services. Though only a small minority group, and despite the legal protection of the Race Relations Act of 1976, it is found that many barriers and hurdles are faced by

groups known or perceived as ‘Gypsies’ and ‘Travellers’ in attempting to gain access to goods and services which the settled *gaujo* population often take for granted. In this sense, they constitute one of the least ‘visible’ and least understood ethnic minority groups in Britain today.

The method of approach: introduction

This thesis arose out of the ashes of an earlier, abandoned, attempt to do a doctorate that examined the ways in which Gypsies, Travellers and other so-called ‘unsettled’ persons specifically interacted with the Department of Social Security and the Benefits Agency. It was funded by a three year Department of Social Security research studentship and was started in October 1992. Some of the material collected during the period of fieldwork for that study (1993-1994) has been retained, updated and used in chapter 9 of the thesis presented here. This fieldwork saw me both living and working on various Gypsy and Traveller sites in parts of Scotland and England as well as visiting and interviewing people in hostels for the homeless and spending a great deal of time in Benefits Agency offices in Edinburgh, London and Salisbury.

In many ways, this original project has not exactly been ‘abandoned’; it has merely evolved over time to fit in with the concerns of the researcher and the wider issues at stake, and of concern, for Gypsies and Travellers themselves. It should be noted that some sections of the thesis draw on some of my already published work that has built on this fieldwork (see p9 for details). In discussing the many issues surrounding data collection and quality, and also questions of objectivity and ethics, I am concerned

with presenting an accurate and critical picture of the strengths and weaknesses of my reliance on the archives of the Gypsy Council for Education, Culture, Welfare and Civil Rights (GCECWCRC, hereafter Gypsy Council) and the conversations I had with the membership and client base of this organisation. As we shall see, this method of approach did have a number of positive aspects to it and helped the research process go relatively smoothly. Nonetheless, there were some disadvantages with using the archives and interviewing those individuals who had some degree of relationship with the Gypsy Council which I explore later in this section on methods.

Data collection: the issues

The method of approach for the study presented here has been informed by the many mistakes that were made during my first attempt at conducting postgraduate research on a very specific topic. Since the autumn of 1995, in addition to my full-time lecturing post, I have been working on a part-time and largely voluntary (unpaid) basis for the Gypsy Council which is based in Romford, Essex. During this five year period, I have had important insights into what is important to its membership and client base, as well as what is important to the executive committee of the Council. It was through this work that I had the opportunity to learn about the wider issues of concern to Gypsies and Travellers in Britain; for example, the many (costly) legal complexities of finding a place to station your caravan and obtaining the necessary planning permission for a private site development. In a very real way, much of the original English data in Part 3 of this thesis was obtained from work I was involved in on behalf of the Gypsy Council and the actual families concerned (they have been made

anonymous where requested; please see my later discussion of this methodological issue).

Much of the data presented here was found at the Council headquarters in Essex. I have made use of the Council's extensive archives and the documents, reports, memos and letters contained within them. I have also benefited from those who have gone before me: such as Acton (1974a: 289-290) who sorted through and catalogued some of the 55 cubic feet of documents in the offices of the Gypsy Council in the early 1970s. What was 55 cubic feet then, is now more than double this figure I conservatively estimate.

In sorting through and selecting documents and case files to quote from, I paid close attention to Bell's useful suggestions (Bell, 1987: 53-57) regarding the selection and analysis of documentary evidence. Likewise, as Marwick did (1970: 138) I managed to 'squeeze the last drop' of information from all the sources I used from the Gypsy Council Archives. However, it must be asked what the quality of this data was like, did it have disadvantages and any obvious flaws or gaps? I will now discuss the research methodology in more detail.

Documentary evidence: the approach

Methodological, epistemological and ethical issues are, in research practice, routinely implicated... each with the others, and cannot be approached as discrete sets of problems.

(Jenkins, 1987: 144)

As Jenkins suggests, it is not feasible or wise to try and detach all these research issues from each other. They must be worked out and discussed alongside each other and my own approach has been similar to Jenkins in writing this section on methodology. In using the documentary approach, I faced issues of how to categorise, locate, select and analyse the documents that I found in the archives of the Gypsy Council. Inherent in this process are further problems of what 'evidence' can be deemed to be 'reliable' or 'valid' – longstanding concerns of professional social researchers. I show later, in sections covering questions of objectivity, ethics and confidentiality, how I wrestled with these questions and sought to provide as fair and just a representation as possible based on the information I gathered.

Apart from the numerous informal conversations I had over a five-year period with members and clients of the Gypsy Council, the primary source of information gathered for this thesis was printed sources in the archives. These documents took a number of forms, as I said earlier, and included minutes of meetings, incoming and outgoing mail, internal memos and past and present family/individual case files that the Council had been involved in. These case files were usually concerned with legal problems that families were having and they had asked the Gypsy Council to take on their cases. These cases, in the main, involved forced evictions from unauthorised sites, planning applications for private site development, access to educational provision at local schools or treatment via local health services. A few cases also dealt with allegations by Gypsy and Traveller individuals and families of experiencing racism, in terms of goods and service provision that they should have had equal access to.

In using these documents, it should be made clear that some came into existence whilst I was actually involved in the research ('active files'). These could be classified as my 'primary materials'. Other documents and sources I used related to cases that had been undertaken prior to 1995 and were considered closed by the time I started to sift through the archives, whatever the eventual outcome of the cases ('closed files'). These documents could be classified as my 'secondary sources' (that is, they are interpretations of events of that period that are based on primary sources).

There is some confusion and 'blurring' in this study about what is primary and what is secondary data but I have tried to be as clear as possible about this in the text of the thesis itself. I recognise that the division between primary and secondary can depend on different viewpoints and perspectives of different researchers (May, 1993).

Generally speaking, if I refer to an event that relies on Gypsy Council archive material that is dated pre-1995 then it is, for the purposes of this study, to be considered as 'secondary' data. Any source from the archives of the Council post-1995 (until February 2001) is to be considered as 'primary' data.

Further thought is required on this. It is evident that even when talking of 'primary' data there are different types available to the researcher. When examining the archives, I came across materials – especially externally published reports and some diaries I found – which were clearly prepared as 'intentional' documents to illustrate the 'good work' that the Gypsy Council was involved in. These *external* materials offered a kind of self-vindication for the individual author (when named) and the Council as a whole. This is critical speculation on my part, of course, but shows I was alert to various

possibilities and readings of the archive material on offer. To be sure, I went into this project with the mind of both cynical researcher and (part-time) empathetic civil rights campaigner.

On the other hand, I found materials that were clearly for *internal* reading only and not written for an outside audience or for research purposes. Some of these I decided to use and others I decided not to use for the thesis. It was in these cases that my sensitive and professional conscience took over and guided my decision-making. In a way, I am talking about ‘unintentional’ sources: using various documents in a way that they were not originally intended for. This included various bits of paper which recorded the everyday workings of the Council and its activities. In particular, this included records and minutes from various types of meetings held (annual general meetings, case workload meetings, staff meetings, working group meetings), handbooks and literature for office staff and letters, memos, case files and newspaper files. In all, this amounted to a very valuable and rich source of data for my thesis.

However, like the ‘intentional’ data, it might be that some of this ‘everyday’ Gypsy Council material was not produced for a contemporary and practical purpose. Some documents, after cross-checking and speaking to people who had worked for a long time at the Council, seemed unreliable and were possibly left in the archives to mislead the *gaujo* researcher or lay reader. This was particularly the case with some items, such as letters, that contained unusual AngloRomani terms. Further, as with the intentional evidence, some items also seemed to me to be more about justifying a particular course of action or decision rather than representing the ‘truth’ of the matter.

Again, this was a benefit of having people both within and outside the Council who could verify or question what various documents had reported. This allowed me to build up a 'fuller picture' and get closer to the 'reality' of what various documents were saying (Robson, 1993).

This factor leads us to make another comment on the nature of documentary evidence. When writing a report or a letter, or producing a casefile, the author will obviously be at pains to convey factual information on a given matter that is both clear and readable. However, in producing the document – depending on the circumstances – the author may leave unintentional 'evidence', that can be gleaned from 'reading between the lines' a little, that wasn't originally what the author primarily wanted to put across. This calls for sound and careful judgement on the part of the researcher and skills in detecting the underlying assumptions of the author, the type of language used and expressions made. Fundamentally, this unwitting evidence may not actually matter or be of little importance. In some cases, however, it may be very important to a particular issue and the skill lies in finding and understanding these 'clues'.

It should be pointed out, at this stage, that other locations were used for gathering documentary evidence outside of the Gypsy Council archives. For example, both national and local sources were consulted for various documents that I thought were relevant to this thesis. In particular, the special collections at Liverpool and Leeds Universities were important in this regard as were the archives of various newspapers, for example, *The Times* (see chapter 2). In my search for primary documentary data, as already explained, I did uncover documents that I thought prudent to omit from the

thesis on ethical grounds. Similarly, there were some documents at the Public Records Office that I wanted to read and possibly include in the thesis but was unable to due to their classified status. This enforced denial of information that might be relevant to my work was unfortunate but, to be clear, quite rare.

One of the biggest methodological issues I had to face was deciding what to include in the final version of the thesis. The sheer weight and volume of evidence that was available to me was staggering. The usual constraints of time and money came into play and helped filter some documents and files away from my attention (not to mention the word length for the thesis itself!). In relying on conscious and unconscious 'filters', I hoped to strike a balance in the material used and presented in the thesis. Crucially, I wanted to make use of materials that would help illustrate, in a 'real life' fashion, my theoretical and conceptual arguments around particular points (for example, nomadism, social security, prejudice etc). Naturally, over the course of the research, my own perceptions of what was 'valuable' changed and altered in light of the passing of time and conversations with people both within the Gypsy Council and outside it (such as with my supervisors and other academics). All this helped make my selection of material, I very much hope, as effective and balanced as possible.

Issues in the analysis of secondary data

It has been suggested that 'special consideration' is required where data has been collected and stored for certain purposes, by particular parties, and is then made available to researchers whose interest in such documents may not have been

anticipated at the time of the original recording/writing of the data (Homan, 1991: 87). These 'considerations' should be given some further attention in relation to this study.

As suggested earlier, the archives of the Gypsy Council provided me with a rich source of raw primary and secondary data: personal letters and diaries, minutes of various meetings, accounts and the like. In examining and analysing this documentary material, I had to weigh up the 'balance' between, on one hand, issues of privacy and consent, and, on the other hand, the 'public interest' and benefit of knowing about a particular topic or issue. This dilemma occurs often in medical research – such as the early studies which helped establish the link between lung cancer and cigarette smoking - but also occurs in social science research as well. It is an important factor not to be taken lightly.

One of the advantages I found of using documentary evidence so fully was the savings it allowed me to make in various areas. Although access was at times slightly complicated and had to be negotiated carefully, I was able to save time and money in using this method and data. This was significant as it allowed me to continue with my full-time lecturing post at Glasgow and then, from late 1996, at Newcastle, and also to have some family time with my partner and young children. Another advantage was that in collecting this type of data I did not 'disturb' it in any significant way. For obvious reasons, archive files and letters are not 'reactive' in the same way that human 'informants' or 'subjects' are.

However, there were areas of concern, especially with regard to the increasing use at the Gypsy Council of electronic files and data. The wider use of information and communications technology (ICT) brings with it questions of access to any stored data and the database systems generally. Who has access and on what grounds? Can it be 'hacked' into? From speaking with members of the executive, I was able to determine that the Data Protection Act was being rigorously enforced and their approach to the matter was one of regulation and monitoring within the Council. That is, password systems were in place and only certain individuals who needed to work with the databases and electronic mail systems were given these passwords. In the main, I was working with 'hard' copies stored in the paper archives and only accessed some documents electronically. At all times this was done in consultation with members of the executive and only for 'active' casefiles that were ongoing and involved families facing evictions and such like.

In terms of the actual analysis, I applied two main procedures to every document I used in my thesis which came from the Council archives. I first examined it broadly and asked myself 'is this genuine and authentic?' Secondly, I subjected the material to a much more in-depth and rigorous analysis asking myself 'in what way will the inclusion of this material benefit my thesis?' This process involved asking a lot of other questions and searching for a lot of answers: I had to try and put myself in the time and place and actual 'mindframe' of the author. Essentially, I had to look for corroboration and some degree of consistency with other documents produced by the same author; in this regard, was the document typical of this author or was it atypical? Was it even written by the person that signed it off at the bottom of the page? I am

glad to report that amongst the great majority of documents I examined and used I was able to reassure myself that all were 'genuine'. I was able to verify this by cross-checking with other documents in the archives and also asking certain individual Council members for clarification of an issue and/or person.

Following this, I still had to ask a number of more detailed questions which looked more fully at the background of the author and the context and circumstances of how the memo or letter etc. came to be produced. I often wondered whether the document in question was 'complete' or if it had been edited or altered in some way at a later date. Likewise, how much knowledge or expertise did the author have on the topic they were writing about? Were they always, essentially, 'truthful'? Did they perhaps delay their write-up of the event or issue and perhaps forget various important details? Did they show bias or political leanings in what they wrote? Many such questions are important in the analysis of secondary data and, as far as possible, I tried to ask myself these questions every day I went to work in the archives.

What is at the heart of this method, as I have found, is critical scrutiny, analysis and searching for clues. It is a case of 'getting behind' the assumptions and worldview of the person that produced the document and trying to recognize the interests, alliances and any bias that may have existed at the time which 'shaded' the contents of the data. Was the report written with any pressure on the author? Did it display any signs of vanity, or even fear, in the pen of the author? At the same time, of course, I had to be aware of my *own* bias and prejudice and try not to act on this when reviewing the contents of the archives. When everything is questioned and 'tested out' then

hopefully a more accurate picture is available of what the secondary data is telling and/or not telling us. The evidence I have used from the archives to illustrate my main points in this thesis is, as far as I can be sure, both 'valid' and 'reliable'.

Before closing this section, I would like to note something that has been raised by Richard Jenkins (1987: 160) in his research on discrimination:

Internal organisational politics... [Can] impinge in various ways on the research, often making it more difficult than it need have been.

By relying on the archives of any one organisation there arises some inevitable problems and concerns about the quality of the data. The most obvious are questions around how representative these archives are and the geographical spread that the archives cover. In the following section I go deeper into such issues but I recognize that by focusing on the Gypsy Council archives, which are largely south east of England based and largely concerned with English *Romanichal* affairs, there is a 'bias' and question mark over how representative the archives are. For example, what do they tell us about the situation of Irish Travellers in the north east of Britain? The answer is not much. All I can say is that I appreciate this fact and make limited claims on how widespread the issues are that I highlight in the thesis. Likewise, I came to appreciate the internal politics of the Gypsy Council and how this, in some ways, restricted access to some parts of the archives and also who I could and could not speak with. By using these archives, some 'doors' became closed to me in my research (such as, for example, the archives of some other Gypsy civil rights groups that did not maintain good relationships with the Gypsy Council). Another factor I came to realise, over time, was the limited membership and appeal they had, as an organisation, to

many Gypsy and Traveller families across Britain. The emphasis in the literature promoting the Council was of it as a 'national' group but in reality, I have to say, it is a southern English organisation with limited appeal to some Gypsies and Travellers in areas of Scotland and Wales, for example.

Objectivity and ethics

Richard Rorty (1980: 333-334), when reflecting on the nature of objectivity in his philosophical work, suggested that it was really a case of 'representing things as they really are'. He went on to clarify, with his tongue in his cheek no doubt, that it is about 'characterising the view which would be agreed upon as a result of argument undeflected by irrelevant considerations'.

What are these 'irrelevant considerations' that Rorty talks about? One assumes he means things like bias, prejudice and preconceptions, to name but a few. It is apparent that the concept of 'objectivity' is a central concern within the social sciences as well as the so-called 'hard' or 'natural' sciences. From reading the textbooks, it is often reduced to a question of whether sociology or social policy can (ever) be objective, as a discipline, and also whether researchers working within this field can be objective. Similarly, it is also frequently questioned whether the 'natural' sciences are always as objective as they claim to be (Lawson and Garrod, 1996: 183).

What is certain is that common agreement over what objectivity means is limited. One argument suggests that by following procedures of a scientific method then objectivity

will be ensured. Another less positivistic approach asks us that as social scientists we should admit our values and prejudices as human beings and be open about this and how it may or may not influence the research process. In other words, we should concede that 'perfect' objectivity is difficult to achieve.

Objectivity, as I understand it for this thesis, is taken to mean an approach to a research project which has not been unduly influenced by personal feelings and opinions. However, I also freely admit the difficulty of this (see my comments in chapter 12 for more on this issue). Further, I agree with Kirk and Miller (1986: 11) when they argue that to try and be committed to the idea of objectivity is *not* the same as a desire or wish 'to "objectify" the subject by "over-measurement"'. Refining their approach to being objective, Kirk and Miller go on to suggest that when we talk of objectivity we are really looking at two different 'components' – reliability and validity. By 'testing' reliability, we are ensuring as much as possible that the same conclusion will be reached however and whenever a 'measurement procedure' is carried out. Following on from this, validity is the extent to which this allows us to see the 'correct' answer. Indeed, without some kind of objectivity then what do we have? – conclusions based on mere opinion and the trusted word of an 'expert'? As Kirk and Miller later suggest in their book (1986: 120):

Objectivity, though the term has been taken by some to suggest a naïve and inhumane version of vulgar positivism, is the essential basis of all good research.

By being the sceptical researcher, but also 'trusting' the data that appeared in the files in the archives of the Gypsy Council, I am in many ways relying on the objectivity of

others who recorded the original details in the original documents. However, this did not prevent me from analysing the contents of these files with a critical and sceptical eye and questioning what was written down, as I have explained in previous sections.

At this point, it is prudent to consider the issue of 'remoteness' in terms of the analysis of documentary data that has been recorded and collected elsewhere by other actors. How does this fit into wider debates around research ethics and moral dilemmas? For example, are actual moral dilemmas avoided in the sphere of documentary analysis? Could it be argued that documentary analysis, when compared to ethnographic qualitative research methods, is a more 'distanced' and thus more 'considerate' or moral form of investigation?

Certainly, by using documents I found that the demands of 'subjects' were relatively silent. However, this is not to say that problematic issues do not exist. For example, in my work with the archives I was not directly tied to any conditions upon which families and individuals gave their consent in the first instance (that is, in one example, where details were recorded for case files).

More generally, as Kimmel (1988: 20-21) has written, the question of the *place* of ethics in research is often about discovering a 'science of morality'. It is less to do with a philosophical tradition than it is to do with finding a workable 'code' of ethics that can be used in a practical way to help manage and govern human behaviour and relationships in the research process. Hopefully, this will benefit both the researcher and the researched. Above all else, this code of ethics must be placed in 'real life' and

can, on occasion, feature moral questions. As Kimmel (1988: 22) himself notes ethics and morality are often 'inevitably linked' and are really about 'types of behaviour about which society holds certain values'.

In social research, and in this project specifically, I sought to nurture and guarantee a professional ethos and 'consensual standard' when dealing with people involved in the research and when reading and reviewing documents found in the Gypsy Council archives and other sources. This was no easy task at times. I sometimes found a tension existing between personal moral standards and professional ethical norms. This was most visible when observing technically 'illegal' activity and feeling compelled by moral standards to report but held back by ethical principles to conceal. This did not happen very often but when it did I felt uneasy and unsure about my position as a researcher. One does not bite the hand that gives access. As Coffey (1999:127) has suggested, the key factor here is to remain reflexive and critical in the face of potentially problematic issues such as informed consent, privacy, harm and exploitation and risk in the research process.

Confidentiality and Effect

A related issue here that is worthy of some attention is the question of confidentiality. Sieber (1982: 146) has said that confidentiality 'refers to agreements between persons that limit others' access to private information'. This issue has an impact on both the conduct of research and its publication. For example, how 'confidential' are the sources of data used and are some cleared for research work whilst others are not?

Likewise, are the 'real' identities of research subjects disclosed in the text or are they protected in some manner? Is the dissemination of the work to be treated as 'confidential'?

On one rather abstract level, confidentiality is essentially a denial of information and knowledge. From another perspective, however, it is less about denying knowledge than it is about protecting identities and locations. It is minor details that are changed, not the wider issues and topics. Often confidentiality is one way of ensuring that people involved in the research will speak openly and honestly: it ensures their full and active participation when revealing possibly sensitive data. Here then, we can say that confidentiality is both a pragmatic function as well as an ethical principle in the research process.

In my work, I found that as a general rule it was better to work from a starting point of respecting confidentiality by making individuals anonymous (both conversations with individuals and families and also with the archive materials). Where practical, certain individuals were given false names whilst others were given initials. Some people actually gave me a false name themselves for me to use in the thesis: this was especially true amongst New Travellers (see chapter 9 on social security). Where a false name has been used it always has quotation marks around it to indicate this fact.

Although the general advice from experienced research workers has been to 'disguise and obscure' people and places, often some individuals want to speak 'on the record' and are proud to see their name beside a particular statement or viewpoint (Lofland

and Lofland, 1984). The central issue here is of informed consent: if people want their 'real' full name associated with a statement they have made – and they realise and appreciate the possible consequences of this decision - then they should have that right. In my work I followed this approach as well: this is why some people are named in full whilst others have initials or a false name. I always gave options and respected what people wanted. When dealing with archive material, and where I could not track down and speak with the family or individual discussed in the document directly, I always chose to make the name anonymous via one of these methods (false name, initials etc.).

To be sure, confidentiality can help secure the cooperation of individuals in the research process and can also act as a valuable ethical principle. Crucially, I found that it was the *terms* in which confidentiality was offered to people: ultimately, I had to convince people that I could honour what I had promised them.

The last issue I want to discuss here is the tricky issue of 'effects'. This is just to briefly acknowledge that in the limited qualitative work I did with members of the Gypsy Council and the families that used their services, social research has effects upon the participants. This does not apply so much to the archives but it does apply to the 'subjects' I spoke with and spent time with. Further, these effects may have, at some point in the future, outcomes of a social or political nature. At all times since 1995, I have been keen to be aware of the possible risks of strain and harm of the research process – both to 'subjects' and to the researcher (myself). Likewise, I have been keen to ensure that the reputation of social science research, in the eyes of the

Gypsy Council and Gypsy and Traveller families I came into contact with during the period, was not harmed or endangered. At all times, 'in the field', I was known as a 'researcher' and when asked I stated the nature and purpose of my work. When I asked people for their help or comments, I ensured they knew it was voluntary and I would respect their privacy. Crucially, I did *not* promise that my research might change their worlds: I aimed to minimise any high expectations or hopes that might have been raised by my research. I always tried to make people aware of the limited impact – if any – my work would have. I did not want to create anxiety or upset people. I merely wanted to report what I found and comment on this bearing in mind the wider social and political context of what was happening to many Gypsy and Traveller families in Britain during the period of my study.

The right method?

Clearly, it was through my voluntary work with the Gypsy Council that I got to know many Gypsy and Traveller families and individuals that I now consider to be my friends, as well as working colleagues. In addition to the documents, case files and letters in the archives, this thesis could not have been written without their active and helpful contributions. Families shared with me their thoughts and opinions on a range of topics, from the type of education their children should receive to their attitudes to health and social services, as well as the strong moral codes and values they live by and how they translate this into their everyday dealings both with other Gypsies and non-Gypsies (Butler, 1983). The original empirical data that appears in this thesis comes from participating in the work of the Gypsy Council rather from 'just'

observing from the sidelines. Like Okely (1983a) in her anthropological study on Gypsies, it was only by participating that I began to truly make sense of what was important, and of direct concern, to the people I was working with and that I talk about in this thesis. The words that follow are informed by a period of 'fieldwork' that is now well into its sixth year and will hopefully continue for many years to come.

What Jack Straw Said...



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In a radio interview with Annie Oathen on Radio West Midlands on the 22nd of July 1999, Jack Straw, the Home Secretary said the following in relation to the Gypsies and Travellers of Britain:

Now the first thing we have to say is that people have got to stop being sentimental about so-called Travellers. There are relatively few Romani Gypsies left, who seem to be able to mind their own business and don't cause trouble to other people, and then there are a lot more people who masquerade as Travellers or Gypsies, who trade on the sentiment of people, but who seem to think because they label themselves as Travellers that therefore they've got a licence to commit crimes and act in an unlawful way that other people don't have... In the past there has been rather too much toleration of Travellers and we want to see the police and local authorities cracking down on them... Many of these so-called Travellers seem to think that it's perfectly OK for them to cause mayhem in an area, to go burgling, thieving, breaking into vehicles, causing all kinds of other trouble including defecating in the doorways of firms and so on, and getting away with it, then their behaviour degenerates.

In the wake of the furore surrounding Jack Straw's comments, the Traveller organisation, Friends and Families of Travellers (FFT) made a formal complaint under Part III of the Public Order Act 1986, contending that the above statements constituted grounds for 'incitement to racial hatred' (Turner, 2000). Some reports dismissed the Home Secretary's remarks as 'stereotypical tripe' (Clark, 1999a: 14) whilst others congratulated him for taking a 'bold stance' (Widdecombe, 1999). Yet, what Straw said is indicative of the 'problem' which Gypsies and Travellers are seen to pose in relation to racial/ethnic tolerance and basic human and civil rights throughout Europe as the new millennium progresses.

The Travelling community, as well as those working with them in the public and non-statutory sectors, and those academics working in the Romani/Gypsy/Traveller Studies field, have long been grappling with the pros and cons of defining the scope, nature and composition of the Romani, Gypsy and Traveller communities. Who exactly are they? How do they differ in terms of culture, language and identity? The reality is that for the last century and longer, *all* Travellers, whatever their ethnic

status, have been labelled as 'criminals', 'deviants', 'vagabonds' and 'asocial' (Fraser, 1995: 260-261). It is these negative labels which are often reinforced by the state agencies in terms of access to services through social work, health, employment and education. Indeed, one of the major problems here is that the issue of access to services for Gypsies and Travellers, and the types of services being provided is an under-researched area. This is not to say however that there have not been some reports outlining the treatment of Travellers in certain parts of Europe. For example, the fall of communism in Central and Eastern Europe has been seen as contributing to the problems and discrimination now faced by Romani communities in this part of Europe in terms of access to the labour market, affordable housing and a basic education and health service (Ringold, 2000). In many cases, while communist policies towards Roma/Gypsies were far from exemplary, as the Minority Rights Group's earlier report demonstrated, there was, at least, a bottom line for Roma/Gypsies in terms of social provision which no longer exists. (Philips, in the preface to Liégeois and Gheorghe, 1995: 1). In the main body of that same report, the authors add that the ensuing migrations, with many Roma seeking refugee status across Europe (Liégeois and Gheorghe, 1995: 16):

...is giving rise to a reactivation of the policies [of] exclusion, containment and assimilation, and these policies are back with an unexpected vehemence and in new forms

At this juncture it may well be prudent to consider - critically - how academia, and in particular those writing in the subject area of ethnic and racial studies, have considered the question of ethnicity in relation to Gypsies and Travellers. This will be useful in contextualising the present debates around ethnicity and nomadism and

inform the way ahead for the thesis. I argue that nomadism is just as important as 'race' to the debates.

The terminology and definitions of the academy: 'ethnicity' in relation to Gypsies and other Travellers

Ethnicity refers generally to the perception of group difference and so to social boundaries between sections of the population. In this sense ethnic difference is the recognition of a contrast between 'us' and 'them'.

(Wellman, 1977: ix)

Wellman, by making use of an ethnic relations framework, is arguing that ethnicity is primarily used to promote cultural awareness and identity within specific groups that possess, or feel, a common history or heritage. Cultural identification (and, conversely, non-identification) has a pivotal role to play in helping to account for the different social experiences of different groups of people in society (for example, white people and black people). This sense of shared identity and cultural specificity acts as a catalyst for understanding, for example, why a 'host' population expresses anger, resentment and fear towards minority ethnic groups (Castles and Davidson, 2000: 62-63). It is also very much an example of the process of 'moral panic' which can create 'folk devils', which many Romanies, and indeed many New Travellers, are seen to be (Cohen, 1972; Earle *et al*, 1994). Ethnicity is just one variable amongst many others that can be brought into play to build cultural boundaries between the 'self' and the 'other' (Hetherington, 2000: 91-115).

This approach to understanding ethnicity, whilst moving away from the old biological assumptions and associations of 'race relations' (where cultural characteristics, such as food, religion, dress, customs, were related to practices of social exclusion in areas such as employment and housing), only takes us so far. Wellman's analysis of ethnicity and ethnic groups proposes a somewhat 'static' interpretation; a homogeneity that is both fixed and closed where wider questions involving class or gender differences within such minority groups are left unmentioned and unanswered. Another, more serious charge, is that such analysis is merely adding 'race' and 'culture' together; making culture itself determined by physical or biological features.

More recently, writers in the ethnic and racial studies field have embraced questions of the 'new ethnicities' that are emerging with rapid social and cultural changes in European societies. Stuart Hall (1992: 257), for example, is more concerned with locating ethnicity in terms of culture and history and with how these interact to produce (and re-produce) identity:

The term ethnicity acknowledges the place of history, language and culture in the construction of subjectivity and identity, as well as the fact that all discourse is placed, positioned, situated, and all knowledge is contextual.

For Hall, it is not so important to just focus attention on explaining structural inequalities; it is the central question of how the notion of 'race' is maintained in society that is crucial. How has it sustained itself in the face of widespread academic rejection? Such writers as Hall, and others like Sampson (1993), are attempting to

examine the possibilities for the mobilisation of cultural ethnicity as a positive and liberating force, rather than just looking at the question of boundaries and exclusion.

In many ways, Hall's and Sampson's new 'cultural analysis' has helped to develop the arguments that are currently being proposed by postmodernists such as Rutherford (1990). These approaches are distinctive in that they seek to avoid defining what constitutes different (ethnic) identities. The notion of ethnic groups, *per se*, is too limiting, and they argue instead for a more flexible analysis. Ideally, this analysis would look at what is required of the individual, and how he or she chooses to define him or herself in terms of 'race' or 'ethnicity'. In essence, if sociologists and writers within the ethnic and racial studies tradition have lost their power to define and categorise then it is the individual who has the power of self-ascription (Banton, 1998). Within the Romani/Traveller studies literature, the work of academics such as Hetherington (1994a, 1994b, 1996, 1998, 2000) and, to a lesser extent, McKay (1996) that fit into this vision of how to regard, for example, New Travellers in terms of ethnicity. One of the central criticisms directed towards the postmodernist school is that they are 'insensitive' to the continued oppression suffered by those individuals and groups who are deemed as being 'outside' the white (or 'normal') majority (Bonnett, 2000). The ability to celebrate cultural difference and diversity counts for little when one is excluded from getting a job or is abused by racists on the basis of that perceived difference. Indeed, the work of the so-called 'Dutch School' (see, for example, Willems (1997)) within the Romani studies community has encountered such criticism for failing to fully appreciate the

consequences to members of the ethnic group itself of academic deconstructions of their group ethnicity (Clark, 2000a). Bancroft (1999a) put it this way:

... no matter how well meant, deconstructing 'ethnicity' can be politically damaging to the ethnic group on the receiving end, especially when their [Gypsy] deconstruction is followed by a reconstruction as a socially delinquent subculture.

My own approach to these questions, and the way in which I choose to view 'ethnicity' in this thesis, is to recognise the tensions that exist between imposed and self-constructed ethnicities and identities. In this sense, I am closest to what Hall (1992) and Sampson (1993) have written. However, one must ask if these tensions can ever be fully resolved? For example, later in the thesis (chapter 7 and 8), I illustrate how different conceptions and definitions of who is and who is not considered to be a 'legal' Gypsy or Traveller has important implications regarding sites and access to other services. Here self-ascription on the part of the Gypsy or Traveller counts for very little. As stated, Hall (1992) and Sampson (1993) go some way to identifying these tensions but in dealing with questions of Gypsy and Traveller ethnicity one must be wary of pronouncing grandiose universal statements. In saying who 'they' are, often Gypsies and Travellers will choose to answer by saying who they are *not* (that is, in opposition to 'settled' people) and *who they are one of* (by stating their geneological pedigrees).

Where are the Gypsies?

So what else does the academic field of ethnic and racial studies have to say – specifically - on the vexed question of Gypsies and Travellers? Where do they fit into the ethnicity dilemma? When examining the abundant literature on ‘race’ and ethnicity, it becomes apparent that Gypsies become invisible within an academic ‘space’ that should be available to them. As Lucassen, Willems and Cottaar (1998: 1) have succinctly put it:

The student of European history who searches for Gypsies will find them only in footnotes.

However, for those students of ethnic and racial studies, even searching in the footnotes for a brief mention of Gypsies is mostly fruitless. Allow me to illustrate the point. The most recent Policy Studies Institute (PSI) study on Ethnic Minorities in Britain (Modood, Berthoud *et al.*, 1997) is the most comprehensive and detailed of its kind to date. However, like its three predecessors, the 1997 study fails to mention in either the index or footnotes the 120,000 members of the Gypsy and Traveller population of Britain (Kenrick and Clark, 1999: 21). The inside pages of the book, as well as the back cover, are filled with quotes from distinguished experts in the field who praised its scope, depth and coverage. Indeed, I would argue that it certainly is the most important account to date of how many (but not all) ethnic minority groups experience contemporary Britain. Although I agree with John Rex when he says it is ‘the definitive study of ethnic minority experience in Britain and the ways in which it is changing’ (Modood *et al.*, 1997: backcover), we should not overlook - or excuse -

the fact that this 'definitive study' somehow 'missed' Gypsies and Travellers. Thus, one question that is posed in this thesis is how could this have happened.

This significant 'gap' in the PSI book, though not surprising to people working within the small, but vocal, Romani/Traveller studies community, is symbolic and emblematic of the relative 'invisibility' of the field – not to mention Gypsies and Travellers *themselves* – within the broader context of ethnic and racial studies. Their voices are just not being heard. The PSI book is, of course, not alone in this regard and many seminal works on ethnicity, 'race' and racism similarly fail to notice or take account of the existence of the different Gypsy and Traveller groups in Britain (Hutchinson and Smith eds., 1996; Miles, 1989; Skellington, 1996; Solomos and Back, 1996). It does seem that this is more problematic and embedded in British studies of Gypsy and Traveller ethnicity in Britain, but less apparent in Europe. The collective 'blindness', I would argue, is telling since, when the occasional text does mention their existence, the author(s) invariably falls back on second-hand racist clichés, uncritical assumptions, or the kind of romantic stereotypes more often associated with children's nursery rhymes. Witness the following paragraph from the noted academic, Michael Banton (1997: 163):

Though they have distinctive beliefs about sources of pollution, their culture is not so very different from that of non-Gypsies, except (in Western Europe) for their moving from place to place; this restricts their children's schooling, and because of circumstances in which it is done, attracts the hostility of the non-Gypsies. *That hostility is not 100-per-cent unwelcome* to Gypsy parents because it helps bind their children to the group's way of life and discourages them [from] seeking opportunities in the wider society. (my emphasis)

So, it appears to the student of ethnic and racial studies that the culture of the Gypsies, bar a few suitably 'exotic' pollution taboos and their nomadism, is no different from *gaujo* culture and that they actually *welcome* the hostility shown towards them by settled society?! What about their sophisticated and complex languages, religions and legal systems - not to mention the plethora of state policies directed specifically against Gypsies and Travellers? It seems that such communities are going to have to struggle to acquire legal status as 'real' ethnic, social and cultural groups.

The above example, of course, is just one among many that could be pointed to in the literature and a key contemporary irony is to be found here. Since the collapse of 'actually existing socialism' in the Central and Eastern parts of Europe, Gypsies have been a source of much fascination and discussion in Western European newspapers. This analysis has usually focussed on the reasons for their emigration from their former homelands, which in Britain peaked during October 1997 when groups of Romanies arrived in Dover seeking refugee status and political asylum (Clark, 1997a: 8; Clark, 1998; Clark and Campbell, 2000). Some of the worst examples of the economic, political and social disenfranchisement of Gypsies during 1997 occurred in Slovakia and the Czech Republic. For example, the Slovak government introduced tough welfare reforms in order to curb, 'the extended reproduction of the socially unadaptable and mentally backward population' (Kohn, 1996:178) and certain local authorities (such as the authority controlling the town of Usti nad Labem) in the Czech Republic built walls in order to keep Gypsies away from the 'white' Czech population. Thankfully, at least in the case of Usti, the wall was taken

down as a result of international condemnation in November 1999. The Czech central government insisted at the time that the 'Gypsy Wall' was thought to be an 'inappropriate' measure (*The Guardian*, 24.11.99: 19).

The flow of Romani asylum seekers to the UK between 1995 and 1998 was approximately 6,000, this out of an estimated population of some 4-5 million Romanies in the Eastern part of Europe (Matras, 1998). Harassment from neo-Nazi gangs exacerbated the problems faced by Romanies and *Sinti*-Gypsies in Germany, which received groups of Romanies from Romania in 1992. Despite this media attention and public interest, academia has been very slow to respond and take up the challenge against the blatant racism and hostility that has been evident during this period. Why is this the case? Partly, I would argue, it is concerned with the very acceptability of racist anti-Gypsy sentiment in Europe, but this only takes us so far. Indeed, the historically reproduced notion of Gypsies being typified as the embodiment of evil is even, somewhat bizarrely, apparent in the contemporary world of youth culture and electronic videogames: *Arcade* magazine (Issue 15, January, 2000: 61) reviewed a forthcoming title called *Pokémon Stadium 2* for the games console *Nintendo 64*,

This Pokémon spin-off title will enable you to connect your N64 to pit your trained up monsters against each other in full colour. Stacks of bizarre mini-games involve electric shock torture sushi and *thieving gypsies*. (my emphasis)

Accommodating nomadism

At this point in the analysis another factor needs to be considered: the next step in crossing the bridge to equality and social justice is perhaps to consider and attempt to accommodate nomadism and begin to recognise it as a valid and meaningful way of life (Clark and Dearling, 1999). This is just as important as recognising and appreciating ethnicity I would argue. For a progressive future we need to, as McVeigh (1997: 24) has powerfully put it:

...begin to think creatively about ways in which the continued difference between sedentary and nomad can be rendered less antagonistic.

Whilst very much agreeing with McVeigh's sentiments, I would suggest that we also need to facilitate a serious discussion between those parties who seem to be either 'for' ethnicity, and those who are 'for' nomadism. In other words, it is not simply about nomad and sedentary coming together to resolve differences *per se*; it is also about nomads who are considered to be either 'ethnic' (Romanies) or *gaujo* (New Travellers). In doing so, we need to recognise the fact that many Gypsies and Travellers in Western European countries, whether travelling or settled, are nomads. This is a 'state of mind' and their economic status and social identity are often defined and mapped-out by their nomadic life-style and culture, even when, out of choice or through policies of social inclusion and normalisation, they are permanently or temporarily sedentarised. For this reason, it is perhaps through their predisposition towards nomadism, rather than (or as well as) their ethnic identity, that they are perceived as a threat by states and governments.

However, this identity is often very crudely interpreted by the authorities of European governments. For instance, *The Times* recently reported (20.10.1999: 20) that officials from the Czech airline CSA were adding a 'g' for Gypsy at check-in time to their flight lists if passengers 'looked' Romani. This accreditation of identity, is apparently being made on the basis of their '*darker skin*', according to the Prague newspaper, *Respekt* (quoted in *The Times*, 20.10.99: 20). The latest government figures show that the officially determined number of Czech Roma entering Britain in the first half of 1999 was 588, which is more than the figure for the whole of 1998. In turn, this has led to calls for Britain to re-introduce visa requirements which specifically identify the 'ethnicity' of people travelling from either the Czech or Slovak Republics.

History tells us much: during the rule of communism in Central and Eastern Europe, it was the wheels of the bow-topped wagons that the authorities removed - nomadism was a powerful symbol and metaphor of movement, resistance and independence from the state (Crowe, 1995). The wheels on these homes were regarded as the antithesis of proletarian integration. During World War II, when the Nazis were interning Jews and Gypsies as the two principal ethnic groups deserving annihilation, it was actually only in occupied Denmark that the question of who was and who was not a 'pure blood' Gypsy was resolved by classifying the entire Travelling population as 'asocial'. (Fraser, 1995: 257-258 and 267). This is not dissimilar to the contemporary position faced by all Travellers in Ireland, as described by MacLaughlin (1995:82):

Parties representative of propertied interest, particularly Fine Gael, have been more obstructionist than Labour councillors and the Democratic Left, although these parties also are not without their obstructionists, This in turn is strengthening an already existing institutionalised anti-Traveller racism and encouraging the use of legal and illegal strategies for ensuring that Travellers literally find no place in Irish society.

Even in the period since the 1980s, in countries such as Turkey, Bulgaria and Romania, the various estimates of resident Gypsies are not always based on census figures; rather they often reflect the widely varying estimates of local authority officials and other state representatives (Challiand and Rageau, 1997: 109; Clark, 1998). These crude estimates tend to undercount Romani populations and thus, as a very small minority group, their needs are thought to be insignificant. The Diaspora of the Gypsies since 1900, exacerbated both by the Nazi Holocaust and more recent Eastern European conflicts, has meant that many Gypsy families associated with Balkan states and the old Soviet Union have moved into Italy, Germany, France and Belgium, as well as swelling the numbers of the traditional *Gitanos* of Andalusian Spain. When the first World Romani Congress was held in London in 1971, they adopted *Opré Roma!* (*Gypsies Arise!*) as their slogan and rallying call, but the new Diaspora of the late 1990s was far from what they meant.

It should be noted that Gypsies, Travellers and Romanies have had their own internal 'signifiers' of identity for many years. Some of these are quite subtle and only familiar to those within the group itself, whilst others are not so subtle and serve as recognisable 'boundaries' with which to mark out their own territory and 'space' (e.g. regional Romani dialects or customs etc.). It must be asked then, are these people one ethnic group, Romani, or many? Throughout Europe groups are known

by various names: *Tsiganes* in France; *Zigeuner* in Germany; *Ciganyok* in Turkey; *Gitanos* in Spain; *Ejiflos* in Greece; *Farao Nepek* in Hungary; *Woonwagengewoners* in Holland and the *Minceir* in Ireland. Added to this list one can place the *Sinti* of Germany, the *Manouches* in France, the *Jenische...* in other words, it is a long and complex list that is defined by both Romanies and outsiders to various ends. The central question I am raising here is whether 'ethnicity' (in the usual sense of that word) is actually helpful or not when looking to find common ground and unite European Romani/Gypsy/Traveller groups. Could it be that a more helpful and inclusive way in which to bring Europe's Traveller population together, for the sake of international legislation and human rights protection, could be around their common way of life. Could nomadism be another option here, functioning as a uniting identity?

Nomadism as a uniting identity?

In my own research, and indeed elsewhere, I frequently find myself caught in the middle; between both the campaigning organisations working within the different Traveller and Gypsy communities, and the academic world(s) of Traveller/Romani studies. In no way do I wish to discredit the significance of the Romani/Gypsy identity, its history or its culture – far from it – but, at the same time, I hope that Gypsy activists and leaders, and those involved in the Romani/Traveller studies academic community, will see value in an 'inclusive' approach towards people who wish to lead a nomadic life, or indeed, those who develop a range of positive cultural identities and lifestyles. Gypsies and Travellers are to be supported and encouraged

in their assertion of basic human rights, rather than resorting to potentially destructive divisions within the Travelling communities based on notions of 'pure' racial identity and ethnicity (but, crucially, not at the expense of retaining cultural 'difference'). The move towards a Romani/Gypsy consciousness based on confidence in their own identity is a relatively new occurrence, as Nicolae Gheorghe, a former Vice President of the International Romani Union, has argued (1997:158):

Many of them [Roma assimilated into the establishment] hardly spoke about their Gypsiness before 1989. Then, their main strategy was that of masking themselves, being assimilated as Romanians or Czechs or whatever.

Underpinning many Gypsy activists' attempts to obtain recognition for their groups as 'ethnic minorities' in countries like Slovakia, Romania and Hungary has been the belief that this will give the Romanies a higher *ethnic* 'rung on the ladder' towards acceptance and status within those nations. In terms of moving the debate forwards, it may well be the case that Gheorghe (1997: 160-164) is right that such a strategy could be a hostage to fortune (see also Acton, 1998a: 11-12 and Kawczynski, 1997 for a discussion of this issue). Romanies might still be left behind as second or third class citizens in many European states, facing discrimination reinforced by their separate identity; their 'otherness'. Gheorghe, instead, has argued for the Roma to adopt a strategy for inclusion as a 'transnational' community. This seems a more logical way to combat social exclusion, persecution and harassment, but in the current political and social climate of many states in Europe, this too may lead to some Romanies and Gypsies being regarded as 'real', while other 'bogus' Travellers are rejected because of their supposed mixed bloodlines, both real and imagined.

They are, in a sense, the ‘non-citizens’ that Home Secretary Jack Straw spoke of in 1999.

There is also the ongoing problem of institutionalised racism which has been brought into the light of day due to the publication of both the MacPherson Report and also the Parekh Report (MacPherson, 1999; Parekh, 2000). In Scotland, for example, a study has recently been published by Save the Children Fund entitled *Moving Targets* (2000). One of its findings was that two-thirds of health professionals questioned believed that ‘racist’ and ‘intolerant’ attitudes by colleagues were the primary obstacle to Scotland’s 15,000 – 20,000 Travellers accessing health services. This is mirrored in countries such as Slovakia, where 125,000 Roma live. In November 1999, the government there presented a new policy framework for meaningful initiatives in the fields of human rights, employment, housing, health and education. The policy document acknowledged the widespread discrimination against the Roma, and in particular recognised (Scheffel, 1999):

...the unwillingness of mid-level and low level officials to carry out the new policies.

One tentative suggestion, albeit based on my own somewhat Anglo-centric view of Travelling communities, might be to argue for all Travellers to be regarded as equals in terms of legislation which affects them as nomads (such as the Caravan Sites Act, 1968 was based on). I would argue that there is a need to take a step sideways from the dominant arguments based primarily on ‘race’ and ‘ethnicity’ and to re-conceptualise the debate in terms of nomadism and human rights *as well as ethnicity*.

To be very clear, I am *not* suggesting - by any means - that we throw the baby out with the bathwater here. I only want to raise the *possibility* of recognising 'difference' in terms of *both* ethnic identity and/or nomadism. By doing this, we might well prevent the debate from turning in on itself. At present, this tension is causing unhelpful divisions amongst those parties who should be fighting the same battles but are not because of bitter 'ethnic' splits and arguments about who *is* a 'real' Gypsy and who is *not* a 'real' Traveller. Legislation such as the Criminal Justice and Public Order Act, 1994 makes no distinction based on ethnicity: it is very democratic in that *all* nomads are effectively criminals (Murdoch, 1999).

The future might be built on stronger foundations, if it were to value cultural diversity rather than being based on ideas of conformity and assimilation. Gypsies and Travellers are, as this thesis will show, an obvious example of people who are discriminated against both on grounds of 'race' and nomadic lifestyle (relating back to Jack Straw's comments). Governments and communities - not to mention academic disciplines - would do well to re-focus attention on the issue of diversity and the 'right to be different'. In a sense, nomadism in the UK is the last social division that needs to be given some sociological and policy attention.

Conclusion: the long *drom* (road) ahead...

It seems to be clear that Gypsies and Travellers in Britain are at a 'crisis' point where the survival of their way of life in 21st Century Britain, and indeed Europe, is in some doubt. For many families, life is no easier than that described some time ago in a

pamphlet written by Grattan Puxon for the National Council for Civil Liberties called *On the Road* (1969) and another by Martin Smith for the Young Fabians called *Gypsies: where now?* (1975). Indeed, it is perhaps worth noting that for many Gypsies and Travellers being 'on the road', as Puxon suggests, is even more difficult today due to the 1994 Criminal Justice and Public Order Act and the question posed by Smith is still being asked.

In the following pages I give a description of the Gypsy and Traveller population of Britain as it is, as well as illustrating some of the stereotypes that abound and show how, although harassed as a minority, they have not, in practice, enjoyed the protection which the law should afford to minorities. The rich archives of the Gypsy Council allow me to demonstrate this all too easily, unfortunately. We see that Gypsies and other Travellers are still marginalised in British society and I discuss the legislation that has been brought in to control their movements and then review their relationships with the police as well as local and central government agencies. In particular, I look at the situation regarding public and private sites and social security and also examine the emerging interest that European organisations are taking in nomad populations, and their education.

New Labour, since their overwhelming election victory in May 1997 have been a disappointment to Gypsies and Travellers, even before Home Secretary Jack Straw's remarks about 'real Romanies' being superior to people 'who masquerade as Travellers or Gypsies'. His Department's recent *Good Practice Guide* (DETR/Home

Office, 1998a) for evictions have been routinely ignored by police and local authorities throughout the country.

It is against this context that the thesis must be read. The next chapter – despite some of my arguments in this chapter - looks at Gypsies and Travellers in a ‘race relations’ framework and examines the historical construction of the Gypsy stereotype and the complex debates on origins and migration. We will see that the contested origins question and the themes around stereotypes that I introduce in chapter 2 have had an impact on responses by various bodies to the accommodation, health and education needs of Gypsies and Travellers in Britain. In essence, in this next section I am searching for the *roots* of anti-Gypsy/Romani prejudice and some of its historical and contemporary manifestations. Examples will be used throughout the chapter to illustrate the potency of this prejudice when it becomes more than words.

Chapter 2

Gypsies, Travellers and 'race relations': stereotypes, history, theory and practice

The question of who the Roma [Gypsies] are is bound up with the question of what to call them, which also remains unresolved. Most names bestowed on them by indigenous Europeans reflect early misconceptions about where they came from. The European imagination ranged freely: among the places suggested were Atlantis and the Moon.

(Kohn, 1996: 212-213).

The Evolution of a 'Gypsy' Stereotype

In this first section of chapter 2, I argue that the portrayals of groups and individuals known or identified as 'Gypsies' in 19th and 20th century European historical discourses provide little meaningful insight into the identities, histories, cultures and lifestyles of such a population. Instead, particularly when examining the British situation, they constitute a montage or a scrapbook of exposures of the ideology that produces (and reproduces) them. I also argue that historical (and, indeed, contemporary) press representations can be regarded as part of a much wider political process of introducing repressive legislation to neutralise the supposed disruptive 'threat' of 'Gypsies' (in their many varied forms) to particular state interests.

For centuries, groups and individuals 'known' as Gypsies have had identities forced onto them from 'outside'; identities which conveniently coincided with the particular roles into which they were being shoe-horned: the *bogeyman* (sic) and *noble savage*

typify the archetypes, and correspond to political attempts to repress or assimilate them. In a sense, the duality of these characterisations is also detectable in more recent mediated images of 'New Age' Travellers, although the 'positive' attributes are scarcer and less well-embedded than the cheery 'traditional Romany' stereotypes that are also found in 19th and 20th century representations (Hetherington, 2000 and see chapter 6 for a full discussion).

For this thesis I aim to qualify some of the more typical and persistent components of the stereotypes of Gypsies; to connect these qualities with the interests and fears of their producers/consumers, and to relate the generation of (overwhelmingly) negative press representations to the genesis of political and legislative reaction. It has been argued that repression, and the process by which certain individuals and/or groups are subjected to dehumanisation, requires an act of fantasy on the part of the powerful elite. There needs to be an imagined 'space', created solely for wild inhuman deeds to be put and rationalised. In this way conscience can be avoided and authority maintained by the status quo (Adorno, 1950). The British press, I would argue, has historically provided such a medium when required, as evidenced in the late 20th century by the conception, gestation, birth and impact of the Criminal Justice and Public Order Act of 1994 in the United Kingdom. This is an Act, according to one text, that has effectively criminalised nomadism and has sought to 'ethnically cleanse' Gypsies from British Society (Hawes and Perez, 1996: x-xiii).

In existing British records, it is noted that Gypsies as a distinct ethnic group are first mentioned in the sixteenth century (Fraser, 1995). Since that time, they have

survived on the fringes of settled society as an 'outsider' group, both by retaining their own sense of a distinct cultural identity (by means of self-defining taboos, rituals and language, see Okely, 1983a) and by adapting to changes in the major economy and society (Sibley, 1981). They have resisted assimilation into contemporary norms, from feudalism, to post-industrial capitalism, whilst successfully exploiting economic opportunities - the 'commercial nomadic niche' - as these have presented themselves. The economic dimension will be discussed at length later in the thesis (Part 2).

To Gypsies, non-Gypsies are *gaujo* - 'outsiders' or 'strangers' - to be understood and related to in the light of their own cultural and personal experiences of the (oppressive but foolish) majority society. Non-Gypsies are a contradictory source of both economic opportunity and of social persecution. The Gypsies, by necessity, are in regular contact with members and representatives of the sedentary population. For modern housedwellers, the earliest, and most sustained contacts with Gypsies are generally experienced through some representative medium or other: they appear in nursery rhymes that they heard as children and now tell their own children (Helleiner, 1998). Likewise, playground lore, gossip, folkstories and tales, songs which are orally transmitted also feature 'Gypsy' characters. Fiction, text-books, art, printed and broadcast media contain recorded references with varying degrees of accuracy and truth (Reid, 1997). Bundled together, they provide the means by which stereotypes are cast, reinforced and disseminated (Kephart, 1982). We now move on to look at just a few of the themes that are constant throughout these mediums.

Recurrent Themes in Stereotyped 'Gypsy' Identities

In order to analyse these portrayals, and their bearing upon social and political responses, we shall firstly look at the major themes that have characterised the stereotypes before the Nineteenth century. These 'slices' into which I have cut the material may seem somewhat arbitrary, in that they are identified by terms which may not be explicit in the texts themselves. However, these themes are implicitly woven through most historical representations, which tend to polarise around one or more of the following types.

Theme 1: Blackness = savagery

The Oxford English Dictionary (Murray et al, 1933: 173) states that 'Gipsies' (sic) 'have a dark tawny skin and black hair'. More recently, in the New Shorter Oxford English Dictionary (Brown, 1993: 1167), Gypsies are defined as being 'A member of a travelling people in Europe and N. America' although it still goes on to insist that they 'have dark skin and hair'. To be a 'real Gypsy' one must be 'dark' it seems; whether 'tawny' or not. In medieval Europe, the colour black of course symbolised a potent fear of the primeval unknown: of disease, death and decay, poverty, sorcery, evil and the devil, in opposition to white, which represented life and growth, health, goodness, truth, cleanliness and God. The former was seen as a dynamic force of darkness, striving to overcome the right order of things. The Gypsies' physical appearance as black-skinned is a common theme in the early records, such as this from France in the early 15th century (quoted in Kenrick and Puxon, 1972: 16):

The men were very black, with curly hair. The women were the ugliest and blackest that have ever been seen. Their faces were all furrowed, their black hair like a horse's tail . . . they were the most wretched creatures that had been seen in France in living memory.

Blackness also reinforces exotic connotations; the Gypsies are distinguishable by the colour of their skins, and may have been seen as Britain's first 'black' ethnic community. As with later non-white immigrants, their blackness was also associated with an essentially primitive, animal-like relationship to nature, which could be romanticised as a lost ideal, or denigrated as a throwback anachronism. Fraser quotes from a Swiss chronicle of 1422 (1995: 72):

Note that they were the ugliest brood ever seen in these parts. They were thin and black and ate like pigs.

Another text that equates the Gypsies' 'blackness' with 'primitive' attributes occurs in one of the earliest attempts at scholarly investigation, *Dissertation on the Gypsies*, by H. Grellman, in 1783 (translated into English by M. Raper, 1787: xiii):

Let us reflect how different they are from Europeans; the one is white, the other black. This cloaths himself, the other goes half-naked. This shudders at the thought of eating carrion, the other prepares it as a dainty.

Okely (1983a: 4), however, suggests that this black appearance may, at least for some indigenous nomads, have been a disguise to project an exotic aura as an aid to fortune-telling, entertaining, and so on:

Thompson... reveals specific examples of persons recorded as vagabonds but convicted of felony for calling themselves by the name

of an 'Egyptian' . . . in 1549 a John Roland was recorded in County Durham as 'oon of that sorte of people callinge themselves Egyptians' . . . Around 1610 a pamphleteer declared that 'they goe alwais never under an hundred men or women, *causing their faces to be made blacke, as if they were Egyptians*' (my [Okely's] emphasis).

Theme 2: Internal nobility

Accounts of the Gypsies have tended to suggest the existence of an aristocracy within the culture, who ruled over the others. Vesey-Fitzgerald (1973:13) has an 'exploring band' in 15th century Germany:

At their head rode a duke and a count, richly dressed wearing belts of silver and leading hunting dogs in the manner of European nobles. Behind these nobles come a motley ill-dressed crowd of men on foot, and the women and children came in the rear, riding wagons.

This notion persists to this day (see, for example, Jarman and Jarman, 1991: 12-13, 50, regarding Welsh Gypsies), and is an occasional and recurrent theme in newspapers, although Okely quotes a modern-day Traveller (1983a: 172):

If any Traveller dared say he was a leader, there'd be a line of men all the way to London to take him on. Before he said he was "King of the Gypsies", he'd have to get through that lot!

Liégeois (1986: 58-63) confirms scepticism concerning this old component of the stereotype:

The 'King of the Gypsies' is a figment of the imagination of the gadze (non-Gypsies), and neither Roma as a whole nor any of the sub-groups have a formal leader. . . . These terms . . . do not reflect a

social hierarchy, but were an instance of superficial adaptation to local conditions and customs.

One such adaptation is instanced in the early records of Gypsies in Scotland, when an 'Egyptian' had extraordinary powers conferred upon him by a writ of James V (Fraser, 1995: 118):

which granted considerable privileges to John Faw, 'lord and erle of Litill Egipt' . . . enjoining all those in authority in the kingdom to assist John Faw in executing justice upon his company, 'conforme to the lawis of Egipt' and in punishing all those who rebelled against him.

It may be, as Liégeois suggests above, that this notion of nobility was a means of interaction with local populations, power-structures and Kings and Queens. The appearance of a band of 'foreign' nomads might constitute less of an apparent threat if they manifested themselves as a microcosm of the dominant European society, and would enable their 'nobility' to mix with the local and national nobility (see Crofton, 1888).

Theme 3: Occultism

Gypsies have consistently been associated with the supernatural: fortune-telling, casting spells, magical healing powers and rituals are essential characteristics of this stereotype, which, again, persist in modern representations (*The Times*, 15.8.1984):

A magistrate, who yesterday fined a gypsy [sic], asked at Marlborough Street Court in London to remain anonymous. 'No names please,' he said, 'I don't want a curse at the end of the day'.

Fortune-telling appears to be the most frequently referred-to occult attribute, and the earliest accounts describe Gypsies, usually - but not always - women, who could read an individual's past, present and future by the art of palm-reading (Clébert, 1961).

Indeed, the earliest accepted reference to Gypsies in England alludes to 'an "Egypcyan" woman . . . who could tell marvellous things simply by looking into a person's hand' (Fraser, 1995: 114). Fraser also quotes a 15th century chronicle (1995: 72):

Many people went to see [the Gypsies] on account of the [Gypsy] duke's wife who could tell fortunes and predict what would transpire in a person's life, as well as what was happening in the present and how many children they had and whether a wife was good or bad, and other things. In many cases she told truly.

Others, especially the Church, were less keen on such activities, and many of the portrayals depict palm-reading as a means of talking the 'credulous and dim-witted' out of their money, and, often enough, merely as a distraction technique to enable a child to pick the hapless punters' pockets or cut their purses. Another story of Gypsy 'supernatural magic' comes from Sweden (Kenrick and Puxon, 1972: 31):

There was a Gypsy woman who came to a place where a woman lay about to give birth. "Perhaps you would like me to give the pains to your old man," said the Gypsy woman, "Yes," thought the woman. "That's a good idea". In a few moments the husband began to have strong pains in his stomach. Meanwhile the mother gave birth without any pain.

Theme 4: Crime

Alongside the aura of occultism, the stereotype of the ‘(dirty) thieving Gypsies’ is deeply embedded in the popular consciousness, and is another factor underlining their ‘otherness’ (22 Henry VIII, c.10, 1530, in Thompson, 1923):

dyverse and many outlandyshe People calling themselves Egyptians [who] usyng no Crafte or faicte of Merchandyce had comen into this Realme an gone from Shire to Shire and Place to Place in greate Company, and used great subtyll and crafty means to deceyve the People, beryng them in Hande that they by Palmestre could telle menne and womens Fortunes and so many tymes by crafte and subtyltie had deceyved the People of theyr Money and also had comyted many and haynous Felonyes and Robberies to the great Hurte and Deceyte of the People that they had comen amonge.

Early records refer to frequent petty crimes and deceptions, such as shoplifting and purse-cutting, horse-stealing, poaching, and so on. However, these were, perhaps, not uncommon violations in their time: the great significance lies in their attachment to an identifiable ethnic group, as an embedded and defining characteristic – a supposedly inherent trait. For example, Grellman (1787: xv) notes that:

. . . these people are famed, and were even from their first appearance in Europe, for being plunderers, thieves and incendiaries: so that the European not only dislikes, but hates them . . .

This ‘fame’ has been passed down through the centuries. De Marly (1986: 23) describes the clothing of a Gypsy fortune-teller in a painting as ‘... of good quality, and may be stolen’. As Gypsies have been explicitly criminalised in law, and punished by execution, banishment, and ‘rehabilitation’, it is unsurprising that this

label should persist where a prejudice is encouraged and reinforced by the state, newspapers and other wielders of power.

Going back further, the Gypsies were, of course, subject to Genocidal acts from 1554 to around 1783 (Hancock, 1987: 16-29). They were enslaved throughout Europe and later their very existence constituted a capital offence; such a policy being adopted largely in response to structural problems associated with vagrancy in the wake of social and economic changes in the larger society – the bourgeois fear of revolt and disorder (see Fraser, 1995: 117). Gypsies, perhaps, were the necessary early scapegoats in the process of privatisation of resources, enclosure of land, and proletarianisation, which marked the terminal decline of feudalism. Indirectly, the Gypsies were squeezed by restrictions, operated by craft guilds, in the supply of certain handicraft skills traditionally associated with nomadism (Leeson, 1980).

Theme 5: Sexuality

The libidinous and promiscuous Gypsy is another persistent cliché in the archaeology of the stereotype. Within a patriarchal culture, it is mainly women who are the object of this particular projection: they are charismatically attractive, uninhibited and tantalising, yet – crucially to make the stereotype work - unobtainable. The image of the Spanish flamenco dancer represents the distillation of the type, whose qualities are attributed to ‘real’ Gypsy women (Arthur Symons, quoted in Okely, 1983a: 202):

‘You dance, and I know the desire of all flesh, and the pain
Of all longing of body for body; you beckon, repel,
Entreat, and entice, and bewilder, and build up the spell’.

Although this (secret) explicit sexual fantasising is largely a product of the Victorian period, Gypsy women were, from early records, perceived as implicitly threatening, perhaps over-assertive and conspicuous (in Fraser, 1995: 72):

The women of the band wandered about the town, six or eight together; they entered the houses of the citizens and told idle tales, during which some of them laid hold of whatever could be taken. In the same way they visited the shops under the pretext of buying something, but one of them would steal. . . [The] women went about in shifts and wore a coarse outer garment across the shoulder, rings in their ears, and a long veil on their head. One of them gave birth to a child in the market-place and, at the end of three days, she went on with the other women.

Shakespeare has (Philo in Anthony and Cleopatra, Act1, Sc.1, Jones, 1977: 59):

His captain’s heart... is become the bellows and the fan to cool a
Gypsy’s lust.

Kenrick and Puxon (1972: 39) summarise the sexual stereotyping imposed by the majority:

It is widely believed of course that Gypsies enjoy a better and fuller sex life than the average housedweller. The Gajo [non-Gypsy] mind alternates between the conviction that the Gypsies are just loose in their morals and therefore below contempt and the suspicion that Gypsies enjoy a natural and spontaneous love-life, enhanced by their handsome looks and romantic attraction.

They go on to point out the unreality of this mythology, as it contrasts with the tightly-coded taboos of Gypsy culture and sexual morality. Okely (1983a: 213-214) goes further, and concludes that both Gypsy and *gaujo* women harbour similarly idealised self-images, and denigrating stereotypes of the 'other': 'we' are virginal, monogamous, abstinent and sexually-in-control; 'they' are prostitutes, promiscuous, available and sexually out of control. As one farmer in the 18th Century put it, alluding to Gypsy women (quoted in Okely, 1975b: 55):

These miscreants and their loose women, for no doubt all of them are so, as they lie and herd together in a promiscuous manner... a parcel of rogues and trollops.

These are just some of the prominent themes in the early Western representations of Gypsies, although there are others, such as Gypsies as cannibals, child-stealers and as 'polluters'. Their unique and complex languages have been dismissed as 'gibberish' or as 'thieves cant', and so on. This imagery appears, often, simplistic and crude: it is a product of the medieval psyche. The larger society's responses to the Gypsies were correspondingly unsophisticated: they were banished, further immigrations barred; people who were identified as 'Egyptians' could be imprisoned, transported, enslaved or executed. By the 1780's, for example, it was being recognised that this barbarity was counter-productive (Grellman, 1787: xiii-xiv):

At last the evil grew too enormous, the complaints against them became so loud, that government was constrained to take official notice of them; they began punishing; hanging and beheading were not found sufficiently efficacious, yet it was necessary to go to the root of the grievance; it was judged expedient to banish them; a method more likely to render them worse than better . . .

Discussion: The Evolution of 'Exotic' Gypsy Stereotypes since the 18th Century

The 'Enlightenment', apparently, represented the transition from a culture of religious dogma and superstition, of an aristocratic hierarchy of power, conspicuously exercised by state and church, to one of scientific rationalism in technological and socio-economic affairs. The world was being reinterpreted and problems were to be identified and solved by the judicious application of reason. These paradigm shifts, it was argued, would affect the various approaches to minorities; to Gypsies (Grellman, 1787: xv-xvi):

Perhaps it may be reserved for our age, in which so much is attempted for the benefit of states and mankind, to humanise a people who, for centuries, have wandered in error and neglect.

One other method of examining these 'shifts' is by looking at them through the work of celebrated French philosopher Michel Foucault (1926-1984). In his book *Discipline and Punish* (1991), he has argued that these shifts were revolutionary, but yet piecemeal, in that they occurred neither simultaneously, nor universally: they took place by the application of reason and efficiency to particular areas of activity and knowledge, in specifications for design, training and rehabilitation. They were, in fact, to enhance the efficient exploitation of human and natural resources; to know them, to rank them and to assign them a place in the order of things. It is possible to view the changing societal responses to the Gypsies as one specific set of applications of these Foucauldian 'disciplines', as a means of reforming these 'primitives', to evangelise and modernise them: to remove a threat and nuisance, and to assimilate them into the regimented workforce. Corresponding with the changes in

the larger society, attitudes to Gypsies were transformed, at least amongst the new bourgeoisie. This is evidenced in a greater sophistication in the way they were visually and verbally represented, and the emergence of attempts at assimilation through cultural retraining, largely through the efforts of missionaries and humanists. Liégeois has written (1986: 104-105):

...the gradual rise of humanistic ideas on the one hand and technocratic attitudes on the other combined to provoke a shift in the authorities' policy towards Gypsies...The measures aimed at expelling Gypsies had been based on a repulsive image of the targeted group as inherently evil.

There was a sizeable population which failed to conform to the imperatives of the Industrial Revolution: 'vagrancy' was synonymous with parasitism and delinquency, as evidenced by the numerous reactive statutes of the 18th and 19th centuries (Mayall, 1988: appendix.1). The Gypsies were a part of the nomadic, 'informal' economy, and perceived as outcasts who had escaped from, or been overlooked by, the industrial culture. This sustained evasion of the dominant spirit and priorities of industrialisation - wage-labour, fixed abode, privatised land and natural resources, disciplined education and training - enabled particular projections and stereotypes to take root. Although the portrayals ranged from genocidal denigration to hopelessly unrealistic idealisation, they shared a perception of Gypsies and Travellers as distinctly 'other', that persists to present times.

That Gypsies and Travellers were highly susceptible – as Jews and Africans have been - to mythologising by outsiders is perhaps not that surprising. As a non-literate minority, with little if any power or representation in the dominant culture, their

identity could be manipulated and distorted according to the requirements of popular writers at particular times (Fraser, 1993). The dominant perception was generally denigratory, and intolerant. However, during the nineteenth century, a peculiar idealisation of the Gypsies developed, later rationalised by Victorian racialism (Behlmer, 1985). On the one hand, Gypsies could be seen, through the traditional fearful filter, as lusty criminals, con-artists, lay-about, and much worse (*The Times*, 6.5.1826):

It is astonishing in what a state of fear and subserviency the rural population of this [Devon] and neighbouring counties are held by the Gipsy gangs, to whose application for relief, of whatever description required, the most ready acquiescence is yielded, lest damage should be committed by them in case of refusal.

On the other, they might be seen as useful (if peripheral), having a valued part to play. Take this example from the New Forest area (*The Times*, 12.10.1842):

The farmers consider themselves, as to their homesteads and property, always as safe when Gypsies are encamped near them; but there is a fearful gang of poachers and deer and sheep-stealers all around the New Forest, which paralyses the confidence of the farmer in the belief of himself and his own. The Gypsies have ever been considered a dark and mysterious community. Those who know them and their ways, habits, and customs best, are the best to appreciate their claim to good feeling on the part of those who have experienced their singular ways. A farmer considers a Gypsy a good watchdog whilst the latter lingers around his premises; but a “neighbour” he looks upon as being well worthy of watching.

But then again, a month later, in the same area (*The Times*, 14.11.1842):

. . . it has invariably been noticed that when a horde of Gypsies has been encamped in the vicinity of [the] sheepfolds, one or more of the

animals have been found dead in the morning which on the previous night appeared in perfect health . . . The fact is . . . that the Gypsies around the New Forest have been in the habit, for some months past, of resorting to the practice of suffocating the sheep on the farms in the vicinity in the manner above described [by forcing wool down the throat], evading thereby the suspicions of the farmer falling on them.

These contradictory portrayals are not untypical of the early 19th century confusion about Gypsies. The duality was later resolved through the imposition of a hierarchy of racial purity, consistent with the racialist framework of the time, which created an idealised, romantic, and rather abstract ‘race’: a ‘phantom people’ of the imagination, ‘degenerate hordes’ on the wayside (Kenrick and Puxon, 1972: 30).

As long as one respected and admired the mirage of the ‘true Romany’, one was at liberty to inculcate, denigrate and harass the people who were actually encamped on common or marginal land: they were no more than vagrants, or, worse, cross-bred Gypsies, who had deviated from the imposed stereotype, and diluted the precious *kalo-rat*, or ‘black blood’.

Before going on to discuss the details of the representations, it is worthwhile to locate the schisms in the dominant culture that gave rise to the duality. Hobsbawm acknowledges the importance of the romantic reaction against the tide of industrialisation (1988: 319):

The poets of German romanticism thought they knew better than anyone that salvation lay only in the simple modest working life that went on in those idyllic pre-industrial towns that dotted the dream-landscapes, which they described more irresistibly than they have ever been described by anyone. And yet their young men must leave to pursue the by definition endless quest for the ‘blue flower’ or merely

roam forever, homesick . . . The wanderer's song is their signature tune, nostalgia their companion.

The Gypsies came to be seen as natural allies in the face of 'modernisation': to the romantic imagination they carried an aura, not just of medieval mystery and 'foreignness', but also of a golden age of naturally noble relations between individuals, families, tribes, animals, nature and God. To the Right they came to represent the feudal order as the lost ideal of social relationships, ripped apart by the ascendant bourgeois capitalism: 'conservative medievalism' (Hobsbawm, 1988: 320).

For the Left, the romanticisation of the Gypsies represented them as primitives, a reminder of a supposed pre-authoritarian communism: 'the noble savage showing up the deficiencies of a corrupt society' (*ibid*, 321). Hobsbawm (1988: 320-321) describes a third strand of romanticism:

Closely allied with medievalism, especially through its preoccupation with traditions of mystical religiosity, was the pursuit of even more ancient and profound mysteries and sources of irrational wisdom in the orient: the romantic, but also the conservative realms of Kublai Cahn or the Brahmins . . . the bulk of the amateurs of the East and writers of pseudo-Persian poems, out of whose enthusiasm much of modern orientalism emerged, belonged to the anti-Jacobin tendency. Characteristically Brahmin India was their spiritual goal, rather than the irreligious and rational Chinese empire, which had preoccupied the exotic imaginations of the eighteenth-century enlightenment.

This romantic orientalism was, perhaps, the most influential contributor to the myth of the 'true Romani', as expressed by Gypsiologists, journalists, artists, and so on. In reconstructing the stereotype, with fabulously concocted hierarchies of racial purity

(Acton, for example, lists and discusses eighteen different words used to identify or classify Travellers [1974a: 60-80]). These labels then denote the proximity to the idealised strain of suitably 'exotic' Indian blood. The implications of romantic and classical racialism for political and social interventions will become clearer, when attempts to 'solve the Gypsy problem' are touched upon later.

The stereotypes were, in essence, created and imprinted by the mid- nineteenth century: the romantics idealised the nobly savage 'true Romani', whilst rationalists saw 'depraved vagabonds', deprived outcasts or a 'useless race' (*The Times*, 19.7.1816). Perhaps the most influential projectionist of the romanticised Romani was George Borrow (1803-1881), whose semi-autobiographical adventure tales were popular (Mayall, 1988: 72):

He stood as the figurehead for the romantic elevation of the Gypsy to the status of chief protagonist with forces of progress and advance, resisting the crushing organisation of society and the routine and restraints of civil life. They stood for freedom against the tyranny of law, for nature before civilisation and for simplicity before complexity.

Borrow portrayed the Gypsies as a 'dark wandering race' of close-knit companies and tribes, good at fighting, drinking and petty crime and cons, which reinforced the perception of the ordinary *gaujo* citizens as gullible, and overburdened with cares and property. Also, they exuded a mystical aura connecting them to a pre-civilised, communal relationship to nature (here with an additional and interesting [homo-] eroticism thrusting forth) (Borrow, 1843 [1991]: 99):

... two or three men on horseback are hurrying through the crowd, they are widely different in their appearance from the other people of the fair; not so much in dress, for they are clad something after the fashion of rustic jockeys, but in their look - no light brown hair have they, no ruddy cheeks, no blue quiet glances belong to them; their features are dark, their locks long, black and shining, and their eyes are wild . . . they do not sit on the saddle in the manner of common jockeys, they seem to float or hover upon it, like gulls upon the waves . . . the third is a very tall man with a countenance heroically beautiful, but wild, wild, wild...

During the nineteenth century, folklorists and Gypsiologists elaborated on the culture of the Romani (as they saw it), adherence to which was then employed to locate particular individuals and families within this imposed hierarchy of racial purity (Reid, 1997). It was believed that the Gypsies had maintained their separateness by marrying only within their own 'race', and that their distinctive cultural characteristics were genetically inherited: physical appearance (darkness, dress), instincts (wanderlust, sexuality), 'purity' or 'depth' of Romani language use, inclusion in a 'secret fraternity' (which 'called to mind the secretive rituals and practices of freemasonry', Mayall, 1988:76; *cf Times*, 5.10.1842), and the practice of a complex series of rituals (Mayall, 1988: 77):

The list of regulations is endless and, when accompanied by the range of other codes of conduct determining behaviour compiled by the lorists, it becomes easy to assume that ritual and ceremony dominated the lives of the Gypsies. They seemed unable to eat, sleep, travel, wash, drink or give birth without first consulting some omen or belief.

They were represented as a dwindling racial minority - a threatened species - who would soon vanish from the scene, as evidenced by the visibly impoverished circumstances, and moral decline of the majority of Travellers. This notion was the catalyst for the members of the gaujo Gypsy Lore Society, founded in 1888, which

sought to preserve as much as possible of the lore and language of the Gypsies, before they became extinct by miscegenation and political intolerance of their ways. Their members ignored political and social concerns, even when those they studied and observed were threatened by proposed legislation to register them and their homes, in the late 19th century.

Thus, the romantic, lyrical, poetic portrayals of Gypsies were reinforced by pseudo-scientific means (including contemporary physical-anthropological techniques, such as head-measuring); and, in fact, this both confirmed the common prejudice against nomadism and reassured the majority that persecution of Travellers was not unjust: the 'true Romani', as described by the lorists, is never encountered, by any but the lorists themselves (such as Macfie, 1943).

Besides the romantics and the lorists, there were others with a particular interest in the Gypsies. The social policy and religious reformers of the nineteenth century were concerned less with indulging in the hobby of 'Gypsying', or preserving an occult culture, than with rescuing bodies and saving souls: the Gypsies were identified less in racial, than in social/religious terms, as objects of charity and evangelistic fervour, ripe for conversion and assimilation. Humanitarianism set out to explore and conquer.

For many of the early missionaries, the Gypsies - although often accepted as a racial group - were not romanticised. They were made subjects of surveys, whose aim was to gather information on their origins, numbers, nomadic habits and the like (*The Times*, 19.7.1816):

Of late years some attempts have been made to reduce the numbers, or at any rate to civilize the habits of that vagabond and useless race, the Gypsies. In pursuance of such purpose, a society of gentlemen have been making all the preliminary inquiries requisite to a proper understanding of the subject.

In this report, twenty five questions having been circulated around the country, the Gypsies are described as ignorant or reticent, sidestepping 'inquiries respecting their peculiar language, calling it gibberish', only nominally Christian, etc. They are viewed, not only in terms of the simplistic medieval stereotypes discussed earlier, but also as a 'problem', which could and should be 'solved'. The techniques proposed to effect this solution, were to involve compulsion: settlement, useful employment for adults (although the latter were often seen as beyond redemption), religious schooling and apprenticeship/domestic service for the children (Hoyland [1816] quoted in Mayall, 1988: 101):

Their being placed among a greater number of children, and those of settled, and to some degree of civilised habits, would greatly facilitate the training of Gypsies to salutary discipline and subordination, and the associations it provided for them out of school hours, being under the superintendence of a regular family, would, in an especial manner, be favourable to their domestication.

Various missionary attempts at settlement were implemented around the country (Acton, 1974a: 104-105; Fraser, 1992: 199-200; Mayall, 1988: ch.5). James Crabb, a methodist preacher, was intent on reforming the Gypsies of the New Forest and Hampshire, through the work of the Southampton Committee. His was a non-compulsory approach; paternalistic, benevolent assimilationism, by (Mayall, 1988: 107):

. . . teaching the ‘inconveniences, hazards and impropriety of a wandering life’ . . . to be achieved by imbuing them with a sense of honesty and morality and instructing them in the Christian religion. When this was achieved, settlement would follow.

A ‘charitable’ portrayal occurs in the *Times* (30.12.1842):

The annual festival of the Gipsies of the New Forest was held today on the Rev. Mr. Crabb’s grounds, about a mile from Southampton. On these grounds the families and tribes of the Gipsies were invited, according to yearly custom, to partake of a sumptuous dinner, and to receive various articles of clothing, to shelter them in some measure from the inclemency of the winter season. These presents are furnished by means of subscriptions of the wealthy in all parts of the country. At 2 o’clock nearly 200 Gipsies sat down to a handsome dinner of roast beef and plum pudding, and were waited on by the gentry of the neighbourhood, crowds of whom were present to witness the singular scene. The swarthy beings proved by the quantity they consumed that a sumptuous dinner was a rarity to them; and they were so overjoyed at the sight of rich plum- puddings, that they all rose, greeting them with tumultuous cheering. The Gipsy children, although many of them badly clad, some of them indeed half-naked, appeared a fine healthy race. The clothing distributed amongst them consisted of blankets and fabrics fitted for under garments. The Right Hon. Sturges Bourne was present, and appeared to take the greatest interest in the festival.

The worthy efforts of Crabb met with limited success in the longer term (Acton, 1974a: 104), although some converts to the disciplinary system were reported (Mayall, 1988: 109-110):

. . . in the first year of the mission, six children had been settled at infant school, and by the following year were said to have ‘exchanged their restlessness of body and unfixedness of mind for habits of attention and self-control’.

The combination of redeeming ‘heathens’ from their spiritual void, with the goal of conversion to useful citizenship, appealed to the bourgeoisie: good works induce a

warm glow in the provider and a grateful response in the recipient doubles the satisfaction. Unfortunately, most of the Hampshire Gypsies seem to have enjoyed their plum puddings while they lasted, and wandered off again when the charity stopped flowing. The evangelistic reforming passion faded in the face of poor results.

George Smith (of Coalville, 1831-1895) represented, in contrast to Crabb, a more secular (though divinely inspired) and forceful approach: he was successful in campaigning against conditions in the brickyards and on the canals (Hodder, 1896). He had less success in lobbying Parliament for the regulation and control of the Gypsies; here, the notion of the 'true Romani' becomes politically and socially significant. Mayall suggests a convergence of interests between the secular philanthropists, such as Smith, and the lorists, and goes on to quote the *Weekly Times* (8.2.1880) (quoted in Mayall, 1988: 131-132):

For the genuine Gipsy tribe, and their mysterious promptings to live apart from their fellows in the lanes and fields of the country, we have a sentimental pity; but with such as these Lamb-lane people, off-scourings of the lowest form of society, we have no manner of sympathy; and we hope that a gracious Act of Parliament may soon rid English social life of such a plague.

Acton (1974a: 53-93) has analysed these scapegoating mechanisms in some detail; the notion of the 'real Gypsy', romanticised by the lorists, is disseminated through their writings and representations, and contrasted with the degeneracy and threat of the *gaujo*- and half-breed Travellers; the real Romanies are a dwindling minority, whose culture and language deserve to be recorded and preserved before they disappear altogether. Sampson's linguistic work in Wales was instrumental in this

process (Sampson, 1926). The lorists are flattered by the indulgence of 'their' Gypsies, who bemoan the delinquent behaviour and un-Gypsy-like hereditary characteristics of the *didikai* (rough/half-Traveller) elsewhere.

It is evident that the representatives of authority, whilst accepting the validity of these many distinctions made above, never actually got to meet the 'true Romany'. Their repression of those who did not fit the neatly and tightly defined 'ideal type' they constructed was cleansed of guilt, as those 'pretend Gypsies' were clearly not the idealised 'real' Romanies, as portrayed by the experts. Such 'half-castes' were represented as animals, barbarians and savages.

This representation continues, of course, to this day; directed not just at those Gypsies and Travellers who have been in Britain for hundreds of years but at those Romanies who have recently arrived. For example, the Czech/Slovakian asylum-seekers from 1997 were considered to be 'Human sewage', a 'dosser's army' and 'chancers' (Clark and Campbell, 2000). In March 2000, Romanian Romanies who were in London seeking political asylum were targeted for attention by the press; opulent townships in Romania were being built on the proceeds of street begging in the capital. Women were 'using' babies as props in order to beg successfully; and they received a special focus of course - being 'evil', 'manipulative' and 'heartless' (Dovkants, 2000: 1-2).

The scapegoating process (which can be used as much by Travellers themselves as a defence mechanism to deflect unwanted attention or blame, or to please a possible

benefactor, such as an influential or wealthy lord) has contributed to the long-term persecution of Romanies and Gypsies, and helped to prolong the historical idea of ‘the Gypsy problem’. As has been seen, the ‘problem’ lies not so much with the Gypsy and Romani minority that lives amongst the non-Gypsy majority; rather it is with a constructed worldview that regards them as representative of all things ‘other’. They are, in essence, the *projection* of who non-Gypsies like to think they are not. An Irish cultural anthropologist, Sinéad ní Shuinear, has examined this process specifically in the Irish context and argues that *gaujos* ‘need’ Gypsies to ‘personify’ their own faults and fears, thus lifting the burden of them. She goes on to argue that in this way Gypsies function as a ‘projection screen’ for non-Gypsy anxieties and troubles (Ní Shuinear, 1997: 52):

Gaujos need a screen onto which they project their own negativity... gaujos everywhere manipulate Gypsies into conformity with [their] expectations... as a group [they] cannot be permitted to merge into the mainstream, despite universal gaujo demands that they do so.

The origins question

...the romantic stereotype of the Gypsy as an exotic and noble primitive, wandering unconstrained as the mood takes him (sic), tells us very little about the way Roms (Gypsies) have managed to exist

(Guy, 1975: 203).

Any common stereotype or image tells us more about those who believe in it than about those who are actually being stereotyped. Such images of Romanies have appeared throughout their history, providing the basis for persecution and serving to rationalise the measures taken against them. Since their arrival in Europe, Romanies

have suffered particularly from two contradictory false images. The Borrowesque image of the mysterious and attractive wanderer, the romantic violin-playing lover or the seductive dancer has been intermixed with the image of the repulsive, dangerous vagabond. False images and stereotypes can be found in everyday language. They are reinforced in the media, in popular literature and children's books. *The Encyclopaedia Britannica* (in the 1956 edition) wrote: 'The mental age of an average adult Gypsy is thought to be about that of a child of ten' (in Hancock, 1986: 56)

These stereotypes reflect and reinforce what is already widely believed. The same image is reinforced by photographs in local newspapers of roadside camps with piles of what seems to be rubbish but is, in fact, scrap waiting to be processed and sold. But people fail to realise, or to admit, that this is because they are living on unhealthy, poorly located and inadequate sites. *Gaujos* also fail to realise that the Romanies have a high code of cleanliness, without which they would never have been able to survive in such conditions (Okely, 1983a). Thus, not only does the image serve to rationalise the measures taken but the measures in turn reinforce the image. This vicious circle provides the basis for further violations of Gypsy human and civil rights.

Although the English mistake of regarding Egypt as the 'home' of the Gypsies has long been recognised, the 'true' origins of this people continues to cause a great deal of academic 'bunfights'. This issue, like no other, has fuelled a series of exchanges within the Romani/Traveller studies community, especially - over the years - in the pages of the *Journal of the Gypsy Lore Society* (established in 1888, now called *Romani Studies*). In more recent times these arguments have best been illustrated in

the furious debates between the likes of Acton (1974a), Fraser (1995), Hancock (1987), Lucassen, Willems and Cottaar (1998) and Okely (1983a).

Judith Okely (1983a), as well as the ‘Dutch social (de)constructionists’ (Lucassen, Willems and Cottaar, 1998), contends that the Indian origin thesis has served as a charter for accepting the Gypsies as a genuine ‘exotic’ group. Drawing on a period of extended fieldwork with Gypsies (*Romanichals*) in South East England, she argues that the origins question is largely irrelevant to Gypsies today. However, Acton (1974a) and others such as Hancock (1987), point to the linguistic evidence to support their claims regarding the Indian association. In the context of this chapter, it is not my intention to add weight to one camp’s arguments over the other. One thing that could be said with certainty though is that the ‘real Romani’ debate dates back to at least when Gypsies were first recorded as ‘arriving’ in the British Isles; around the 15th/16th century (Fraser, 1995:111-112).

The ‘real Romani’ is considered to be dark haired with brown eyes whilst the ‘pretended Egyptian’ possesses lighter hair and blue eyes. Such ‘darkness’ is not a criterion or basis for membership though. Just like *gaujos*, Gypsies have entertained ideas about ‘pure-blooded’ Gypsies, without the Indian linkage. Indeed, in many ways it is essential to draw upon such ideas in exchanges, work deals and trading insults between different families and groups in order to establish hierarchies, rank and privileges (Hübschmannová, 1972).

For both *gaujos* and Gypsies, the 'Real Romanies' are seen as a very distinct genetic group. Blood here is being used as an important metaphor for favoured and despised groups; depending on the context and interests of the labeller. For example, dark-skinned 'Gypsy Rose Lee' with her crystal ball and uncorrupted 'pure' *Romani* is for some the 'real thing', whilst the fair-skinned hawkker with a strange dialect of pidgin *Romani* is *didikai* (half-caste), or, even worse, *mochadi* (unclean, ritually polluted). In the British Isles, it is the Welsh *Kalé* (and the English *Romanichals*) who claim the status of 'real' Romanies, whilst the Irish *Minceir* (until the arrival of New (Age) Travellers at least) were considered the 'tinkers' and 'half-breeds'.

To progress, we need to examine the theme of migration and how it has influenced Gypsy and Traveller approaches to their social world.

The theme of migration

Gypsy migrations came about both as the outcome of dynamic change in order to adapt to new circumstances and as a response to historical opportunities.

(Reyniers 1995:8).

At the start of the 20th century, Western Europe witnessed many population movements both between and within its many countries and nation states. The reasons for such movements were many and complex. Suffice to say, groups of Romanies were amongst those on the move in countries such as France, Germany, Italy and Switzerland and the newspapers commented on the Gypsies and their migratory ways. As Matras (1996: 5) has noted:

Migration forms a repetitive pattern throughout Romani history. It is part of the collective recollection and cultural and historical legacy of the Roma as a nation.

It is widely acknowledged, and documented, that the Roma were subject to persecution, harassment and expulsion from around the late fifteenth and early sixteenth century causing them to leave their areas of residence (Fraser 1995; Liégeois & Gheorghe 1995: 7-10). Earlier episodes are deemed to have been very likely, with scholars such as Ian Hancock (1987; 2000) suggesting a connection between the Romani migration into Europe and the Islamic victories in Northern India during the 10th century. Likewise, connections are frequently made between the fall of the Byzantine Empire and Ottoman conquests and Romani migrations from the Balkans to North and West Europe in the 14th and 15th centuries. The exodus of groups of *Vlach* Roma (including *Kalderash*, *Lovari* and others) from Romania toward the end of the 19th and early 20th centuries was in part connected to the abolition of Romani slavery and the resulting freedom of movement (Hancock 1987). The descendants of those migrants are now located in most parts of Europe and the Americas. Romani refugees from Central and Eastern Europe were displaced during the Second World War and many have opted to stay in the West. In some parts of the East, the migration of Roma was enforced by post-war industrialisation policies, such as the shift of Roma from Slovakia to Bohemia in the late 1940s and 1950s (Powell 1994:113).

More recently, Romani migration patterns have changed and these need to be examined. Matras (1996: 5-6) in a report for the Council of Europe has usefully summarised these patterns as falling into three phases:

Phase 1: Pre-mid 1970s.

This phase allowed for recent migrants not only to find employment and take up residence permits but also, in some case, to be granted formal and substantive citizenship rights.

Phase 2: Late 1970s – Early 1990s.

During this phase migration was only possible by entering and staying illegally or by applying for political asylum.

Phase 3: Post 1992-1993.

This phase started with the introduction of regulations which concerned ‘safe countries’ of origin and transit and provisions for the speedy refusal of asylum applications and readmission to the countries of origin or transit. For Eastern European Romani migrants in this phase, this has involved either entering the West on tourist visas and ‘overstaying’ or entering illegally.

It is evident from examining the history and phases of Romani migration patterns that these patterns differ from general European migration trends and routes. This is due to a number of reasons. Mainly, it is because Romani migration is often triggered by external developments which specifically affect the community. These external developments can take a number of forms but include events such as social conflict and ethnic tensions, violence or change in socio-political status (such as the citizenship law changes in the former Czechoslovakia during the earlier part of the 1990s (Bancroft 1999b; O’Nions 1999; Young 1999: 42; Rooker 1995). In addition

to these external factors, there are also other 'push' factors, such as Romani non-confidence or non-identification with the state institutions of the current 'host' society (Matras 1998). Taken together, the high risks of emigration seem minor compared with the dangers and threats of staying in a country which rejects them at all levels and has historically marginalised and segregated them, as has the former Czechoslovakia (for examples of such treatment see Kostelancik 1989; Ulc 1991; Kalvoda 1991; Brearly 1996: 19).

Prior to the events of 1997, which saw Roma from the former Czechoslovakia emigrate to Canada then Britain, other Romani migrations were taking place. The main countries of origin of Romani migrants who travelled to various countries in Western Europe since about 1990 have been Romania, Macedonia and Bosnia-Herzegovina. It is estimated that the total number of Romani individuals from these three countries who have applied at least once for political asylum in Western Europe is anywhere between 50,000 and 150,000 (Matras 1996:7). Small numbers of Romani refugees, from a group known as the *Serbaya Kalderash*, from Bosnia and Serbia have arrived in the UK since 1990 (Acton 1996). What is also apparent is that similar numbers, if not more, have been prevented from crossing the borders into Western Europe since the collapse of 'actually existing socialism' at the beginning of the 1990s. Other countries whose Romani populations have headed West in recent times include Bulgaria, Croatia and Poland, although figures here have been much lower than for the main three countries (Kenrick, 1997).

The favoured Western locations for Romani migrants have been Italy, Germany, France and Austria, with some movement into Sweden, Spain and the Netherlands. In June and July 1999 small groups of Romanies from Slovakia arrived in Finland claiming political asylum, though the first group of 150 that arrived had their applications for asylum almost instantly rejected (Radio Free Europe 1999a/b). Of course many, if not most, of these Romani migrants have since returned to their countries of origin, usually as a result of their asylum applications being rejected. Please note that the situation of immigrants and refugees is dealt with in more detail in chapter 3.

Romanies and other ethnic minority groups in Britain

Since their arrival in Europe, Romanies, as well as other minorities, have often faced persecution. Arriving later than the Jews, the Romanies could not be accused, as were the former, of spreading the Black Death, although they were blamed for an outbreak of cholera in Italy as recently as 1910 (Fraser, 1995). In neither case were these claims supported by any evidence.

The Romanies, dark-skinned as they were, aroused colour prejudice towards people with skins other than pink/white. In Romania and other parts of the Balkans in the early 19th century, they were forced into serfdom in their thousands under rules more severe than for the local feudal serfs (Hancock, 1987). They could be bought and sold, families were split up, while runaways were tortured if recaptured just as the black

slaves in the Americas. The Romani serfs in Romania were not emancipated until the 19th century.

In Spain, expulsion orders were issued almost simultaneously against Romanies, Jews and Moors. In England, Queen Elizabeth acted against 'Blackamoors' and 'Egyptians', declaring that the former 'shall with all speed be avoided and discharged out of this and her Majesty's dominions' (Mayall, 1988). As for the latter, she added the death penalty for Gypsies who disobeyed an earlier order to leave the country, at the same time as she executed her doctor, the only Jew left in after an earlier expulsion. Many Gypsies remained, as they had nowhere else to go; some found safety by working for nobles and landowners but others were arrested and executed. York, scene of the death of forty Jews in the 13th century, was to witness a mass execution of Gypsies in 1596 (Fraser, 1995). Gypsies, however, through their nomadism were able to survive in a Britain where the forces of law were not nationally organised.

At the end of the 19th century, many Jewish and Gypsy immigrants arrived from Eastern Europe. In 1906 Major Gordon Evans spoke against German Gypsies (the *Sinti*) who were trying to settle in England. He was the same MP who had organised opposition to Jewish immigration the previous year, helping to secure the restrictive Aliens Act (1905). Zionism has its echo amongst the Romanies, giving impetus to the idea of 'Romanestan', a Romani national home. Janusz Kwiek, leader of the Coppersmith tribes in Poland before 1939, came to London and spoke in Hyde Park to seek support for his proposals for a homeland in Africa. After 1945, Vaida Voevod (see below, chapter 11) wrote to the United Nations asking for help in getting land in

India. However most Romanies have dropped the idea of a geographical nation state. Feeling like the poet Ron Lee (1971: 59) who wrote: 'Romanestan is where my two feet stand', they try to keep an independent cultural existence in the various countries where they live.

For the Nazis in Germany, Jews, Romanies and 'Negroes' were 'foreign' elements in the state. For the extreme right in Britain today, all 'non-Aryans' are enemies of what it means to be 'British'. Arguably, anti-Semitism is less open than it once was whilst 'anti-Gypsyism' remains public and acceptable. Some writers, such as Margaret Breatly (1996) and Nik Cohen (1996), have talked about Romanies as the 'new Jews' of Europe. That is, they are the 'race' it is now acceptable to openly hate and subject to discrimination and prejudice.

Romanies are a 'race' in Britain: legislation

The Court of Appeal in 1988 (*CRE vs Dutton, 1 ALL ER 306* (appeal case)) confirmed that 'Gypsies', in the original sense of Romanies, are legally recognised in Britain as an ethnic group (under the terms of the 1976 Race Relations Act). The judgement arose from a court case in which the Commission for Racial Equality (CRE) accused Mr Dutton, a publican in East London ('The Cat and Mutton'), of discrimination because he had put a notice outside his pub reading 'No Travellers Served' (just like the one reproduced in chapter 10).

The CRE maintained that 'Travellers', in this context, was a synonym for Gypsies and the notice therefore discriminated against Romanies who are a racial group within the Gypsy community. The Appeal Court ruled that Gypsies are indeed an ethnic group as they have a common history, culture, oral literature and practices of a religious nature - they fit the so-called Mandla criteria (established in the House of Lords in 1983 when it was decided that Sikhs were an ethnic group – *Mandla v Les 2 appeal cases 548*).

Unlike the Saxons and the Vikings, they have not been absorbed into the English nation. As the Appeal Court stated:

On the evidence, it was clear that Gypsies in the primary sense of the word i.e. Romanies, were a minority with a long shared history and a common geographical origin. They had distinctive customs, a language derived from Romani and a common culture. Many of them had retained a separateness and self-awareness of still being Gypsies (and) had not been absorbed into the population.

This gives Gypsies protection under the 1976 Race Relations Act and the provisions against incitement to racial harassment of the 1986 Public Order Act. A notice reading '*No Gypsies served*' is discriminatory. However, the Appeal Court, disagreeing with the CRE, held that the word 'Traveller' was not a synonym of 'Gypsy' but referred to a wider group, including non-Romani Travellers and 'New Age Gypsies'. They did not accept the CRE's argument that this wider group was itself an ethnic group within the Mandla criteria. A notice '*No Travellers served*' is - in law - indirectly discriminatory against Romanies but it is not illegal if some justification can be given for refusing to serve Travellers as a whole (for example, 'damage to property'). This case illustrates some of the *legal* complexities about defining who an 'ethnic' group actually is. If there are legal problems then it is little wonder that Jack Straw was so

unsure about who he was actually talking about when he said the things he did in 1999 about Gypsies in Britain (see pages 28-29).

Gypsy Women and Gender

The image of the enticing and sexually provocative Gypsy dancer, as illustrated by Merimee's 19th century story *Carmen*, is still a feature of modern thought (Bizet, 1991). Today's stereotype is usually romantic, a dark-haired beautiful girl, dressed in shabby but flowing fabrics, swinging her hips as she moves. Seduction is the key idea, the 'Great Temptress'. Every few years, the 'Romani' motif enters female youth culture and, in particular, hits the fashion pages and catwalks. However, once aged, the Gypsy woman becomes an 'evil old crone' with dangerous supernatural powers. Thus, either young or old, Gypsy women are never properly 'seen' except as *gaujo* stereotypes (Kiddle, 1981).

The romantic image of the young Gypsy woman is in complete contrast to the derogatory gender stereotype of the Gypsy male. The reason for this is that a handsome Gypsy male would be a potential threat to the house-dwelling family, as illustrated in D. H. Lawrence's story *The Virgin and the Gypsy* (Lawrence, 1931). So, as a rule the Gypsy male is portrayed as a 'dirty thief and vagabond' which calls for increased 'distance' between *gaujo* and Gypsy, thus lessening the threat. It could be argued that it is not necessary to further degrade the image of the Gypsy woman as, in our patriarchal society, women do not pose a threat to the power of men. It is also

possible that the *gaujo* man is considered, by society, to have a much greater self-control and to be able to resist seduction.

When we examine the role which women play within the Gypsy community it becomes clear that the stereotypes are misleading. At home, Gypsy women must live up to a great many expectations that are held by the community and her immediate family. Rather than seduction, sex before marriage is condemned as is adultery, even to the extent that a married woman should not be on her own with another man, especially a *gaujo* man (Okely, 1983a).

In the media

The national and local press often run stories on Gypsies, usually with sensational headlines. One regional example comes from *The Hornsey Journal* (23.4.98) which printed a picture of rubbish on an illegal site, accompanied by a leading article:

At a time when kiddies' playgrounds are being closed down and the cost of old people's meals is being increased, Haringey Council is spending half a million pounds on building a permanent Travellers' site and a further £400,000 on running its gay and lesbian committee.

Likewise the religious newsletter *The Universe* (10.2.87) interviewed a local parish priest under the heading: '*Trained thieves cash in on underground passengers*'

Father K. said:

I suspect most of these people are Travellers. They are not very popular around here. They thief and get drunk and smash up pubs. The kids are uncontrollable. Some Travellers are squatting in houses that are needed by homeless people.

Brochures issued by British Tour Operators in the 1990's reinforced the message to 'watch out, there's a Gypsy about' when holidaying abroad:

Pickpockets

The most skilful thieves are groups of Gypsy children who roam the main tourist areas of Paris and the Metro. Do not stop if approached by these children and never take out your purse or wallet to give them anything as it is likely to be snatched.

(From Thomsons Paris Guide Book, 1995).

In Mallorca, as in all tourist locations all over the world, we have a problem with thieves. Here, the Gypsies are the offenders. Don't buy any jewellery or flowers or clothes from them. Gypsies in Mallorca are all professional pickpockets.

(From Airtours brochure, 1994).

The mediaeval accusation of stealing children still surfaces in the popular press. In November 1998, the supposed sighting of a lost English boy in a Greek village led the *Sun* to quote the grandfather - not for the first time - as saying: 'Gypsies are heavily involved in the trade (of child abduction)'. Many other papers then picked up on this story (The Sun, 1998).

However, contradictions do appear as Gypsies can also be viewed as romantic, This is a duality that has persisted through the centuries. So, the *Daily Mirror* in July 1998 captured the 'true Romani wedding':

Josephine, a member of one of Britain's last true Romani families had dreamed of a fairy tale wedding. So her relatives organised an event fit for a princess. She was clad in a dazzling £10,000 white gown and she rode to church in a horse-drawn glass coach that cost £3,000 to hire. Her scrap dealing husband Patrick travelled in a princely carriage also pulled by horses.

But such stories do not always have a fairy tale ending. In June 1999, the Bristol County Court found that Cheltenham Borough Council had unlawfully discriminated against a Gypsy woman and her mother when it cancelled a booking for a wedding reception at Cheltenham's famed Pump Rooms. In the evidence before the court, it was revealed that a council official sent a memorandum on 9 July 1997 to local colleagues headed 'Early warning system for new age travellers/gypsies' saying 'this cross race' marriage may cause disputes and public order problems' (from Gypsy Council Archives). The *Gloucestershire Echo* (1997) quoted from the memo just days later under the heading 'Be ready for gipsy invasion' following up on the 16 July with a front page banner headline: 'Big day axed in GIPSY ROW: wedding guests are NOT OUR SORT' (spelling and capitalisation as in original).

To try and combat this type of reporting the Commission for Racial Equality has recently published a set of guidelines for the media and sent copies to the editors of every newspaper in the country (See Appendix 5). It is uncertain how successful this campaign will be.

In children's books

A false image of the Gypsy is imprinted in children from an early age in a variety of ways. The following can still be heard in many school playgrounds today as a two ball game rhyme:

*Ipsy Gypsy wed in a tent
She couldn't afford to pay the rent.
So, when the rent man came next day
Ipsy Gypsy ran away.*

One book mentioning Gypsies found for the nursery age (3-5) in a recent survey was *Topsy and Tim's Friday Book* (Adamson, 1996) where the mother decides that her two children shall dress up as Gypsies for a fancy dress party (Kenrick and Taylor, 1984: 38-48). They put on something looking vaguely like a Spanish flamenco dancer's dress and win first prize. Children who had this book read to them in the school where it was found in the library would not connect the pictures with the Gypsy women in the campsite up the road from the school.

For the primary school, there are now some very good non-fiction books. Many, however, generalise, such as *The Last Wanderers* (Randhawa, 1997), which leaves the impression that all Gypsies have trained bears that dance to a tambourine. The traditional folk song *The Raggle Taggle Gypsy* (most recently covered in 1995 by the Scottish-Irish folk-rock band *The Waterboys*) reinforces the stereotype of a, for once, handsome Gypsy luring away the rich *gaujo* lady. It is interesting to note that there are variations in this song. For example, the original (and often forgotten) Scottish ballad

has a *gaujo* lord luring away a Gypsy girl and then locking her up so *she* cannot go back to the camp:

*...Tell me how could you leave your house and your land
how could you leave your money-o
how could you leave your only wedded lord
all for the raggle taggle Gypsy-o*

*Well, what care I for my house and my land
what care I for my money-o
tonight I lie in the wide open field
in the arms of a raggle taggle, Gypsy-o.*

Standard works on history, geography and social studies for the secondary school rarely mention Gypsies at all (Morris, 1997). A recent exception has been a specific book on *Romanichal* Gypsies by Acton and Gallant (1997) which takes the reader through a day in the life of a young English Gypsy boy – Jimmy Harris - in Greenwich.

A check by the author two years ago (1999) on the indexes of ten such works in a North London library for teachers produced the following figures:

References to:	
Afro-Caribbeans or West Indians	10
Jews	6
Asians (including Indians and Pakistanis)	4
Gypsies or Romanies	0

Although just a ‘snapshot’, it was interesting to note that the library had on its shelves *The Bird Maiden: a Serbian Legend* (Mike, 1996) which describes Gypsies as cunning persons whose main occupation is stealing and selling horses, but none of the recent

studies of Gypsies were in the education or sociology sections. Children's comics still portray male Gypsies as spies, kidnappers or thieves while the Gypsy girl is often a frustrated ballet dancer whose parents will not let her go to school and who has to be smuggled into the classroom by well-wishing schoolgirls. A privately published study of children's fiction by the Manchester teacher, Dennis Binns, (Gypsy Council Archives and also Binns, 1984) shows how the myths are still current. Gypsies steal things (these are 'voices' from children's books examined by Binns): 'I lost it in town. I know it. This little Gypsy thief stole it from me'. They steal children too:

Very likely of noble birth and stolen by Gypsies and stained brown
and now they are afraid of pursuit and have left it.

The standard classics read by older children and adults reinforce the stereotypes. Hugo's *Notre Dame de Paris* (filmed as *The Hunchback of Notre Dame*) has a girl stolen at birth by Gypsies (Hugo, 1996), as does Cervantes' *La Gitanilla (the Gypsy Girl)* (Cervantes, 1992). Heathcliffe in *Wuthering Heights* is another villain (Bronte, 1994) while in Lawrence's *The Virgin and the Gypsy* (also a film) have the eternal seducer (Lawrence, 1931). Interestingly, in the recent Walt Disney animated version of *The Hunchback of Notre Dame* (Walt Disney, 1997), even the goat belonging to the Gypsies had its ears pierced, smoked a pipe and played a violin at one point in, what is, a very entertaining film!

Conclusion: the Gypsy ‘stranger’

In this lengthy chapter we have seen how the roots of prejudice against Gypsies and Travellers took hold in Europe. By examining the historical evolution and construction of the Gypsy stereotype, in all its forms, and linking this with contemporary debates around identity, ethnicity, nomadism, origins and migration, we can see how a largely negative picture emerged. They were, in many ways, the perfect ‘stranger’ that the sociologist Simmel (1950: 402-408) talks about in his short but quite brilliant essay: a type of stranger that can be made to fit as a scapegoat for any particular crisis. As Simmel notes, the stranger has certain defining characteristics, a strangeness of origin, not an owner of land. He suggests:

The Stranger is thus being discussed here, not in the sense often touched upon in the past, as the wanderer who comes today and goes tomorrow, but rather as the person who comes today and stays tomorrow. He is, so to speak, the potential wanderer... He is fixed within a spatial group, or within a group whose boundaries are similar to spatial boundaries. But his position in this group is determined, essentially, by the fact that he has not belonged to it from the beginning... He is near and far at the same time.

Although using the Jewish community as his example in this essay, it could quite easily have been Gypsies and Travellers that Simmel was discussing. They have ‘wandered’ and stayed in Britain and are now in a position, because of their culture, language and identity, as being ‘near and far’ from their settled neighbours. In choosing a ‘house with wheels on it’ (a caravan) they are considered outside normal ‘moral boundaries’ of the settled majority and therefore open to injustice (Opatow, 1990).

PART TWO: THE DIFFERENT GYPSY/TRAVELLER GROUPS IN BRITAIN

In this second Part of the thesis, I provide a comprehensive account of who the main groups of Gypsies and Travellers are in Britain today. As is shown, they are not just one homogeneous group but several different groups each with their own language, lifestyle, culture and way of expressing their unique identities. I give separate chapters here to the situation in Wales and Scotland and also to a group of nomads that span across all parts of Britain: New (Age) Travellers. For England, I only give a brief overview in this Part of the thesis and use the bulk of the materials I have collected on the English situation in Part 3 of the thesis – on sites, social security, education, health and relations with the police. In chapter 3, as well as a very brief overview of *Romanichals* in England, I give an extended discussion of Gypsy and Traveller attitudes to work and the way this is viewed by *gaujos*. This is very important to the thesis as the occupations that Gypsies and Travellers engage in tie directly into their nomadic way of life and relations with the non-Gypsy majority. I also briefly discuss Travelling Showpeople, Romani immigrants to Britain and Irish Travellers in Britain.

Chapter 3

Overview: The Gypsies and Travellers of Britain

In the following pages I have endeavoured to describe a dream, partly of study, partly of adventure, in which will be found copious notices of books, and many descriptions of life and manners, some in a very unusual form. The scenes of action lie in the British Islands; - pray be not displeased, gentle reader, if perchance thou hast imagined that I was about to conduct thee to distant lands... thou hast no reason to be displeased, inasmuch as there are no countries in the world less known by the British than these selfsame British Islands, or where more strange things are every day occurring, whether in road or street, house or dingle.

(Borrow, 1843 [1991]: 11).

Who are the Gypsies?

The present day Gypsy and Traveller population of the Britain can be divided into at least five main groups, each with its own cultural heritage, form of language and identity.

The Romanies or *Romanichals* of England and South Wales (see Part 3 of the thesis)

The *Romanichals* are the largest group numbering approximately 63,000, including those who are house-dwelling families. They previously spoke a dialect of Romani but now speak a variety of English using many *Romani* words (known as *poggerdi jib*).

They are descendants of Romanies (also, incorrectly, known as ‘Egyptians’) who came to England from the Continent in the 16th and 17th centuries. Some intermarriage with

gaujos has taken place, but earlier customs are still preserved. In particular, different sorts of washing are kept separate, and often the possessions of the dead are burnt or otherwise destroyed (Thompson, 1924; Okely, 1983b).

The *Kále* of North Wales (see chapter 4)

The *Kále* number some 700 to 1,000 persons and are mainly the descendants of the Woods and other families who migrated from the south-west of England to Wales in the 17th and 18th centuries (Jarman and Jarman, 1991). Up to a few years ago they continued to speak heavily inflected *Romani* (with endings changing for tense and case) (see appendix 6). Most do not live on sites and are now to be found living in houses in north Wales.

The Roma: Romanies who have come to Britain this century

They include Coppersmiths (the *Kalderash*) whose grandparents came here in the 1930s and Hungarian Romanies, most of whom arrived as refugees after 1956. The majority of the some 2,000 Roma now live in houses but the women still wear the traditional long dresses and ornaments. The Coppersmiths, at least in the home, keep up *Romani* as their main language, often telling neighbours they are Greeks, to avoid discrimination.

The term 'Gypsy' in the 1960 Caravan Sites Act includes two other nomadic groups, and – theoretically - New Travellers (see Chapter 6), who follow a similar lifestyle.

Irish Travellers: a nomadic group from Southern Ireland (Eire)

Irish Travellers (or *Pavees/Minceir* as they call themselves) are a relatively small indigenous ethnic minority group who have been part of Irish society for many centuries according to most historical sources (Barnes, 1975; Fraser, 1995: 296 ; Ní Shúinéar, 1994). Their sense of common identity, their history and their own language (referred to as *Gammon, Shelta* or *the Cant*) sets them apart from who they call *buffers* (non-Travellers) in contemporary Irish society (MacLaughlin, 1996).

According to Department of the Environment figures, there are approximately 4,000 Traveller families in Ireland today making a total Traveller population of some 22,000 people. This represents just over 0.5% of the total national population (Ó Riain (ed.), 1997: 9). However other sources have estimated the Irish Traveller population in Ireland could be as high as 28,000 (Liégeois and Gheorghe, 1995: 7). Such differences in estimates of Traveller populations are not unusual across Europe and often reflect prevailing political and ideological conditions and attitudes to such groups of people (Clark, 1998).

Pavee Point, one of the main non-statutory organisations working with Travellers in Ireland, have suggested that half of all Irish Travellers live in four counties; Cork (8%), Dublin (23%), Galway (11%) and Limerick (7%) (Ó Riain (ed.), 1997:9). They also note that the Traveller population is a young and growing one; the median age in the Traveller community being 14 years of age (compared to the national figure of 27) and only 4.4% of Travellers are over the age of 55. Official figures from the mid-

1980s report that the average Traveller family contained 8 children; though there are signs it has decreased since then, it is still, higher than the settled population (Ó Riain (ed.), 1997: 9). It is, of course, also a moving population – and not just within Ireland. For example, Gmelch and Gmelch (1985: 287) have noted the cross-channel migration of Irish Travellers into Britain (and also into America). They regard this process as a result of increasing urbanisation and industrial change in Ireland back in the 1950s and as a Traveller adaptation strategy to these changed circumstances. Today, Pavee Point estimate some 19,000 Irish Travellers live in Britain and 10,000 Travellers of Irish descent live in the United States (Ó Riain (ed.), 1997: 9; McDonagh and McVeigh, 1996).

Some say the Irish Travellers are the descendants of peasants driven off their lands by Cromwell but there is historical and linguistic evidence for placing their origin as a separate ethnic group much earlier, even before the coming of the Celts to Ireland (MacLauglin, 1996; 1999). The majority of Irish Travellers in Britain travel in caravans. Although Irish immigration to England began several centuries ago, the first reliable report of the presence of Irish Travellers dates from 1850 (Helleiner, 1995: 538). After the Second World War many men came over to work on the motorways and later as labourers for local councils, as well as scrap metal dealers. Travelling women could pass as ‘ordinary Irish’ and get work in hospitals, which was not so easy in Ireland itself because of prejudice. On the whole the Irish Travellers have found it more difficult than the *Romanichals* to get pitches on local authority caravan sites, in part because they have not been regarded as ‘real’ Gypsies (Okely, 1983a).

The *Nachins*: Scottish Travellers. (see chapter 5)

This is a nomadic group formed in Scotland in the period 1500-1800 from intermarriage between local nomadic craftsmen and immigrant Romanies from France and Spain in particular. At any given time there may be several hundred Scottish Travellers visiting England, while Liverpool has a small house-dwelling population of Scottish Travellers. It is estimated that some 20,000 Scottish Travellers live in Scotland, both on sites and in houses. Another 3,000 are estimated to live in England and Wales. Families living on both sides of the border with England form a distinct group within the Scottish Traveller community (in and around Kirk Yetholm).

Numbers

In **Table A** below, I have calculated the *estimated* population figures for Gypsies in Britain. I arrive at a total figure of 123,000 people. These figures have been derived from a mixture of official statistics (e.g., census counts) and various other sources (e.g., non-governmental organisations).

Table A: Population Figures

Estimated overall numbers of each group in Britain (by Clark):

Group	Number
Romanies (<i>Romanichals</i>)	63,000
<i>Kalé</i>	1,000
Roma	2,000
Irish Travellers	19,000
Scottish Travellers	23,000
New Travellers	15,000
TOTAL	123,000

In **Table B** below, I show the *official* figures for Gypsy caravans in *England*. I consider a more accurate figure for unauthorised caravans in England to be between 3,000 and 4,000. Precise figures are impossible to gather, even for the Department of the Environment, Transport and the Regions. However, on available information, a figure of between 3,000 and 4,000 is very likely. The counts are conducted in January and July each year. The January figures give a better picture of the caravan-dwelling population as the July figures include house-dwelling Gypsies who travel in the summer only and caravans which have a council or private pitch but which are recorded as being on an unauthorised encampment during the summer. The figures for July 1998 are: 3,700 unauthorised; 5,997 council; 3,848 private; 13,545 total (DETR, 1998a).

Possibly as many as 10 per cent of the caravans on unauthorised sites are on land owned by Gypsies but without planning permission (Williams, 1999). In most cases they will be under the threat of enforcement action from local authorities for their owners to remove them.

Table B: Official figures for caravans in England (DETR, 1998a).

<u>Type of Site</u>	<u>Jan 1989</u>	<u>Jan 1999</u>
Unauthorised	3,740	2,568
Council sites	5,159	6,162
Private sites	2,422	4,279
Total	11,321	13,009

In Table C below, I give the official figures for Gypsy caravans in Wales. Since 1997 there has not been a count.

Table C: Official figures for caravans in Wales (Welsh Office, 1997).

<u>Type of Site</u>	<u>Jan 1990</u>	<u>Jan 1997</u>
Unauthorised	182	217
Council sites	471	502
Private sites	39	13
Total	692	732

Table D below shows the figures for *caravans* in Scotland. The 1992 figure comes from the official count conducted by the Scottish Office Central Research Unit (Scottish Office, 1993). The July 1998 figures are based on information contained within a recent document which was again produced by the Scottish Office Central Research Unit in November 1998 (Scottish Office, 1998).

<u>Type of Site</u>	<u>Mar/Apr 1992</u>	<u>July 1998</u>
Unauthorised	165	137
Council sites	270	285
Private sites	105	158
<u>Total</u>	<u>540</u>	<u>580</u>

The above figures for Scotland, produced by the Scottish Office Central Research Unit, often confuse the number of *caravans* with the number of *families*, *individuals* and *pitches*. Clear figures are not easy to uncover in these reports and the figures, on face value, can be misleading. Like most statistical data, they should be treated with some caution and scepticism. Many organisations that work with Travellers in Scotland, for example Save the Children Fund, consider the above figures to be very low indeed (Clark, Lloyd and Morran, 1995).

To illustrate some of the problems here, it is interesting to note that the first count of Travellers in Scotland (in 1969) estimated a total Traveller population of 450 *households*. This figure was derived from counts at two seasons and using a number of

scaling factors. Applying similar scaling methods to the March 1992 count gives an estimated total of between 750 and 800 Traveller households in Scotland at that time (i.e., double the numbers actually recorded for March 1992).

Travellers in Northern Ireland

There are, according to government figures from 1998, approximately 150 Irish Traveller families in Northern Ireland and this gives a figure of between 800 and 1,000 people (Government Advisory Committee on Travellers, 1998). They live on serviced sites, roadside encampments and in houses. This figure includes those house-dwelling families. Apart from two families of Romani origin and visiting Scottish Travellers, all the nomads are Irish Travellers. The largest single concentration is based around West Belfast although there are groupings in places like Craigavon, Newry and Omagh.

The circuit followed by nomadic families is small and the majority spend all the year in the North, although most, if not all, have relatives in the Irish Republic. Having said this, there is some seasonal movement by some families over to England and Scotland, as well as to the Republic of Ireland. The 1968 Caravan Sites Act did not apply to Northern Ireland, but there has been some progress towards building caravan sites and there are now four. The recent Race Relations (Northern Ireland) Order 1997 has made it illegal to discriminate against anyone on the grounds of race. This legislation covers all minority ethnic and racial groups, including Irish Travellers. The Order, like the 1976 Race Relations Act, covers discrimination in a variety of settings and contexts. For example, discrimination in employment, education, housing, the provision of

goods, services and facilities. The Commission for Racial Equality for Northern Ireland has the job of dealing with problems that arise in these areas.

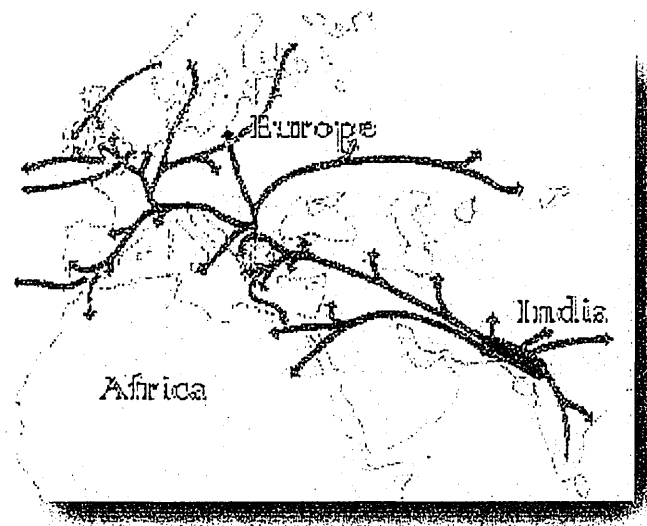
Exclusion, containment and assimilation

Although the questions of 'origins' is contested, as discussed in chapter 2, it is now largely agreed that it was North-west India that formed the cradle of the Romani nation (Hancock, 1995: 29 [and see map below]). This much at least is accepted by the majority of scholars who have attempted to reconstruct the history of this people. Possibly they existed as a loose confederation of nomadic craftsmen and entertainers following a pattern similar to groups such as the Banjara and Sapera (Kalbelia) in modern India. Such a confederation formed during their stay in the Middle East. No contemporary accounts exist of the first Romanies to reach Persia but the poet Firdausi and other authors in the tenth century write of the arrival of Indian entertainers five hundred years earlier (Fraser, 1995). Linguistic and other evidence suggests that the Romanies of Europe belong to groups who left India over a thousand years ago (Fraser, 2000: 23). They spent a comparatively short time in the Middle East. At no time did they move in a solid mass from east to west but their pattern of migration was probably similar to that of today with family groups moving at different speeds, according to local circumstances and opportunity for work (Barth, 1986).

The first families recorded in Eastern Europe arrived from Asia Minor and earned their living as bootmakers and metalworkers (Lemon, 2000). Eastern Europe has continued to have a large settled Romani population, usually called *Tsigani*, in contrast to

Western Europe where the word 'Gypsy' is synonymous with nomad. The first authenticated records of their presence in Britain are in 1505 for Scotland and 1514 for Lambeth in England (MacRitchie, 1894). However, since two ladies apparently dressed up as Romanies for a court masked ball in England as early as 1510 it is *possible* that 'real' Romanies had been in the country for some years before then (Fraser, 1995: 112).

MAP SHOWING MIGRATION ROUTE OF ROMA
FROM INDIA INTO EUROPE



NB: The map shows movement of groups of Romanies from India through the Middle-East, Asia-Minor, Eastern Europe and Western Europe. This 'path' is constructed from various historical records of a Romani presence in the various countries and from available linguistic data. It should also be noted that this 'route' is contested to some degree by the likes of Okely, 1983a and Willems, 1997 (see earlier discussion in chapter 2).

SOURCE: The Patrin Web Journal (April 1999) – 'A brief history of the Roma'
< <http://www.geocities.com/Paris/5121/history.htm> >

The 'common people' welcomed these newcomers who performed many useful services in town and country and provided entertainment as a welcome relief from the routine of everyday life. However, the Romanies soon aroused the hostility of powerful enemies. The Church resented the competition of palm readers, the Guilds the fact that the nomads could undercut their prices and the State wanted them to settle down, register their names and birthdates and occupy a fixed position in the system (Liégeois and Gheorghe, 1995). Soon after their arrival, the English Parliament passed an Act under which all 'Egipcions' in the country were to leave within sixteen days and further immigration was prohibited (*'An Acte concernynge outlandysh People callynge themselves Egipcions'*, 1530, Henry VIII, see Mayall, 1995: 23). Later legislation introduced the death penalty for the sole crime of being a Gypsy (*'An Act for the punishment of certayne Persons calling themselves Egyptians'*, 1554, Philip and Mary, see Mayall, 1995: 24). The extent to which these laws were applied varied from one part of the country to another but men and women were executed across Britain in Aylesbury, Durham and York for being 'Egyptians' (Fraser, 1995).

After 1780, anti-Gypsy legislation was gradually repealed. Tolerated when they were useful as farm labourers, blacksmiths or entertainers and made to move on when their services were no longer needed, the Gypsies survived on the margins of society until the outbreak of World War II in 1939 (Sibley, 1981). With the outbreak of war and subsequent conscription of able-bodied men and women, the Gypsies became a useful source of labour for the war effort. Men were called up to the army and women recruited for agricultural work and work in the munitions factories. Unable to read and travelling from place to place, many young men never received their 'call-up papers'.

Police rounded them up. Once in uniform, Romanies fought heroically, as they did in the First World War, winning many medals. Jack Cunningham, for example, was awarded the V.C. They were particularly valued as snipers and scouts, both in Europe and the Far East (Kenrick, 1998). The war had a dark side too. A soldier might come home on leave to find his caravan site had been broken up by the police and he had to return to barracks not knowing where his family was, whether they were still alive or perhaps had been killed in a bombing raid.

The war over, there was a brief period after 1945 when Gypsies were able to live at peace with their house-dwelling neighbours (Fraser, 1953). The coming to power of a Labour Government brought a new tolerance generally towards minorities; with post-war reconstruction casual work was available for all. With many bombed-out or demobilised families living in prefabricated houses or mobile homes, the Gypsies in their caravans were no longer an anomaly. However, within a few years a shortage of land arose and this led to problems (see the section on work, chapter 3).

The European History

That the fate of Roma in the Holocaust, and their plight in contemporary Europe have generated only marginal concern are only two manifestations of the fact that, outside of the academic world, little is understood about Gypsies generally... the average person's Romani associations are with the 'gypsy' of fictional literature [and] of [the] Hollywood movie.

(Hancock, 1993: 6)

Since the time of their arrival in the Western part of Europe during the fourteenth and fifteenth centuries, Gypsies and Travellers have experienced periods of exclusion, containment and assimilation. Often such 'phases' have mixed and then mutated into particularly draconian state policies. For context I will now briefly examine the history of state exclusionary and assimilationist policies towards Gypsies and assess what impact these strategies may have had on the nature of contemporary relationships between *gaujo* and Gypsy.

Throughout their history, Gypsies have been labelled as criminals, aliens and trespassers (and a lot more besides) by the various nation states which have encountered them within their borders. Perhaps due to the hazardous times, small local villages and towns when first encountering these 'dark-skinned outsiders' reacted with fear, contempt and outright rejection. Despite their relatively small numbers and peaceful intentions, all and sundry - from peasants to princes – took it upon themselves to enact measures against the presence of Gypsies and Travellers in their locality (Liégeois and Gheorghe, 1995). The rejection of the various guilds and churches quickly translated into a national and trans-national affair where the condemnation and banishment of Gypsies and Travellers was signed and sealed by Royal decree.

All the present members of the European Union (and likely future members from the Central and Eastern parts of Europe) at one time in their history have had anti-Gypsy policies on their statute books. The examples are many and brutal – such as the policies of Frederick William 1, who, in 1725, condemned to death any Gypsy over

the age of 18 caught on Prussian territory (Liégeois and Gheorghe, 1995: 8).

Sanctions have ranged from deportation to corporal punishment, from hanging to organised state genocide. For example, as noted earlier, in England the historical catalogue of the horrors and atrocities committed against Gypsies is extensive. In the 16th century, under Henry VIII, legislation was introduced whereby Gypsies (or ‘Egyptians’) could be (and were) imprisoned and have their property confiscated, be executed or banished from the realm for no offence other than being *perceived* to be a Gypsy.

Such treatment and acts of inhumanity are not confined to the vaults of history. In the 20th century anti-Gypsy exclusion came in the extreme form of what Romanies refer to as ‘*O Baro Porrajmos*’ – ‘The Great Devouring’ or Gypsy Holocaust carried out under the Nazis in Germany (Burleigh and Wippermann, 1991: 112-135; Huttenbach, 1991). Bio-medical ‘evidence’ was produced to ‘prove’ that there was no other way to deal with the ‘anti-socials’. From 1938 to late 1943 Gypsies living in Germany experienced house arrest, deportation to Poland, being shot and interned in camps such as Auschwitz-Birkenau (Kenrick, and Puxon, 1995). Almost no eastern European Gypsy family was left unaffected by such actions (Alt and Folts, 1996). Given the limitations of present research data, most estimates range from 250,000 to half a million in terms of numbers killed during this period of European history (Kenrick, 1999).

The history of the Gypsies is important to understand and be aware of. Such experiences have shaped their interactions and dealings with the *gaujos*, even those

with an apparent sympathetic or humanist face. The real and continuing fear of a 'final solution', such as that attempted by the Nazis, means that British legislation such as the Criminal Justice and Public Order Act 1994 is seen by many Gypsies as a form of 'ethnic cleansing' in itself; the criminalisation of a nomadic way of life (Clark, 1997a). To the non-Gypsy reader this may seem extreme and a rather unrealistic perception and fear. However, this legislation, alongside recent events in the former Yugoslavia, suggest to Gypsies in Britain, and indeed Europe, that some countries are 'against' them in a variety of forms. Clearly, to a group that has endured a 'devouring' such as the Romanies, it is not unrealistic. History has taught them that *gaujo* danger and persecution is always just around the corner.

Strangely, the technocratic twentieth century has seen policies of exclusion and assimilation almost meet and co-exist with one another. In Europe, the latter half of this century saw legal moves to outlaw various forms of anti-Gypsy restrictions and impositions, such as punishments, slavery and forced settlement. Humanists and liberals argued that Gypsies were now 'socially adaptable' and, through psycho-social processes of re-integration, could be transformed into 'useful citizens'. For example, Michael Stewart (1997) in his book *The Time of the Gypsies* accounts very well how this manifested itself in Central and Eastern Europe, especially in Hungary. Under the former Socialist regimes, the process of re-integration or assimilation of Gypsies was what Stewart terms 'proletarianization'. The 'rigorous discipline of socialist labour' was to be the saviour of the Hungarian Gypsies and free them from the shackles of 'peasantry and social parasitism'.

The countries making up Central and Eastern Europe were by no means alone in searching out such policies. Most Western European countries were also engaged in 'saving Gypsies from themselves'. The day-to-day lifestyle of Gypsies came to be regulated by the state, for example, the ability to stop, stay, travel and work in ways which fitted with their cultural norms and practices. As Liégeois (1998) has noted, such assimilationist policies can be contradictory: whilst in most (if not all) EU countries there is a legal obligation for children to attend school, there is also legislation which limits the duration and location of stay in certain urban areas. Education is not alone in this respect; my own work on New (Age) Travellers and social security has found similar contradictions in state policies regarding work and travel (Clark, 1997b).

In the 20th century then, popular culture and everyday speech and representations perpetuate the negative images and ideas that *gaujos* have about Gypsies. Names, sayings and even verbs derived from the word 'Gypsy' indicate the contemporary rhetorical and actual existing power such stereotypes have, and how they may influence policy-makers in various countries.

The nature of Gypsy and Traveller work

Success in most European countries is viewed in terms of career achievements. In Romani society as a whole, however, work is considered not to be an end in itself but a means of earning money while staying economically independent. Independence requires mobility and adaptability. Gypsies have adapted their trades successfully to

growing industrialisation; they rarely have one single occupation but practice a combination of trades, such as scrap collecting, tarmacing, hawking, fortune-telling and so on. These trades also require a minimum of tools, which in turn enables those who practice them to stay mobile (Acton and Gallant, 1997).

In contrast with sedentary people, Gypsies of all the groups have until recently not sought permanent jobs as this goes against their preference for the flexibility of self-employment. They generally work as a domestic or family unit and will rarely need to employ others. This way of working also enables them to avoid becoming employees which would entail having a fixed address. Sedentarisation can occur at either end of the economic scale. When prosperous, a Gypsy may open a business such as a scrap yard or plant nursery that in turn demands the employment of labour and a fixed abode. Also, when destitute or tied to a site with no work area a Gypsy may have to resort to accepting a permanent job (Okely, 1979; Clark, 2001).

Seasonal work provides an ideal source of income. This is particularly so in rural areas, such as parts of the English West country, where fruit and vegetable pickers are still needed. Gypsy families are seen to constitute an ideal labour force as they appear when work needs doing and move on to new opportunities when it is finished. They provide their own accommodation and are not likely to go on strike for higher wages. Traditionally, Gypsies winter in one place and may then set off shortly after Easter for early farm work, such as picking daffodils and touring around to see when soft fruit is likely to be ready. June brings Epsom Races for fortune-telling and horse-dealing or just meeting friends and relatives. Some may go instead to the big horse-fair at

Appleby or stop in Cambridge during the Midsummer Fair. The two biggest events in the year are the fairs at Stowe (May) and Appleby (June) where Gypsies meet members of their extended families, do business and young people have an opportunity to form relationships (Leicestershire Traveller Education Service, 1998).

Many of the traditional fairs that Gypsies visit, such as Doncaster St Leger, have been closed down. All without exception are under threat from local councils who dislike the influx of caravan dwellers to their areas. Barnet, Horsmonden, Newcastle Hoppings, Stow on the Wold and others survive from year to year, although in a much reduced form (*The Guardian*, 7.9.2000). These gatherings serve several functions for the Romani community who trade among themselves, particularly for horses and harnesses, which one then sold elsewhere at a profit. They also provide an opportunity for young people to meet and are vital if the community is to survive. New Travellers have found a similar problem with their festivals (see chapter six for further details).

In mid-summer, work is to be found at the seaside, telling fortunes for the women, moving deck chairs by lorry for the men. Otherwise, a dry summer is ideal for repairing roofs, landscape gardening and gate-making. Autumn brings an opportunity for plum and potato picking and then it is back to the edge of a town to seek a suitable site for the winter.

Work patterns distinguish the Romanies and Travellers from other groups of migrant workers who rarely remain as independent of wage labour as Gypsies. Unfortunately, nomadism combined with the avoidance of conventional employment and their

dependence on the sedentary population, has conjured up the stereotype of Gypsies as 'parasites'. However, there is a degree of symbiosis; demand from the house-dwelling population is exchanged for the goods and services the nomads supply. Both sides benefit from these transactions. The nature of this economy can be discussed further by a closer examination of the significance of commercial nomadism.

Gypsies, Travellers and commercial nomadism

Nomads and the state nearly always represent a conflict of interests, a conflict of government, but the prospect of ever greater numbers of nomads is evidently especially problematic in a small, densely populated post-industrial nation where land is at a premium and where, despite massive transformations in wage-labour and life-styles over two decades, the majority of people remain committed to the concepts of private property and inheritable wealth... commercial nomadism is a historically recurrent form of economic and social adaptation.

(Griffin, 1993: 12).

This section examines the changing nature of what has been termed 'traditional' (and 'unknown') Gypsy livelihoods in Europe. It argues that *gaujo* (non-Gypsy) views of what constitutes 'Gypsy work' identify only a fraction of the economic opportunities and 'work' niches that Gypsies pursue and inhabit. Contemporary *gaujo* notions of how Gypsies make a living - hawking, fortune-telling and the like - are only the more public and 'visible' dimensions to the Gypsies economic world and take little account of their flexibility and adaptability to changes in the wider economy during the 'booms and slumps' of, for example, the 1970s and 1980s (Hübschmannová, 1984; Silverman, 1991). The economic opportunities of the 1990s have seen many Gypsy families succeed in a variety of ways.

It is evident that in the world of work, Gypsies and Travellers have managed and adapted their *perceived* ethnic identity(ies) in order to maximise their chances of economic survival and prosperity. This manifests itself in a range of strategies which draw on different aspects of ethnic identity but also, crucially, involve negotiating key aspects of Gypsy and Traveller culture and tradition; the central feature here being the rejection of wage labour and the subtle rules governing transactions with *gaujos*. In practice, this means mobilising a series of different ethnic identities (or 'images') in different aspects of relations with non-Gypsy customers.

In the literature, the 'logic' of economic progress, development and modernity has been equated with the long-term redundancy (on a global scale) of Gypsy economic life and the tendency for the nomadic to sedentarise (McVeigh, 1997). In reality, the continuing ability of Gypsies to adapt to changes in the wider economy has led to the partial sidelining of so-called 'traditional' occupations in favour of newly emerging opportunities which lend themselves to the economic niche that Gypsies so successfully inhabit; the arena of mobile multi-skilled family based self-employment (Okely, 1975b; Lockwood, 1986). It is this very diversity and flexibility of working arrangements which ensures that they have not become part of the urban proletariat (Clark, 1997b; Cozannet, 1976; Gmelch, 1977: 35; Okely, 1983a; Stewart, 1997).

The anti-development assumptions regarding Gypsies tend to be all-pervasive and manifest themselves in a variety of forms. In the early 1970s, Vesey-Fitzgerald (1973: 245) rather hastily predicted that the 'long long history of the Gypsies of

Britain' was coming to an end. Nearly three decades later, that history is still being made and recorded despite what Fraser (1995: 44) historically refers to as:

...a Diaspora of a people with no priestly caste, no recognized standard for their language, no texts [of] beliefs and a code of morality, no appointed custodians of ethnic tradition...no promised land as a focus for their dreams.

On the other hand, there is evidence to suggest that the Gypsies not only survived but actually prospered in (post-) industrialised Britain and achieved dominance in commercial-nomadic niches. Why has this occurred? We will see that self-employment is very important to Gypsies and this is certainly part of the reason. Also, the work of Okely (1979) and Lucassen (1993; 1998) suggests that Gypsies use a variety of 'ethnic images' in their dealings with the *gaujo* customer – 'playing' different roles depending on the particular situation and customer. For example, in some contexts the 'enhancing' of a stereotyped 'Genuine Romani' Gypsy identity may be a useful strategy for a good transaction (dressing for the 'part' in fortune-telling or musical performance). Likewise, in other contexts, it may be better to fulfill the other main *gaujo* stereotype by 'debasement' Gypsy identity and playing the role of 'beggar, pauper, fool'. This can work well in areas such as recycling and begging.

What is interesting when examining notions of Gypsy and Traveller work is the way this sits beside ideas such as the 'on your bike' principle espoused by Norman Tebbitt in the 1980s. In using this expression, Tebbitt was calling for the unemployed to actively search for work. This has long been evident in Gypsy and Traveller

communities in Britain where their nomadism has a commercial and economic function to it. For example, from my fieldwork with Gypsies and New Travellers in the early 1990s, I came to appreciate that commercial nomads actively pursue economic relationships with *gajjos* as work does not come to their sites looking for them. Gypsies are crucially 'dependent' on sedentary/'host' societies, in the sense that they are ever supplying goods, services and occasional labour in different parts of the country at different times of the year. Indeed, many families now choose, while others are compelled, to be only semi or partly nomadic depending on the season. Local authority sites, private pitches or houses act as 'main bases' at particular times of the year, especially over the winter. By contrast, many New Travellers view travelling and being commercially nomadic as 'essential' in order to find work and sell goods and services at festivals and other gatherings. However, in the post-Criminal Justice and Public Order Act 1994 climate of contemporary Britain, nomadism as a means to an end (the end of making a living) has become even more problematic (Clark, 1997b; Davis, Grant and Locke, 1994: 16).

Examples of Gypsy adaptability are many, the shift from horse-drawn wagons to motorised transportation in the 1950s and 1960s being perhaps the most significant in the last few decades. Arguably, the latest technological innovation which has fuelled the Gypsy economy has been wider access to affordable mobile telephones. Indeed, the Cardiff Gypsy Sites Group estimates that approximately 50% of Travellers in England and Wales now have access within the family, to a mobile telephone for business purposes (Wheeler, 1998: 171). However, recent anecdotal evidence from Save the Children fieldworkers who work with Travellers in Scotland

tends to suggest that this figure is very much on the low side. Likewise, the unfortunately now defunct Telephone Legal Advice Service for Travellers (TLAST), based at Cardiff Law School, was purposely established as a telephone based 'access to justice' service due to the recognition by both TLAST and the funders of the project (the Joseph Rowntree Charitable Trust, the Nuffield Foundation and Cardiff Law School) that this type of service is the most convenient and suitable for Gypsies and Travellers. Both the motorised van and mobile telephone have enhanced their nomadism (and their economic opportunities) as they can travel greater distances than previously and can accept or reject jobs over the telephone whilst on the road. However, it must be remembered that their nomadism has been restricted in other ways, especially by legislation, most recently the Criminal Justice and Public Order Act 1994 (Clements and Campbell, 1997; Bucke and James, 1998).

Ethnic identity and self-employment: a question of boundaries

Gypsies and other Travellers operate largely independent to wage labour; their preferred niche being those occupations that *gaujos* have been less able or willing to take on. For example, Lucassen (1998: 156) uses four categories to discuss 'Gypsy occupations'; trading, crafts, entertainment and seasonal wage-labour. In Britain, many Gypsies call themselves 'general dealers' which, in practice, can cover all four of Lucassen's categories. The advantages of family-based self-employment and mobility have allowed Gypsies to fill unexpected gaps in the market, where that market is uneven and the establishment of a large-scale or permanent business does

not make good economic sense. Okely (1975b: 114) has summed up this 'character' of Gypsy occupations as:

the occasional supply of goods, services and labour to a host economy where demand is irregular in time and place.

It is apparent that a list of all occupations is a good deal less important than considering those aspects that are common to all. However, it makes sense to list some occupations: the hawking of manufactured, *gaujo* and Gypsy made goods; antique, carpet, car, horse dealing; season specific goods (e.g., at Easter and Christmas); the clearance of goods and waste, such as most consumer durables as well as rags and old clothes etc.; external building work and repairs, such as tarmac laying and gardening work (Acton and Gallant, 1997: 23); temporary and/or seasonal farm work, such as fruit and flower picking, potatoes etc.; market trading at car-boot sales and outdoor markets (McCarthy and McCarthy, 1998:51); entertainment, music, performance and fortune telling (what Lucassen, 1998: 168-169 calls 'emotional services').

Again, such occupations illustrate Gypsy adaptability to changes in the host societies' economic fortunes. This is very true when looking at the Gypsy and Traveller shift in sites from a rural to largely urban setting. The decline of farmwork and other rural industries has led to much diversification and Gypsies are now primarily located in, or on the fringes of, urban industrialised centres (Gropper, 1967, 1975; Gmelch, G., 1977; Sibley, 1981, 1990). This has always been true to some extent but the urban location is now much more dominant and pronounced. It is in the Southern locations

that the bulk of Gypsy (especially *Romanichal*) populations are to be found, though as Gmelch and Gmelch (1987: 136) note: 'Travellers can be found in virtually every British city today'.

Stopping places free from *gaujo* harassment have become few and far between. This is not, as is often assumed, because of land shortage but rather due to tighter controls on land use, especially regarding caravans (Okely, 1975b). But, with motorisation and other technological advances, the Gypsy work radius has increased dramatically.

Ethnicity at work

It is important to examine the relationship between ethnicity and 'economic exchange' (work). Such exchanges with *gaujos* are done according to the Gypsies' terms, wherever possible. Wage labour is the opposite; submitting and working to *gaujo* orders and instructions with restrictions on location, times and types of work undertaken. Accepting welfare, as is the case with many *gaujos*, became a fact of Gypsy life in the 1980s and 1990s and is largely equated with begging and thus not seen as a degrading or stigmatising option (that is, if *gaujo* officials want to give you money for 'nothing' then you except) (see Tillhagen, 1967: 30-32; Okely, 1975b: 141-142 and Piasere, 1987 for more on this). However, wage labour is still beyond the pale for most Gypsies and *gaujos*' inherent stupidity and servitude is displayed for all to see by their acceptance of wage labour and the inherent restrictions this brings with it; it is seen as the 'tie that binds'. However, when entered into by the Gypsy, it is invariably temporary and ethnicity could be said to be 'suspended'. This

rejection of wage labour, I argue, calls in its place for two things; diversification in occupations and less specific wide-ranging skills:

Diversity in Occupations

You should have five or six occupations these days. That way, if one don't work out, you can change to another, and keep on changing until you find something that will work. You're bound to hit on a way of making money sooner or later

(A Canadian Rom quoted in Salo, 1981: 77).

The quote above illustrates the importance of diversity and flexibility in occupations for Gypsies. However, this diversity goes unrecognised by the *gaujo*. *Gaujo* assumptions about the types of work Gypsies do confirm stereotypes (Hancock, 1985). Industrialisation (and now post-industrialism) has exoticised the so-called 'traditional' Gypsy occupations. In this way, 'real' Gypsy crafts/skills are exaggerated and romanticised by both seller and buyer to meet each others' expectations, whilst those who break up fridges and cookers at the roadside are dismissed as 'tinkers' and not 'genuine' or 'true-blooded' Romanies.

It is very simple for Gypsies to see that by having a spread of occupations wealth will follow, whilst poverty results from over-specialisation in only one or two work areas. Occupations in terms of time and place should be easily transferable. For Gypsies, fixed locations and restrictions such as these are not welcomed or desired. Indeed, Gypsies would find the current academic debates about work and insecurity very amusing; the *gaujos* are only 'insecure' about their work situation because they

are so unprepared and over-specialised to deal with changes in the wider labour market and thus accommodate the new 'flexible' labour markets that Gypsies have always adapted to, relished and prospered from (Vail, Wheelock and Hill, 1999).

Multi-Skilled Abilities

Wide-ranging skills which can be picked up and dropped with little effort are crucial, appropriate and necessary in order to pursue a commercially nomadic way of life. Amongst older adults, for example, illiteracy has been compensated for with a wide range of alternative skills. Younger Gypsies are, in many ways, even more fortunate as they will be in a position to incorporate both these 'alternative skills' and (at least) a primary education (Clark, 1997c; Okely, 1997b).

These alternative skills include, at least, the following: knowing the local economy and *gaujo* client base; manual dexterity, mechanical ingenuity and embracing new technology and industry; possessing a highly developed and trained memory; clever salesmanship and bargaining skills; showing opportunism in choice of occupation (knowing what jobs to accept and reject and how high to price the job etc.); and, most importantly, flexibility in role-playing, that is being able to wear different 'hats' and being fluid and constructive about one's 'ethnic image' and identity.

Temporary, let alone full-time permanent wage labour, is sometimes seen as a necessary evil at particular times of the year. The (partial) acceptance of wage labour by some Gypsies and Travellers gives us an insight into the complicated class

structure and social/gendered relations of production between and within different Gypsy groups (see Salo and Salo, 1982; Piasere, 1987 and Okely, 1983a: 63-65). The hierarchy within Gypsy communities, along class lines, can be quite pronounced. For example, richer (male) Gypsies consider farm work as 'feminine' work and are loathe to take it on (Okely, 1983a).

Wage labour relationships amongst Gypsies is likewise avoided; they work *with* but not *for* other Gypsies (Salo, 1981: 73). Work partnerships can be formed for big jobs occasionally and the income is then equally divided (Mulcahy, 1988: 459). Gypsies will employ tramps or 'dosser' *gaujos* though and exploit them ruthlessly. As Sibley (1981: 56) puts it: 'To the Traveller, the settled community appears passive and exploitable'. Indeed, they are given the arduous work, paid poorly by way of return and are always kept at a distance to Gypsy society; this is the basis for order and control over the host *gaujo* society (Acton, 1974a).

It is evident that Gypsy economic activity expresses and clarifies their isolation and separateness from the *gaujo*. However, given that *gaujos* persecute them as nomadic caravan dwellers, Gypsies feel entitled to earn a living from *gaujos* that is on their own terms (Yoors, 1967: 34; Kornblum and Lichter, 1972: 240). At one and the same time the Gypsy is both dependent on the host settled community, yet manages to turn this fact to a profitable advantage.

Other Groups and Issues:

Travellers without trailers

There are quite large communities of Gypsies and Travellers living in houses. Some of these families were placed in council housing in the 1930s, others from the 1960s onwards, as the caravan sites where they lived were closed down by the local authorities (Kenrick, 1998). Some may still keep a 'trailer' (a touring caravan) in the back garden. Many will have a stone horse or a large wheel on the front wall (such as many of the Scottish Traveller families who live in a particular district in Liverpool).

Bromley, in Kent, houses many families who were displaced when sites on Belvedere Marshes and elsewhere were closed after 1945. Part of Mitcham was known as 'Redskin Village' because of the large numbers of Romanies who wintered in yards there while travelling to Kent for fieldwork in the summer. Many of these settled in flats when the yards closed, although some of these took advantage of the first sites to be built in south London after the 1968 Caravan Sites Act and moved back into caravans. Another town with a cohesive settled Romani population is Southampton (personal communication with Brian Raywid, 14.3.98). Such family trees, as have been published, and my own personal knowledge of families suggests that about half of each generation of Romanies has moved into housing, certainly during the 20th century.

The proportion of Irish Travellers in housing may be higher. In Manchester, 1998, there are over 350 housed Irish Traveller children registered with the education service, compared to some 150 from the official and roadside sites (Gypsy Council

Archives). As the definition of Traveller for education purposes omits those who have been living in houses for over two years, the actual number is probably higher. A number of Travellers from County Mayo used to come to Lincoln after 1945 to harvest potatoes and sugar beet and many of these settled in the town. No comprehensive research exists on this subject, but I have tried to estimate and include the house-dwelling Traveller population in Table A above. This has been based on some materials in the Gypsy Council Archives and from personal knowledge of families concerned.

Immigrants and refugees

In the last four years, government policies have tried to stop Slovak Romanies from the Czech Republic entering Britain. About 200 Romanian Romanies have also attempted to come to Britain in recent months. It was some years ago that governments of both parties began to try and control immigration, including that of Gypsies. In July 1966, for example, fifteen families coming from the Continent with caravans were stopped at Southampton and sent back to Europe (Kenrick, 1997). Two other large groups were refused entry in 1970 and 1975. Since the setting-up of the European Community, Gypsies from Western Europe have the right to come here. However, this does not mean the right to a place on a caravan site or to ply their traditional trades as they cannot obtain peddlers licences without which they may not sell in the street or from house to house.

Many Romanies were amongst the people in continental Europe who found themselves stateless after World War II. Although the United Kingdom signed the Convention on Stateless Persons (UNHCHR, 1954) which reads:

The contracting countries shall as far as possible facilitate the assimilation and naturalisation of stateless persons.

However, it does seem that the Home Office prefers to ignore this Convention. To take one recent case of many on the Gypsy Council files: Mrs D. is a stateless Romani whose husband has a French passport. He can come here freely as a European Union citizen but she has been allowed to enter only for six months each calendar year. The Home Office has stated:

The existence of the Committee of Experts on Stateless Nomads on which the United Kingdom is represented and the Council of Europe's resolutions on stateless nomads do not preclude stateless nomads from the requirement to qualify to enter or remain in the United Kingdom under the Immigration Rules. The recommendations of the Council of Europe about nomads do not, in our view, put them in a special position in relation to the exercise of immigration control. We will continue to treat nomad applicants no more or less favourably than anyone else.

In recent years, Romanies from Eastern Europe have tried to get asylum because of racial attacks in their own countries. The attitude of the Home Office is that there may be 'harassment' of Romanies but this does not amount to 'persecution' and so the applicants are refused and sent back to where they came from. Letters of refusal follow a regular model as in this correspondence with a Slovak Romani (1998) (Gypsy Council Archives):

The Secretary of State takes the view that skinheads cannot be regarded as 'agents of persecution' within the terms of the [1951 United Nations] Convention [relating to the Status of Refugees]. He considers that the incidents which you have described are localised and random in nature. In order to bring yourself within the scope of the Convention you would have to show that these incidents were not simply the random actions of individuals but were a sustained pattern or campaign of persecution directed at you which was controlled, sanctioned or condoned by the authorities or that the authorities were unable or unwilling to offer you protection.

Despite recent murders in Banska Bystrica and Handlova in Slovakia and in the Czech Republic between 1990 and 1996 when over twenty Romanies were killed in racist attacks, the Home Office letter above is not unusual (ERRC, 1997). Every month, twenty serious attacks are reported in the Czech Republic (Brearley, 1996: 18). In the event, some adjudicators have reversed the decisions of the immigration officer, on the grounds that the governments of the Czech and Slovak governments in particular are unable to protect Romani citizens from the attacks by skinheads. Additionally, a small number of Romanies holding Yugoslav papers and unable to return to Bosnia because of the fighting have been allowed to stay.

A new 130 clause Immigration and Asylum Bill was published by the Labour Home Secretary Jack Straw in February 1999. This became an Act on 1 April 2000. It is the most comprehensive and radical overhaul of the entry system to Britain in thirty years (Hansen, 2000). According to Straw, the package of measures will cut down on the slow and cumbersome system of determining asylum applications. Currently there is a backlog of over 105,000 applications in the UK (Clark, 2000b). Those at the bottom of the pile face a wait of years for a decision.

The most radical measure is the ending of the rights that asylum seekers have to social security benefits whilst they wait for their decision. Instead, they are to be given accommodation and support in the form of vouchers for food. Asylum seekers are to be given little say in where they live; most will be forced to go where they are told to by Home Office ministers. Historically, asylum seekers and refugees have settled in the south-east and London. The new measures effectively end this and distribute new arrivals throughout the country (Audit Commission, 1999).

One of the other main measures is concerned with what was called the 'White List'. This is a list of a number of countries from where any asylum-seekers coming to the UK are presumed to be and treated as 'bogus'. This list includes countries such as Romania and Pakistan. There are also some clauses that deal with the running and work of detention centres, principally to do with increasing the powers of the wardens. A new 'one-stop' appeal process has been introduced, simplifying a process involving many stages. As well as registrars, immigration officers are given even tougher powers of detection, search, fingerprinting and arrest. Lorry drivers can be fined up to £2,000 per immigrant for bringing in clandestine entrants (Immigration and Asylum Act, 1999. <http://www.hmso.gov.uk/acts/acts1999/19990033.htm>.) This clause was introduced to the Bill after some 106 Romanians from Romania were found to have gained illegal entry to Britain in the backs of lorries in December 1998.

Travelling Showpeople

It has been said that Travelling Showpeople are Britain's 'last lost tribe' (Birkett, 1996). They total some 21,000 - 25,000 people and, like Romanies, have their own language and culture. They also tend to marry within the extended group. Showpeople are commercial nomads who move from town to town during the fair season which lasts from February through to November (Gillian, 2000). During the height of the season it is not uncommon for some 250 fairs to be held each week in the larger towns. Ancient charters dating from the Middle Ages give Showpeople the right to pitch their rides, shows and stalls in certain places at certain times. These often coincide with saints days and feasts. For example, Stratford was granted a charter in 1196 and a statute protects this fair. It would take an Act of Parliament to stop the fair taking place on Stratford's streets. The fairs act as a fixed point in what is, by definition, a highly nomadic life. For Showpeople families, such as the Kemps, the Robinsons, the Noyces and the Clarks, they are a social as well as economic calendar. Life events, such as births, marriages and deaths, can all be related to dates of fairs in various parts of the country.

As with Gypsies, the Showpeople's way of life has long been seen as being out of date and redundant. The end of the fairs has been regularly predicted almost since they first started. In the mid nineteenth century the historian Thomas Frost argued that the fairs were becoming extinct due to the new attractions that the *Flatties* (settled people) were being entertained by: the music halls, zoological gardens and aquariums. He suggested that 'the last Showmen will soon be as great a curiosity as the dodo' (quoted by

Toulmin, 1997). It is clear, however, that the Showpeople in the Twentieth century have survived and continued to prosper - 'despite the telly' as one Showman at the Newcastle Hoppings put it to me in 1998.

Some of the legislation affecting Gypsies in Britain has also affected Showpeople and vice versa. It was the Showpeople's resistance to the 1889 Movable Dwellings Bill that led to the creation of the Van Dwellers Association (VDA). The VDA was later to become known as the Showmen's Guild that today both represents and governs the Showpeople. It has a membership of some 5,000 and almost all of these are men.

Nearly all the fairs in Britain are run under the auspices of the Guild. More recent legislation, like the Caravan Sites Act of 1968, never applied to Showpeople (or circus people). In theory, their situation in relation to the 1994 Criminal Justice and Public Order Act is just as precarious as it is for Gypsies and New Travellers.

Tradition and heritage are two common words used to justify, support and legitimise both the fairs and Showpeople themselves. With local authorities constantly closing down such events, the Showpeople require a solid defence to protect their livelihood and very way of life.

Conclusion

This lengthy opening chapter for Part 2 began and ended with a very brief profile of the different groups which could be said to make up the present day Gypsy and Traveller population of Britain. We briefly mentioned the English *Romanichals*, but

the detail will be the focus for the major part of Part 3 of this thesis where we look at the situation in England regarding sites, schools and civil rights. As well as providing some facts and figures regarding Gypsy and Traveller numbers, we also reviewed in some detail the exclusion, containment and assimilation that marks their history. A section of this chapter looked, theoretically and conceptually, at notions of 'Gypsy work'. The main reason for the focus on work is because this is a key cultural/ethnic signifier of 'difference' for Gypsies and Travellers; their preference for family based semi-nomadic self-employment. Their success in the field of commercial nomadism was accounted for by their drawing on the different 'ethnic images' that can be used to suit particular (business) ends.

But it is not just a question of looking at Gypsies and Travellers who are nomadic of course. One section of this chapter examined the position of Gypsies and Travellers who are not living on sites (private, local authority or otherwise). Those families in houses, for either all or some of the year, need to be acknowledged and counted and the issues that arise for them. To be clear, even though in a house, one does not culturally lose one's Gypsy identity (though, legally, this is an issue – see chapters 7 and 8).

In defining who is and who is not part of the Gypsy and Traveller population of Britain I have attempted to be as inclusive as possible. This is why we have a full chapter on New Travellers even though 'ethnically' their fate is still to be decided in a court of law. This is why we also briefly noted the position of Travelling Showpeople and their place in Britain.

Chapter 4

Wales

The English Gypsies... in moods of humility admit that the Welsh Romanes [Romani language] is better than their own... Some English Gypsies tend to lump the 'Irish' and the 'Welsh' Travellers together, with scapegoating remarks like 'It won't be so quiet around here when those Irish and Welshmen get here', or 'Those Irishmen and those bastard Welshmen, they don't care nothing for nobody... makes it bad for the rest of us.' This is rather ironic in view of the fact that in the Gypsylorist picture of the Gypsy 'caste hierarchy' the 'Welsh Gypsies' occupy the very top place, and the 'Irish Tinkers' the bottom one.

(Acton, 1974a: 67).

Introduction

In their book *The Welsh Gypsies: Children of Abram Wood* Jarman and Jarman (1991: 54) assert that there are 'probably no true Romani Gypsies now travelling in Wales' as most are settled in houses. They go on to say that the few Romani families who are still travelling the roads in Wales have fallen on hard times owing to the lack of camping sites. Although some Welsh farmers are prepared to allow small numbers of Gypsies known to them to camp on their land, the recent arrival of Irish Travellers and New Travellers in Wales, with their 'different ways', has brought about a hardening of attitudes towards all nomads.

The view "it's not the real Gypsies that bother me, it's the other ones" appears to be prevalent among the settled population throughout the UK. This is certainly the case in

Wales as we shall see. Angus Fraser (1995: 1) goes as far as to say in the introduction to his work *The Gypsies*:

If a people is a group of men, women and children with a common language, a common culture and a common racial type, who can be readily distinguished from their neighbours, it is a long time since the Gypsies were that. They have, over the centuries, become remarkably diversified. So too have the meanings attached to the term 'Gypsy' itself, a semantic problem not of the Gypsies' making. The word is the name (or rather, one of many names) given to them by outsiders.

This term is, of course, used self-ascriptively by some groups of Gypsies in Britain. However, in South Wales, it is probably true that most of the Travellers are of Irish descent. The south coast of Wales is a corridor through which Irish Travellers pass on their way from the Republic of Ireland through to the Welsh ports and on to work and family in England; some stay and settle here. It is difficult to know how many Travelling people in Wales are 'Gypsies' in the Romani sense (see definitions in chapter 1); in terms of social justice and human rights, it may not even matter that much. What is significant are the problems of access to appropriate accommodation, health and education services, and the lack of respect for difference on the part of settled people, experienced by all Travelling people (including those now in houses).

Numbers

The January 1997 Gypsy Count Survey in Wales, undertaken by local authorities and collated by the Welsh Office, estimated that there had been 23 unauthorised encampments involving 217 caravans, and 21 official (publicly-provided) and private sites on which were stationed 515 caravans (502 council and 13 private – see Table C,

chapter 3) (The Welsh Office, 1997). These were concentrated in Alyn and Deeside, Wrexham Maelor, Pembrokeshire, Merthyr Tydfil, Cardiff and Swansea. Two important issues are notable from the figures: unauthorised encampments are, perhaps naturally, higher where there are few or no official sites, and many authorities who manage no official sites also appear to have experienced no unauthorised encampments.

The Welsh Office (1997) estimated that there were 846 Traveller children in Wales: 268 between the ages 0-4, 369 between 5-10, and 209 from 11-16. The statistics are the last to be collated by the Welsh Office. Within a few years of the coming into force of the Criminal Justice and Public Order Act 1994, the Welsh Office decided that the bi-annual central collection of the count of Gypsies in Wales was no longer justified. In July 1997 a civil servant in the Planning Division of the Welsh Office wrote (Gypsy Council Archives):

The count was a purely voluntary arrangement designed to provide the Department with the necessary background information to assess whether, in the event of a complaint, a county council had fulfilled its statutory duty ... With the repeal of the appropriate part of the 1968 legislation, the need for central collection of the information ceased; although clearly there is a need for each unitary authority to collect the information - along with a host of other information that each needs for various purposes - to ensure that they are effectively implementing policies for education, public health and the like.

In 1998 the School of Education at the University of Wales Cardiff and the Save the Children Fund (SCF) published *Traveller Children and Educational Need in Wales* (Cardiff University School of Education [CUSE]/ SCF Wales, 1998). The report identifies far greater numbers of Travelling children in Wales than official

governmental counts would suggest. This can be partly explained by the fact that only those people deemed to be Gypsies in the Romani or 'Traditional' Traveller sense are counted by the Welsh Office (WO) while the researcher obtained information from departments other than those approached by the WO and also because Gypsy children may have been unrecorded in the WO counts if they went 'unseen'. The CUSE/SCF report (1998:1) suggests that there are at least 1,809 Traveller children in Wales.

It is clear that official estimates of the number of Travelling people in England and Wales should be treated with some caution. They are not counted by all authorities; those that do undertake the count may not include Travelling people whom they deem not to be 'real Gypsies'. Other counts by statutory and voluntary educational bodies put the numbers much higher, at double the official numbers and the figures do not, as the Government's own research (Green, 1991) recognised, say anything about the people counted or about their needs and desires. More telling is the fact that Travelling people are not included on the National Census, even within the 'Other' category of ethnic minority groups. This will continue to be the case for the next census in 2001. It is equally difficult to estimate how many Travelling people are settled in housing, how long they will remain there and whether they have been 'pushed' or 'pulled' into housing.

Accommodation

Settled people and the print media often seem to confuse accommodation issues with criminal matters. The only real link is that, since 1994 - with the passing of the

Criminal Justice and Public Order Act - the way of life of Gypsies and Travellers has been criminalised due to a lack of legal stopping places. A Gypsy organisation, The Cardiff Gypsy Sites Group, has evidence from 1996 which shows that, on occasion, officers of the Gwent Constabulary have ignored Welsh Office Circular 76/94 (identical in content to Home Office Circular 1/94 [DoE, 1994b] and guidance issued by the Association of Chief Police Officers, which advises that police powers under the Criminal Justice and Public Order Act 1994 should not be used needlessly. Indeed, it appears that some officers may have approached landowners who are permitting Gypsies and Travellers to stay on their land, offering to employ their powers of eviction under Section 61 of this Act.

Of course, as in England, there would be little need for powers to deal with unauthorised encampments if accommodation for Travelling people were provided as it is for settled people. Wales has a patchy history in this regard. Two authorities were criticised in judicial reviews under the Caravan Sites Act 1968 for not complying with their statutory duty to provide sites: West Glamorgan, in the 1986 case of Rafferty (O’Nions, 1995: 6), and Dyfed in the 1988 case of Price (Kenrick, 1998).

Cardiff Gypsy Sites Group (see later) calculate that there were forty-nine roadside families on twenty-three unauthorised encampments in the Cardiff and Vale of Glamorgan area during 1997/8, approximately half of whom were in need of permanent accommodation. The Vale of Glamorgan has seen a long-running saga in recent years, in which a Gypsy man with long-standing local connections purchased his own land but was unable to gain planning permission to live on it with his family.

Instead, the local authority gave itself (deemed) planning permission of a parcel of land in their ownership, for the Gypsy family to rent as licensees, upon which nearby villagers set up a campaign against the site and sought judicial review of the local authority's decision. The Gypsy concerned was not made a party to the legal challenge, although he clearly had a direct interest in the outcome (including the possibility of being made homeless); he successfully sought judicial review of the matter himself in order to become a party to proceedings. The matter is not yet resolved and has been ongoing since 1990 (example taken from documents at the Gypsy Council Archives).

In Wrexham, North Wales, a long struggle between local settled people and the local authority over plans for a new site did, unusually, result in the site being built. In 1996 a local resident had set up a group called CATS (Campaign Against Traveller Sites) and was running 'local democracy' meetings in a school hall until the local church complained. A number of families are now well settled on the new site or in housing - supported by local service-providers - but some families are reluctant to leave the old site upon which they have resided for some time and many problems are far from resolved (Gypsy Council Archives). While difficult to prove, it appears that a disproportionate number of Wrexham pubs continue to illegally display 'No Travellers' signs aimed presumably at the residents of the two sites. Flintshire, too, has also successfully developed a new site in the last year or two. Of course, the flip side of such positive progress is that these authorities now appear to operate a 'zero-tolerance' policy to unauthorised encampments, compelling Travelling people to leave the area or enter housing.

Housing Gypsies

Cardiff Gypsy Sites Group note that increasing numbers of young couples are forced to present themselves as homeless and move into housing as there is no alternative accommodation available to them. The relationship between Gypsies and Travellers and housing in Cardiff was explored by Thomas and Campbell (1992) of Cardiff Law School in the report *Housing Gypsies*. Thomas and Campbell spoke to Gypsies and Travellers on sites and in houses, and to local politicians and people who worked in a professional capacity in the accommodation field.

The research was undertaken at a time when the last Conservative government was undertaking 'consultation' on reform of the Caravan Sites Act (resulting in the Criminal Justice and Public Order Act 1994 and the repeal of the local authority duty to provide Gypsy sites). None of the Travellers interviewed had heard or been told of the proposed reforms which might have a considerable impact on their lives. When told that the measures were in part a result of a government crackdown on 'hippies' and 'ravers', many began to express antipathy to New Travellers; government reforms and messages seem to have deepened divisions within the Travelling communities:

Gypsies are being blamed by the government for the hippies. Hippies are not travellers – and they don't work, they don't do anything. They just roam around and we are getting the blame.

(an Irish Traveller in Wales quoted in Thomas and Campbell, 1992: 4).

Paragraph 27 of the 1992 consultation paper stated:

Gypsies may not find it easy to provide sites for themselves and, if they do manage to find a site, the process of settling down and possibly transferring into traditional housing may not be easy for people who are accustomed to a nomadic lifestyle. Accordingly, the Government believes that it may be necessary to provide advice on education, health and housing which encourages Gypsies and other Travellers to settle and, in time, to transfer into traditional housing. It may also be necessary to inform public opinion about the advantages of permitting official sites and encouraging Gypsies to settle so that they become integrated into the community.

A Cardiff Councillor, Julie Morgan said the following on this matter (in Thomas and Campbell, 1992: 7):

As far as I am concerned the Travellers are born into a way of life that they want to preserve and I do not think that they should be forced into housing. The other issue is that there aren't any houses for them to be forced into because in Cardiff there is a large waiting list. There are lots of families in B & B and where are the houses going to be found for the Travellers?

A Gypsy commented that (in Thomas and Campbell, 1992:9):

They would need huge houses to put us in 'cause of the size of our families. If you have five children you must have a four bedroomed house. What if you have ten or thirteen children? They'd have to knock two or three houses together.

Another Gypsy said (in Thomas and Campbell, 1992: 10):

I've spent all my life living in a caravan – this is all I've been used to. House people would not like to be put in a caravan to live so why should we go and live in houses? You feel closed in in a house when you're not used to the walls round you.

The government proposals also suggested that, if not wanting to move into housing, Gypsies should provide their own sites for themselves. However, while many families would probably like to have their own plot, racial prejudice, inability to meet the requirements of settled money lenders, lack of financial paperwork and the need to produce a documented list of past addresses - not to mention the lack of affordable land - can all stand in the way. As one Cardiff Gypsy said (Thomas and Campbell, 1992: 22):

We tried to find land in all parts of Cardiff and we were unsuccessful. We also tried in many other parts of the country without luck. Once the owner found out we were Gypsies the deal was off.

Another said (Thomas and Campbell, 1992: 21):

Even if you can afford a piece of ground, you can't do what you like with it. I know some farmers very well. I could buy from them and pay so much each week but not through a bank or anything like that, but you couldn't live on it 'cos you won't get permission.

Education

In writing *Traveller Children and Educational Need in Wales* (CUSE/SCF, 1998), the researchers interviewed Travellers in Wales and ascertained that there were two major obstacles to the provision of education for Traveller children: their nomadic lifestyle and culture and the incompatibility between these and the conventional provision of education. From the report, it seemed that there was a general lack of appreciation of Traveller lifestyle and culture which had culminated in misunderstandings and misconceptions on all sides. Travellers, the researchers noted, seemed keen at least to

provide education for their children at a primary level but also felt that school supplied only a part of their children's education.

Some local authorities in Wales seem to refuse to acknowledge the presence of Travelling families in their areas and thereby avoid their statutory educational duties. Despite the recommendations of Welsh Office Circular 52/90 on inter-agency working, there also appears to be little co-ordination between different departments within local authorities with regard to the provision of services to Travellers. Specialist support available to Traveller children in Wales is different from that found in England (and in Scotland). If 'Traveller Education Service' (TES) is defined in the English sense, as a county-wide service with a dedicated head, and other specialist workers and Education Act 1996 Section 488 funding, then there is only one such service, in Cardiff. Highly effective but less well-resourced services operate in Swansea and Wrexham. Other 'services' throughout the country may only consist of a single named person with some responsibility and who may not provide a county-wide service.

Only seven TESs in Wales receive Section 488 funding. In contrast to England, the central government contributes 75 per cent (not 65 per cent). Nevertheless, until 1997 £11.5 million was available to TESs in England but only £150,000 to Wales (Clay, 1997). According to an estimate by SCF, this means that although 6 per cent of Travelling people in Britain are in Wales, they receive only 2.5 per cent of the special funding for education services. The Welsh Office recently announced that it was doubling the amount of money available for 'development work' in Traveller

education. However, due to their significant under-estimate of the numbers of Travelling children mentioned above, the anomaly between England and Wales will remain.

Research and reform

In March 1995 the Telephone Legal Advice Service for Travellers (TLAST) was set up in Cardiff Law School at the University of Wales and ran for three years. TLAST provided advice and referral (legal and practical) for Travelling people in England and Wales who, due to their lifestyle, face particular legal problems exacerbated by the inaccessibility of legal services. The often isolated locations of Travellers make access to specialist legal advice by telephone more user-friendly, especially because of the increased use of mobile telephones amongst the Traveller community (see chapter 3).

The work of TLAST had the following aims:

- to provide a front-line telephone legal advice service for Travellers.

- to encourage best practice through the development of a referral/liaison network amongst specialist legal practitioners (around 100) willing to undertake Traveller-related casework from first enquiry through to test cases in the UK and Europe where appropriate.

- to undertake and disseminate research about the legal needs of Travellers in order to inform the future policy of organisations dealing with publicly funded legal services.

There were over 1,200 calls made to the service by Travelling people themselves and those working for and on behalf of Gypsies and Travellers in a professional capacity (Morris and Clements, eds., 1999). The highest number of calls related to problems obtaining planning permission to develop privately owned land, and legal problems relating to unauthorised encampments; there were also many calls regarding discrimination and racial harassment experienced by Gypsies and Travellers on private and public sites and in housing.

In March 1997, TLAST organised a conference, with specialist speakers from the Republic of Ireland, Scotland, Northern Ireland, England and Wales, which aimed to provide a forum at which imaginative and practical proposals for Traveller law reform could be raised. The conference was attended by more than ninety Traveller-related organisations including local authority personnel, teachers of Travellers, health visitors, legal practitioners, planners, church officers, police officers and individuals. Emerging from the conference were proposals for the development of specialist Traveller Working Groups (TWiGs), which began to meet in March 1998 with a view to providing a common platform to lobby for Traveller law reform.

TLAST was wound up in April 1998 but the Traveller Law Research Unit (TLRU) of which it was a part continues to exist and to provide a platform for Traveller law

reform. Following six months of meetings with the TWiGs, discussing accommodation and site provision, eviction and criminal justice, planning, education, and health and social services, in London in February 1999 TLRU ran a second conference on Traveller law reform. This brought together nearly 200 people and organisations, including Travelling people and government representatives, to discuss and agree practical, imaginative and realisable reform proposals in law, policy and practice affecting Gypsies and Travellers. The report of the TWiGs and the papers given at the conference were edited by the TLRU and published in May 1999 as *Gaining Ground: Law Reform for Gypsies and Travellers* (Morris and Clements, eds., 1999) with the launch being hosted by Lord Avebury in the House of Lords. It is hoped that a momentum towards reform has been created and can be sustained (for more on this, please see Part 5 of the thesis).

Gypsy Traveller Support and Self-Representation

Cardiff Gypsy Sites Group (CGSG) is the only known Gypsy and Traveller support group in Wales (although of course some national, British Gypsy organisations may offer support to Gypsies in Wales, such as The Gypsy Council). England has such voluntary organisations in Avon, Buckinghamshire, Hertfordshire, London, Sheffield and York, to name but a few.

CGSG was set up in 1981, and offers an extensive advice and liaison service to the Gypsy Traveller community and all service-providing agencies in Cardiff and the surrounding area. Issues dealt with include planning, site development, grazing rights,

site management, housing, homelessness, racial harassment and discrimination, health, legal matters and welfare. Welfare advice, information and offers of representation are given during scheduled drop-in office sessions, and fortnightly surgeries on one of the two official sites in Cardiff.

Five recorded cases of racial harassment of Gypsies and Travellers in Cardiff occurred during 1998-99 (CGSG, personal communication, 2.3.2000). The Commission for Racial Equality was helpful in resolving two of these: in one case two Gypsies were dismissed from their jobs because it was discovered that they had family on one of the Cardiff sites; another involved false accusations in a large supermarket (CGSG files copied to the Gypsy Council). In another case the Cardiff Mediation Service was used where a Gypsy family in housing were the subject of racial abuse from a neighbour. CGSG also arranged, with Cardiff Council, a successful Gypsy/Traveller Awareness Day which was held at County Hall in October 1998.

CGSG is finding that, due to the enabling approach taken since the conception of the Group and the increased literacy and telephone ownership of site residents (and housed Gypsies) in recent years, referral work is gradually reducing. They continue to liaise with the local authority, seeking playgrounds on the two official sites (one of which is twenty years old and sited in a particularly unpleasant and sterile place) and pressing for another site. An independent consultation with Gypsies and Travellers in the area identified accommodation, site safety and play space as being issues of concern.

CGSG's Annual Report for 1997/98 (CGSG, 1999) notes that the accommodation situation for this period is a continuing one, with a shortage of local authority site provision, no private provision and a corresponding push into housing. The Group has managed to prevent some families from having to present themselves as homeless by setting up a scheme whereby mobile homes can be privately rented from a caravan company.

The Future in Wales

The law for Gypsies and other Travelling people, in Wales as in England and Scotland, should reflect two important principles:

- The way of life of Travelling people is legal and legitimate, and should be respected and enabled.
- Gypsies and other Travelling people, including those in housing, while respected for their 'difference', must be treated equally with settled people. This may entail providing the same services as are provided for settled people but using a more culturally appropriate method of service delivery.

It is difficult to know whether the new Welsh National Assembly will take this on board. While the two men who have leading roles in the Assembly following devolution both have professional experience with and are sympathetic to Gypsy and Traveller issues (indeed, one has Gypsy connections by marriage), it remains to be seen whether a new Assembly will find the time or the will to tackle some of the problems faced by Gypsies and Travellers in Wales.

Chapter 5

Scotland

Scottish Travellers

Literally gallons of ink have been utilised developing theories as to the origin of these people [Scottish Travellers]. It would seem to me to be an exercise in futility to review all of these and even more to attempt to justify any of them. Their origin is lost in the far past and can hardly be reconstructed

(Rehfish, 1975: 272).

In spite of these cautionary words by the social anthropologist Farnham Rehfish, it is possible to sketch a probable history of the Scottish Travellers. However, when it comes to the question of origins and our contemporary interpretation and reading of ancient historical documents, we must acknowledge his concerns about reconstructing the past. What follows below is an attempt to offer some insight into the origins, history and contemporary situation of the *Nachins* or Travellers in Scotland.

Origins

According to some sources, Travelling people in Scotland can trace their roots back as far as the Twelfth century (Grampian Regional Council Social Strategy Unit, 1994: 6). The Farandman laws, which existed at the time, identified a group known as 'tinklers' and gave them some degree of legal protection 'to go about their business'. Other evidence illustrates that such 'tinklers' were highly skilled travelling silversmiths and metalworkers who were employed by the various clans and clan chiefs to manufacture

weapons and other such goods. Their status was relatively high and they were regarded as nomadic artisans with much to offer potential employers.

Today, many Scottish Travellers claim roots that pre-date even these written records. They see themselves as the proud forebears of a tradition and culture which can be traced back to the nomadic hunter gatherers of ancient Scotland (Williamson, 1994). It seems clear then that there were nomadic Travellers in Scotland prior to the Romanies arriving from about 1500 onwards. It is therefore uncertain whether or not records in the Middle Ages refer to indigenous Scottish Travellers or Romani Gypsies (Kenrick, 1998). What is very clear is that, over the centuries, the two groups have intermarried and the present-day population of Scottish Travellers is of mixed descent.

In their own language of Cant they call themselves *Nachins* (or *Nawkens*). The Cant has a huge and exotic vocabulary of words which are derived from a variety of different sources. In the north east of Scotland, the Cant has a Gaelic structure whilst in the South, around the Borders, it is a version of Romani with English (known as *poggerdi jib* to English *Romanichals*). Scottish Travellers have a rich history and a tradition of artistic endeavour. Many ballads have been preserved from the Scottish tradition by Travellers such as the Stewart and Robertson families. Likewise, folk-story tellers such as Duncan Williamson and Jimmy McBeath have written books which keep alive the history, values and traditions of Scottish Travellers (Braid, 1997). During the summer months some families make a living from piping in Glencoe and other attractive tourist destinations in Scotland (Neat, 1998).

Numbers

My own estimation of the current Traveller population of Scotland is around the 23,000 mark. This figure is derived from a mixture of official Scottish Office statistics (SOCRU, 1993) and various other sources (such as the Scottish Gypsy-Traveller Association and the Save the Children Fund in Scotland). This figure of 23,000 includes Irish Travellers, Romanichals, Border Gypsies, Welsh Kalé Romanies and New Travellers. I estimate that Scottish Travellers themselves constitute at least 7,000 people living in caravans and another 8,000 living in houses. However, Timothy Neat (1998) in his recent book *The Summer Walkers* estimates a Scottish Traveller population alone of over 20,000 with about a quarter of this figure still travelling. Whatever the accurate figure is, it is not so much numbers that are important than the nature of the contemporary relationship between settled Scottish society and one of its oldest indigenous ethnic minority groups: the *Nachins*. However, before investigating this relationship, we must spend some time examining the official figures as they are the source of much debate and discussion and are used by the Scottish Office to help inform pitch targets and the Toleration Policy which operates in Scotland.

The official counts

In the thirty years up to July 1998, when the new bi-annual count system was introduced (Scottish Office, 1998), there had only ever been two official (that is central government-sponsored) counts of Travellers in Scotland. The first was in 1969 where 450 households of Scottish Travellers containing 2,100 persons were counted

(Gentleman and Swift, 1971). The second count was conducted in 1992 by the Scottish Office census team and this identified between 750-800 Traveller households in Scotland (SOCRU, 1993). Estimates of New Traveller families in Scotland vary wildly but the 1992 count put the figure at fifty. Whilst the Department of the Environment, Transport and the Regions has conducted counts twice a year (in January and July) in England for quite some time, Scotland has only just introduced this system (July 1998). Clearly the previous situation was not good enough to give us an accurate picture of what were the numbers, situation and circumstances of Scottish Travellers. Although it is admirable that the Scottish Office has at long last introduced the bi-annual count, it still has many question marks over its accuracy and methodology.

It was not just the infrequency issue that was the problem. When the report of the 1992 count was published it was harshly criticised by a variety of organisations. For example, Save the Children Fund (SCF) suggested at least four major problems with the methodology employed for the study. These included the timing and staffing of the count. The survey period, a two-week period in March and April, did not follow the English model of taking two census counts during a twelve month period to take account of seasonal variations and travel patterns. Likewise, the staffing issue was a concern as the count was conducted by volunteer health visitors in addition to their normal duties and workloads. SCF felt that a dedicated full-time team of counters should have been employed to undertake the survey (Clark, Morran and Lloyd, 1995). Indeed, for the July 1998 count, it was site managers and the police who were largely relied upon by the Scottish Office for the collection of data (Scottish Office: 1998: 3). The third criticism of the survey was that it did not take into account those Scottish

Travellers who had moved into settled housing during the twenty-three years since the 1969 count. This was seen as a problem with the recent July 1998 count. It is clear that in many cases the Travellers' lifestyle, in particular as it relates to work, is still maintained even for those who live in houses for all or some of the year. The other main complaint was the fact that the count did not utilise the local knowledge of Travellers themselves to identify local authority and roadside sites, some of which are in remote or isolated locations. This was considered to be a glaring omission and it raises methodological problems for the count. Those Travellers who were parked-up in out-of-the-way places were missed by the health visitors when other Travellers may well have had the information to locate their sites and encampments. The numbers collected during such counts are very important as they are used by the Scottish Office to help inform pitch targets and the Toleration Policy.

The Advisory Committee

It should be noted that the Caravan Sites Act of 1968, which led to the creation of Local Authority sites, only applied to England and Wales. This is due to Scotland's separate legal system and to the fact that in many areas, separate legislation applies to Scotland. In place of the clearer statutory framework that existed under the 1968 Act, the Scottish Office, in 1971, established an Advisory Committee on Scotland's Travelling People which has been renewed at intervals for three year periods. The membership of the Committee included some limited representation of Travellers. The ninth of its regular reports, covering the period 1998-9, has recently been completed and published and suggests that the work of the Advisory Committee is done (Scottish

Executive, 2000). The Advisory Committee has the job of encouraging Scottish local authorities to build caravan sites for their indigenous Traveller population and the smaller groups of Irish Travellers, as well as Welsh and English *Romanichals* who visit the country regularly for economic reasons.

Local authority sites

When the Advisory Committee was first established, grant aid for the establishment of Traveller sites was offered at a level of 75 per cent for building costs under the terms of the Countryside (Scotland) Act 1967. Following a slow take-up of such grants, a 100 per cent grant was introduced in 1980 and this operated until 1996. The 100 per cent grant was then extended for a further two years and in December 1998 it came to an end for good. It does not appear likely, at the time of writing, that this grant will be re-introduced in the future (Scottish Executive, 2000).

The provision of local authority sites has steadily increased over the last two decades and there are now thirty-two sites available throughout the year and three that open on a seasonal basis (Banff, Innerleithen and Newtonmore). The location of sites, although they are relatively evenly spread throughout most of Scotland, does leave a lot to be desired in some parts of the country. For example, the Borders and Dumfries and Galloway in particular have far fewer sites and pitches than are required. Moreover, there is no provision from October through to April in the Borders and no public site provision north of Inverness at all. It should be noted as well that not all Scottish Travellers like or can gain access to local authority sites. Such sites are criticised by

Travellers as having too many cumbersome rules and regulations. For example, during my fieldwork in 1993, it was claimed by some families that there is an unnecessary amount of detail required from an individual when completing an application form for a pitch on a site when compared with the information required of someone who is applying for a council house (e.g., National Insurance number, car or van registration number, etc.). From seeing the site forms myself, this indeed appeared to be the case when compared to council house application forms. Also, many Travellers point to the fact that sites are too uniform and restrictive in their design, giving no consideration for workspace or play areas for children. Other questions have arisen concerning the keeping of pets and restrictions on visitors. The recent Douglas Report (Douglas, 1997, see below) illustrates the discretion that site managers have in letting pitches and this can be open to a level of influence that would be totally unacceptable in the allocation of council housing.

Likewise, an important issue related to pitch provision on local authority sites in Scotland is the rent factor. In 1995 the Scottish Office commissioned a 'provider' survey of all local authorities with Traveller sites. The Anne Douglas Consultancy report was published in May 1997 and was based on in-depth interviews with site managers and local authority staff during 1995-96 (but not with residents). The report covers a variety of areas but the rents issue is one that is worthy of some attention here. The report found that the average pitch rent for a site in Scotland was £36.42 (ranging from £18.13 to £54.60). When compared with the average council house rent of £31.87 (ranging from £23.20 to £42.00) it seems that Travellers in Scotland are paying a high price for this particular mode of accommodation (Douglas, 1997: 23-25;

Scottish Office, 1998: 21). Following the publication of the report, the Advisory Committee did write to all local authorities reminding them of the need to fix prices at a level which will not only ensure high occupancy sites but also take into account their council house rents. It is not known whether local authority pitch rents have been reduced following this communication from the Advisory Committee. The question must be asked, since, until recently local authorities received a 100 per cent grant from central government to develop and build their sites, the question of why rents are so high must be asked.

Following the reorganisation of local government in 1996, the Advisory Committee reviewed the earlier pitch target figures and concluded that the target should increase from 939 to 941 (Scottish Office, 1998). This was not the significant increase that had been hoped for. More recently, the target number has come down to 927. The situation as of February 1997 showed that 543 pitches had been provided by local authorities, implying a shortfall of some 384 pitches. However, it should be noted that pitch targets in Scotland have remained virtually unchanged for nearly two decades and have not increased to reflect household growth during this period (see Table D in Chapter 3). Those local authorities that have insufficient pitches to meet demand in their area are asked to operate a 'Toleration Policy' to illegally parked caravans. In theory, this should mean that if small groups of Travellers are camped in relatively isolated spots in the local authorities area, and not causing damage or nuisance, then they should be able to remain camped in that spot for a short period of time. Likewise, this should mean that Travellers are not being troubled by the police or having to worry about a forced eviction. However, this policy does not apply in situations where

twelve or more caravans are camped in one place, a higher figure than that set by the Criminal Justice and Public Order Act 1994. There are some issues which cause concern regarding the operation of the Toleration Policy. In Ireland, which operates a similar kind of Toleration Policy to that followed in Scotland, critics have spoken of it being akin to a form of 'racialised internal immigration policy' rather than a 'Toleration Policy'. Similarly, the Scottish policy has no legal status, is not monitored in any way and is often, according to some reports, ignored without fear of penalty.

Access to caravan sites

Private sites in Scotland are included in the national pitch target set by the Scottish Executive and some organisations working with Travellers in Scotland have noted the difficulty that Travellers have in gaining access to such sites. For this reason, Save the Children undertook a project in June and September 1997 to investigate the situation (SCF, 1998a). The SCF Traveller Section for Scotland conducted a small research study which aimed to establish whether or not private and council caravan sites in Scotland were discriminating against Scottish Travellers and Gypsies in renting pitches. A total of forty-three caravan sites were visited, eight of which were local authority owned and the remaining thirty-five were privately owned. The research covered a large area of Scotland, from the Borders to the Highlands. The findings of the study were very clear: for example, 63 per cent of requests for accommodation from Travellers were refused and 50 per cent of caravan parks owned by local authorities refused entry to Travellers despite pitches being available (SCF, 1998a). Indeed, some sites had signs displayed to this effect:

***'SORRY - NO TRAVELLING PEOPLE OR COMMERCIAL VEHICLES.
NO TRADERS'.***

The SCF research report lists eight main recommendations which include one that the Scottish Office urgently revises their data on non local authority caravan parks and another that the Commission for Racial Equality investigates the matter further.

The Criminal Justice and Public Order Act of 1994

In November 1994 the Criminal Justice and Public Order Act (CJPOA) was introduced. This Act, unlike the Caravan Sites Act 1968, applied in Scotland as well as England and Wales. Previous to this legislation it was the ancient Trespass (Scotland) Act of 1865 that was used to control the movement of (SCF, 2000: 2): 'Strolling Tinkers, Gypsies, and others... squatting without permission on private property or private roads'. Even though the CJPOA 1994 has been in force for some 6 years, many police forces still use the 1865 Act. One reason for this is because most police forces in Scotland who have dealings with Travellers know the older legislation very well as they have been using it for such a long time.

However, the CJPOA of 1994 came into being largely as a result of the very public conflict in England between landowners, local authorities, the police and New Travellers. The result of the CJPOA has been to effectively criminalise a nomadic lifestyle. Some writers have referred to the Act as a form of 'ethnic cleansing' and in a

sense they are quite right (Hawes and Perez, 1996). To criminalise nomadism is a specific form of forced cultural assimilation for Travellers. The pressure is now on Gypsies and other Travellers to stop travelling as to park a caravan for even the shortest of periods on once-traditional roadside sites can be a criminal (not civil) offence and Travellers risk having their caravan, i.e. their home, impounded, as well as a fine or a prison sentence (Beckett and Bogie, 1998). Such pressures as this, and various other pieces of civil and criminal legislation in Scotland, have made things much more difficult for Scottish Traveller families to access public services such as local schools, libraries and health services. A recent study, published by Dundee University (in association with Save the Children Fund), investigated the social and legal effects of families being 'moved on' so regularly (SCF, 2000). It found that Travellers in Scotland who were living on roadside encampments were seen as a 'problem' by representatives of the councils and police forces who were sent to deal with them. The report suggested that:

1. an independent review of local authority policies towards Travellers should be carried out;
2. a 'common humanity' criterion should apply in any decision-making process regarding Travellers;
3. the government should affirm the legitimacy of a nomadic way of life vis-à-vis social inclusion policies; and
4. Travellers should be included in future amendments to Race Relations legislation and a commitment to ending anti-Traveller discrimination in Scotland should be made.

Health

With frequent evictions and repeatedly having to 'move on', access to good health services is difficult for many Travellers in Scotland. The hardships of a Traveller lifestyle are reflected in the general health of the population. Such traditional indicators as infant mortality and life expectancy rates reflect the nature of life continually on the move (see, for example, Bell, 1983; MacAuley, 1992; McKee, 1997).

For those Travellers on local authority sites, being registered with a local General Practitioner can be something of a problem. This is especially true for those who do not live on a local authority site; registering and obtaining treatment from a GP is often problematic. One of the main issues for Travellers in this situation is the lack of access to preventative treatments and screening programmes such as cervical and breast cancer (Hussey, 1988). Similarly, according to research from England, programmes dealing with the immunisation of children have a low take-up in comparison with the settled population (Moreton, 1987). This also seems to be the case in Scotland (Save the Children, 1996). Low take-up is due to a number of complicated factors, not all of which reflect Traveller lifestyle and cultural beliefs. Wider environmental factors play a crucial role in determining one's health and the recent study by Save the Children Fund in Scotland (1996), *The Right to Roam*, found that local authority sites were likely to have three or more hazards (such as electricity pylons, landfill tips, canals and the like) when compared with private ones.

Travellers in Scotland, like their counterparts in England and Wales, take a pragmatic attitude to their health, that is they tend to seek out direct help only when the immediate need arises. For example, the use of hospital accident and emergency (A&E) departments is quite popular amongst many Travellers close to urban areas. Of course, there are other reasons why Travellers use A&E departments. If a GP refuses to do a site or camp visit then quite often there is no choice *but* to use these facilities.

Like many other central and local government departments which rely on a fixed address for keeping in contact with people, health authorities and general practitioners do face difficulties in maintaining contact with Traveller patients and keeping their medical records up to date and in the right location. It seems clear that to resolve this problematic issue, the NHS will need to devise a national strategy and system which does not just rely on individual goodwill and a fixed address to keep in contact with patients. Many innovative projects for keeping links with patients who move, like the one being run by Argyll GP, Dr. Iain McNicol, are now being developed and could be one step in the right direction (from fieldwork).

The Secretary of State's Advisory Committee on Scotland's Travelling People, in their eighth term report published in 1998, gave little attention to the health needs of Scottish Travellers admitting that 'there is little evidence available to the Advisory Committee regarding the state of Travelling People's health'. This is a view shared by the Save the Children Traveller project based in Edinburgh. In a recent 'Poverty Briefing' Report, SCF recognised that 'there are few studies on the health needs of

Travelling People and most relate to areas outwith Scotland' (Save the Children, 1998b: 8).

One of the few studies that has been published relating to the health needs of Scottish Travellers was undertaken by the Scottish Association of Health Councils (1992). In this report a number of problems were documented, including: difficulties in obtaining access to primary medical care as some GPs are unwilling to register temporary patients; poor access to screening and immunisation; poor continuity of care and record keeping; evictions soon after birth and lack of access to ante-natal and community midwives.

For many Scottish Travellers long-term health education and preventative medicine come as a secondary concern to the rather more pressing matters of finding a suitable and safe stopping place for their trailer and finding the next bit of work.

Work

Just like Gypsies and Travellers in England and Wales, it is a clear preference of Scottish Travellers to work for themselves using many skills in a variety of occupations. The family as an economic unit is all important and the concept of retirement is largely unknown. The pursuit of independent or casual employment takes many forms. Trades include scrap dealing, tarmacing, agricultural work, carpet or furniture dealing, gardening work and many others such as dealing in used cars. Horse trading still occurs at the various fairs (see box below) and is symbolically important

(Okely, 1983b; Stewart, 1992). One occupation that some Scottish Travellers engage in is collecting whelks and 'pearl fishing' on the east and west coasts of the Highlands (Neat, 1998). It is clear when looking at the history of Scottish Travellers and their relationship with work that when some markets contract (e.g., tinsmithing, agricultural work), Travellers have adapted and found new markets that are expanding, such as carpet or furniture dealing.

Rehfishch (1975) noted that Scottish Travellers' attitude towards steady employment was coloured by a number of factors. The first was that employment would almost invariably put them in a position of inferiority vis-a-vis members of the *Flatties*. Secondly, few Travellers had very much formal education, hence they were eligible only for menial jobs. In competition with *Flatties* they would not compete, and so their self-image would be challenged. The absence of any perceived need for steady employment was taken as evidence that members of the group are cleverer than others at earning, hence to take a regular job would be an admission of failure.

Many things have changed since Rehfishch made these observations but the principles of nomadism, self-employment, adaptability, flexibility and knowledge of a multitude of trades have not changed Scottish Travellers' relationship to work. As in other areas of Scottish Traveller life, the division of labour regarding income is marked. The men are generally in charge of things like organising transport whilst the women are largely in charge of the domestic chores. Both, however, contribute in different ways to the 'family purse'. The occupations listed above are generally male ones but women contribute to the household income via trades such as running a market stall, selling

bedding and towels, hawking and collecting old clothes door-to-door on *Flattie* housing estates.

The image of Scottish Traveller work is still bound up in notions of selling 'lucky white heather', clothes pegs and conducting fortune-telling at fairs and shows. Perhaps because of this there is a tendency to see Traveller occupations as being somehow out of date, historical and static. However, it can be seen that the Traveller population in Scotland continues to exist, grow and be successful in the economic sphere. This is the other side of 'Traveller poverty' which is often the only side of the story that we hear about. To be clear, not all Scottish Travellers are poor, downtrodden, welfare-dependent and living in squalor - far from it.

Indeed, this success in the economic sphere is a direct result of the many skills that Travellers have in generating an income and taking advantage of new economic opportunities that come along (as discussed earlier). It is only through this quick adaptation to new market opportunities that the Traveller economy develops and flourishes. The best example here is what we now call 'recycling': Travellers can with some justification claim to be amongst the first 'greens' on the planet (Clark, C. and Ó'hAodha, 2000).

The table below gives a list of those Fairs that Scottish Travellers usually attend. Also listed are those currently under threat of closure.

Scottish Horse Fairs

Still going

St Boswells, Borders, 17-19 July*
 Aikey Brae, Aberdeenshire, 22 July*
 Brechin, Angus, July
 Kelso, Borders, 26 July

Closed

Musselburgh, East Lothian, 2nd week in August (closed 1996)
 Falkirk Tryst, Falkirk, 2nd week in September (closed in the 1980s)
 Kirk Yetholm, Borders, August (closed in the 1930s)

English fairs which Scottish Travellers have traditionally attended

Appleby, Cumbria, 1st Wednesday in June
 Epsom Downs, Derby
 Broughhill, near Appleby, 30th September - 1st October

Closed

Doncaster, St Leger, September

* These two fairs are currently under threat of closure (2000-2001).

Education

Scottish Travellers who are parents are increasingly accepting the importance of literacy and state education. Many make regular use of local primary schools and choose those where they feel their children will be welcomed and have a positive learning experience (McKinney, 2001:21-23).

All local authorities in Scotland (and indeed the rest of Britain) have a statutory duty to provide an 'adequate and efficient' education for all children in their area and operate equal opportunities policies. However it is still the case that some schools in certain parts of the country are unable or unwilling to meet the needs of Traveller children (Save the Children, 1996: 16-18). Reasons given by schools vary but the main

ones seem to centre around real or perceived problems relating to the extra time required and the organisational adjustments that have to be made in order to accommodate small numbers of Travellers for what may be a very brief period (Scottish Executive, 2000: 40-46). Added to this the problems encountered by Traveller children when they do actually manage to attend school, for example, racism, bullying and exclusion, make future non-attendance a real possibility (Save the Children, 1996: 19). Negative messages about their experience of school are passed on to younger members of the family so that some children may never actually be enrolled at any school.

Obviously, take-up of school places requires a degree of permanent residence and, with the passing of the Criminal Justice and Public Order Act in 1994 and the misapplication of the Toleration Policy, this has become much more difficult to achieve for those on roadside sites. In these circumstances, and with a lack of externally targeted 'Traveller Education Service' staff for Travellers, as in England, achieving more than sporadic attendance at a variety of different schools is a real problem for some children.

It is still true today that many Traveller children do not go on to secondary school after completing primary school (Kenny, 1997). According to *The Right to Roam* by Save The Children Fund (1996), only 41 per cent of those Traveller children interviewed said they attended primary school with any degree of regularity. At secondary school this figure went down to 20 per cent. University or college attendance is rarer still, although there are exceptions to this generalisation. This means that, after the age of

eleven or twelve, a 'Traveller education' is seen as important to children's future roles and careers as Travellers. Without formal education, such roles take on quite a rigid sexual division of labour: the boys will enter the outside world of paid work and accompany their fathers, older brothers, uncles and cousins to learn the ropes of various trades and occupations. The girls will largely remain in the home environment and work (unpaid) alongside their mothers and older sisters, learning the skills required to attend to the home and children. Teenage girls will also go out hawking with their mothers when required to. However, when there has been a successful integration into schooling, even on a part-time basis, young female Travellers participate more fully in the ordinary worlds of paid work. Some Traveller adult females have attended access courses and other adult learning opportunities in order to run their own businesses (Save the Children, 1996: 20).

In 1982, the third term report of the Secretary of State's Advisory Committee devoted a full chapter to the particular educational needs of Travellers (Scottish Office, 1982). This seminal document, which preceded an EC Resolution on Education for Gypsies and Travellers by a full seven years, drew attention to the need for urgent concerted action at local authority and national level in order to redress the discriminatory situation which they experienced. One outcome of this report was the establishment of a funded half-time post at Moray House College of Education to set up working parties to try to develop appropriate curricular responses. This led on, in 1990, to the creation of a National Centre, the Scottish Traveller Education Programme (STEP), with a remit to promote policy and practice in state education to support Travellers' lifestyles and cultures.

The sixth (Scottish Office, 1992), seventh (Scottish Office, 1995) and eighth (Scottish Office, 1998) term reports of The Secretary of State's Advisory Committee on Scotland's Travelling People noted the successes of this project, in particular the modest successes in encouraging Traveller children to continue school beyond primary age. However, in the eighth term report, which has a full 14 page chapter on the particular educational needs of Travellers, the need for continuity and some potential problems that STEP might face in terms of future funding due to changes in Higher Education are noted. Recommendation number 23 (Scottish Office, 1998: 30) asks that:

Given the value of the Scottish Traveller Education Programme, the Scottish Office, as a matter of urgency, takes positive action to ensure that this accumulated experience and expertise is preserved and developed as a national resource.

This focus on education was important but other issues deserve just as much attention. Issues such as racial discrimination, health needs and local authority pitch rents were all subsumed under the section entitled 'Responding to the wider needs of Travellers'. This illustrates the national importance given to the issue of Traveller education as well as the European Union's interest in this issue. However, it has to be said that funding for Traveller education in Scotland has yet to match the 'importance' attached to it. Amongst the issues highlighted for attention in the report are: equal educational opportunities and positive discrimination for Travellers within education; vocational education; a national resource centre for Traveller education; open and distance learning as a support for mobility; exclusion problems; discrimination in schools; funding problems and many others.

The moves towards devolution, together with an educational policy which promotes and funds a range of actions to combat social exclusion, raise achievement, reducing absenteeism and a recognition of the needs of a diverse school population, augur well for the continuance of targeted action for Travellers (Bhopal et al, 2000).

Self-representation

The Scottish Gypsy/Traveller Association (SGTA) was founded in 1993 by a group of concerned Scottish Travellers. Its aims are to give an active voice and a platform for all Travellers in Scotland, to campaign for their culture, civil rights and justice. It has organised a number of conferences and publishes an occasional magazine, *Nachin News*. Although its membership is largely concentrated in the south-east of Scotland, the SGTA has the potential to gain national status in Scotland and actively lobby local authorities and the Scottish Executive on a number of issues of concern to the Scottish Traveller community. Indeed, the Scottish Office Advisory Committee has met with the executive committee of the SGTA on at least four occasions since 1993, discussing a number of issues from pitch targets to children's playgrounds. Equally, however, there have been numerous occasions where the Advisory Committee has refused to get involved or meet with the SGTA for various reasons.

A recent development in this area has been the new Scottish Traveller Consortium. This is a joint initiative between SGTA, the Scottish Human Rights Centre and SCF and has three years funding from the National Lottery (1999-2002).

It should also be remembered that a number of individual Travellers and families in Scotland speak out and challenge the prejudice they encounter on a daily basis. They will regularly participate in 'awareness-raising' training seminars and get involved in liaison meetings and the like. The voice of the individual Traveller should not be forgotten in the struggle for equality and justice.

The Future in Scotland

As mentioned earlier, in December 1998 the Scottish Office Development Department's grant scheme ended. This had allowed local authorities to apply for grants to provide or upgrade sites for Travellers. The effects of its loss can only be speculated on at this time but it seems likely that it will have a significant impact not only on sites being built but on existing sites being upgraded and maintained.

One initiative that is being currently developed is the creation of transit sites for Travellers on farm land. The response of landowners to the Advisory Committee's Farm Sites Initiative has so far, in the committee's own words, been 'disappointing' (Scottish Office, 1998: 38). This is despite the availability of European Union grants to 'compensate' farmers and other landowners who take land out of agricultural production. Many Travellers, who for years have been asking for transit sites in Scotland, feel that this latest farmland initiative is bogus and not being promoted seriously. It seems clear that in Scotland, just as in England, the emphasis now will be on Traveller self-help and private provision, even though the planning system does not help this process (indeed, Home [1982], noted this fact as far back as the early 1980s).

Recommendation number 32, the last one made by the eighth term Advisory Committee in its report, was that The Secretary of State for Scotland 'appoint a ninth Advisory Committee to complete outstanding work' (Scottish Office, 1998: 37). The eighth Committee, by way of a conclusion in their report, stated that:

The Committee looks forward to completion of the site network, coupled with increased readiness on the part of both Traveller and settled communities to recognise and adapt successfully to each others' needs, aspirations and constraints (Scottish Office, 1998: 40).

Against this optimistic outlook, a ninth Committee was duly appointed and has just published its report in the last few months (Scottish Office, 2000). This thesis does not fully consider the findings of this latest report in any detail (due to its submission deadline). However, there are two very important features which must briefly be discussed. The first issue is that the ninth report is the last that the Advisory Committee will deliver. The Advisory Committee has now formally been disbanded. This news has been met with a degree of shock by those organisations, such as Save the Children, who are working with Travellers in Scotland and many questions are being asked about what happens now. The second issue goes some way to answering this question. The final report also made clear that some (but not all) of the Advisory Committee's functions would be carried out in the future by the Convention of Scottish Local Authorities (CoSLA). This would be tied in with the new Scottish Parliament and the focus on social inclusion and the Social Justice Agenda (Scottish Executive, 2000: 80-81).

The questions that are being asked in Scotland currently (February 2001) include:

- what will be the remit of CoSLA regarding Travellers?
- will Travellers be represented in the new CoSLA structures on issues that directly affect them?
- what systems will be put in place to hold its decisions and actions to account?
- will CoSLA engage in meaningful consultation with other interested parties working with Scottish Travellers?

All these questions, and the many others like them, deserve some attention and it is hoped that CoSLA will begin to address some of these probing questions during 2001. As with Wales, it is too early to say what the future holds for Scottish Travellers in relation to the new Scottish Parliament. That story will unfold and no doubt be told in the years to come.

Chapter 6

New Travellers

There is a need to **travel ...**

There is a need to **squat**

There is a need for **open spaces**

There is a need for **community**

There is a need **TO BE HEARD**

There is a need for **protest**

There is a need to **celebrate**

There is a need for **tolerance**

STOP the Criminal *IN*Justice Act

(From a poster used by the Freedom Network (Brixton) to advertise the implications of the Criminal Justice and Public Order Act, 1994. Emphasis in original poster).

Definitions and labels

As a New Traveller put it to me on a site in central Scotland in 1994:

There are as many different types of Travellers as there are people in society. Just face it, you can't put us in a box – we're all different. We don't all think the same way and we don't all behave the same way.

Despite the words and protests of New Travellers themselves, the common perception held by many people in the UK is that they fundamentally *are* in the one box: they think, behave, dress and roam about the country as a homogenous entity. It is because of this association that New Travellers have sometimes been talked about in terms of a 'plague' or a 'disease', 'descending like locusts' on an area. They are, in a sense, regarded as the new 'enemy within'.

The term 'New Age Traveller' has often been applied very loosely and without any real critical thought by the media to anyone of a certain appearance and demeanour. Stereotypically, in the 1980s and 1990s, the image presented to the tabloid reader was

someone with lengthy dreadlocks, a variety of body-piercings, home-made tattoos, torn and battered army surplus clothing and the essential requirements of a 'ramshackle' bus and a dog-on-a-string (Hester, 1998). The can of special brew (very strong lager) was often added. Such an image, whilst not entirely inaccurate, is largely a stereotype. It really is not this simple and requires more critical thought and analysis.

It is certainly true that the definition of the term 'New Age Traveller' has widened in recent years to include a whole plethora of individuals who would not be happy to find themselves labelled as 'New Age Travellers'. Other colourful terms that have been used in place of 'New Age' Traveller include: medieval brigands [as Douglas Hurd once famously called them when he was Home Secretary in the mid-1980s (Graves, 1997: 1)], crusties, soap-dodgers, brew-crew, giro-Gypsies, drongos and plain old 'sponging scum' (Clark, 1997b). These labels do give a sense of the fear and loathing that is held by the many against the few. It tells us, I would argue, a lot about those doing the labelling and not much about those being labelled. The contempt does not end with just a name: as with Gypsies, New Travellers have had to endure both the romanticisation and demonisation of their culture and lifestyle (Sibley, 1997). The 'freedom' is envied whilst the 'dirt and squalor' is loathed. From academics, such as Hetherington (1994a: 15-17), who patronise them with overtly abstract and theoretical ideas about them being 'tourists on holiday from modernity' to the more blunt accusations from the tabloid press of being idle, dirty, feckless drug addicts, New Travellers have rarely been given a fair press. Perhaps one indication of who the New Travellers might *really* be comes from one Traveller called Offshore (from fieldwork in East London, 1993-4):

We are just like the hippies of the 1960s but while they were giving it all 'peace and love' we now say 'peace and love... but just don't push it...' you know what I mean?

It would seem then that, to at least some New Travellers in the 1990s, an earlier ethos and lifestyle is being remembered and drawn upon but at the same time it has a new spin on it to indicate a healthy scepticism and distance from those who would seek to attack the culture they adhere to. Some groups of Travellers still make significant efforts to adopt aspects of Native American life with status accorded to 'healers', 'elders', 'scribes' and 'matriarchs' but, unlike the original 'hippies', the modern day New Traveller is no pushover, rendered passive by Eastern spiritualism and tinted glasses. If kicked, they now kick back - and they have often had to do so in recent years.

Origins and early history

The origins and history of New Travellers in Britain are easier to trace than those of the Gypsies. A written history exists alongside the oral one. The collective effort *A Time to Travel?* (Earle et al, 1994) is a good example of such a book which provides us with a clear record of what was going on in the 1970s and 1980s New Traveller communities. Likewise, George McKay's book, *Senseless Acts of Beauty* (1997) gives a vivid account of the early festival scene in Britain and how important the New Traveller contribution to these events was. The sociologist Kevin Hetherington has written a number of articles (1994a, 1994b, 1996, 1998) – and now a book (2000) – on New Travellers. His material tends to be rather abstract and theoretical and Dearling (1999: 4) asks whether the New Travellers he speaks of would actually recognise

themselves in his work. It is doubtful, I would respond. This is not to dismiss Hetherington's work out of hand – much of it is useful and it does contribute to an area where little has been written. However, another sociologist (Martin, 2001) has just completed a comprehensive critique of Hetherington's book, *New Age Travellers: Vanloads of Uproarious Humanity* (2000) and likewise accuses the author of presenting a somewhat 'surreal' and 'rose-tinted' vision of the New Traveller world. Perhaps the best book to date though is the one that lets New Travellers tell it like it is themselves. With only minimal editing, Lowe and Shaw's book *Travellers: Voices of the New Age Nomads* (1993) lets a group of New Travellers tell their story and gives the reader an insight into the highs and lows of living a New Traveller lifestyle in contemporary Britain.

Though unclear and bound up by much mythology, it is generally regarded that in the first generation, New Travellers came into being largely through active choice. The beginnings of 'convoy culture' are said to date back to the early 1970's after Jimi Hendrix and others played at the Isle of Wight Festival. Those without tickets watched Hawkwind play for free and the beginnings of a 'free festival' nomadic lifestyle were born as people began to live in the vehicles they used to travel to the festivals. Wally Hope, coming from the London squatting scene of the late seventies/early eighties, was later to be one of the figureheads and main organisers who helped to establish the network of free festivals that exist today for New Travellers and other young people coming from the nearby towns (See Earle et al, 1993:1-20, for a fuller discussion).

Many second and third generation New Travellers have young families who were born on the road: a point to bear in mind when considering them as a social and cultural phenomenon (Martin, 1997, 1998). Indeed, it could be argued that this self-reproducing factor gives New Travellers a form of 'ethnic' status and thus a need for legislative protection as a 'racial' group with clearly defined rights (though see my reservations on such a tactic in chapter 1). Gypsies are protected under the 1976 Race Relations Act - why not 'Newer' Travellers? By using 'ethnicity' in this sense, I agree with Griffin's use of the concept, meaning no more than:

...the social identity any individual derives - or has ascribed to him or her - by contrast to others from an apparent sharing with still others of enduring cultural signifiers. (Griffin, 1987: 11)

The so-called New 'Age' Travellers are just one part of the New Traveller community. This sub-group are generally regarded by others *within* the community as being from middle-class backgrounds, degree educated, 'alternative' in outlook, anti-materialist and ideologically/philosophically rooted in the eco-spiritual enlightenment of the late 1960's which emanated from Europe and the USA. There is also, however, an English historical dimension to this outlook in that reference is often made back to Seventeenth Century political and religious groups such as The Levellers and the Diggers (Brockway, 1980). The Diggers, perhaps due to their primary interest in the reform of private land ownership, are often talked about as being an influence on those branches of the New Traveller community who moved into road protest movements (Earle, et al, 1994: 21). Today, however, this grouping within the New Traveller community are seen rather differently by some. One New Traveller suggested to me during my own fieldwork that they are: 'Travellers with bank-accounts' (Scotland, 1994). In other

words, we cannot ignore class tensions and divisions (although Murdoch, 1999, appears to in his sketchy account).

The main areas where New Travellers initially went to included parts of Wales and the West Country. There was a good supply of casual work here and the climate was quite hospitable for outdoor living. Scotland and Ireland were also popular locations for some English New Travellers who were seeking to escape the pressures of modern life in England. During my own research, I met groups of New Travellers in the north of Scotland who suggested to me they were up north in an effort to shake-off heroin addiction, debts and to lead a more 'sorted' or peaceful life in the beauty and tranquillity of the Highlands. A number of these individuals moved on to the road for mainly economic reasons, whilst others changed accommodation and lifestyle due to their frustration and anger at what was happening in the inner-cities.

The initial New Traveller subculture then based itself around a growing summer network of open-air festivals and gatherings armed with an ideology of spiritualism, peace, and ecological respect. The early 1970s saw the first Glastonbury Free Festival and a summer solstice celebration at Stonehenge. Later on in this decade, the numbers adopting such a nomadic lifestyle grew, as did the number of festival events. By the mid-1970s there was a full diary from June till about September. A festival economy was starting to take-off and flourish (Earle et al, 1994). This growth occurred despite the harassment that New Travellers were receiving from concerned local residents, landowner groups, the press and the police. The free festival circuit was becoming too big to go unnoticed by the powers that be. Stonehenge alone was lasting a good couple

of months. 'It was anarchy in action and it worked!' as Mo Lodge, one Traveller who was interviewed for the Morris brothers' Channel 4 documentary film *Operation Solstice* in 1991, declared (C4, 1991). She was right. New Travellers were able to make enough money over the summer festival months – as we shall discuss later - to fund the winter shut-down and park-up. By crushing the festival circuit, the government of the day merely forced a large number of people to claim social security who otherwise were quite happy not claiming and making their own money (see chapter 9 and also Clark, 1997b).

Numbers

By the early to mid-1980s the number of people living a nomadic lifestyle in this way had grown to several thousand and this started to cause the government, from their perspective, a few problems. Estimates of numbers in the 'peace convoy' at this time ranged from 5,000 to 50,000. However, no one source could claim an accurate figure. Police figures came in at around the 7,000 to 8,000 mark whilst some organisations working with Travellers (such as the Save The Children Fund) suggested figures nearly five times as much (McKay, 1996: 50; Hetherington, 2000). I would suggest that the 1999 figure stands at about 15,000. This figure includes those New Travellers living on boats ('bargees') but not those who may choose to spend winter in houses.

The 'Battle of the Beanfield' and beyond

Although there had been previous skirmishes between the police and New Travellers at Nostell Priory near Wakefield and at the famous Rainbow Village in Molesworth, it was the infamous incident not far from Stonehenge in June 1985 that prompted the government to introduce measures in the 1986 Public Order Act (section 13: the so-called 'hippy' clause) to tighten up laws on trespass (see Lowe and Shaw (1993: 67-129) for a number of personal accounts during this period). This incident, which has come to be known as the *Battle of the Beanfield*, saw many Travellers and their movable homes being attacked by the police and certainly represents something of a watershed in the history of conflict between the police and New Travellers in Britain. However, it was less of a battle and more of a one-sided massacre (Earle et al, 1994: 22-23). It should be noted, of course, that in marking out one event as a 'watershed' in any group's history is to simplify things too much. This said, it has been perceived by many as being a very significant event and it was. For example, it has been remembered vividly in a song by the Brighton-based folk-rock group *The Levellers* and has become something of an anthem in the folklore of New Travellers. The lyrics tell the story without compromise:

Battle of the Beanfield

I thought I heard someone calling me
 I've seen the pictures on TV
 And I made up my mind that I'd go and see
 With my own eyes

It didn't take too long to hitch a ride
 With a guy going South to start a new life

Past the place where my friend died
Two years ago

Down the [A] 303 at the end of the road
Flashing lights – exclusion zones
And it made me think it's not just the stones
That they're guarding
(chorus)
Hey hey, can't you see
There's nothing here that you could call free
They're getting their kicks
Laughing at you and me

As the sun rose on the beanfield
They came like wolf on the fold
And they didn't give a warning
They took their bloody toll

I see a pregnant woman
Lying in blood of her own
I see her children crying
As the police tore apart her home

And no they didn't need a reason
It's what your votes condone
It seems they were committing treason
By trying to live on the road.

(reproduced with kind permission of the band, management and record company) (Levellers, 1991)

In the year that the Public Order Act 1986 was passed, a similar incident to that at the Beanfield occurred at Stoney Cross in the New Forest (Stone, 1996). The police got their opportunity to test out the new measures to full effect. At Stoney Cross, it is said that the police, in conjunction with other bodies, attempted to 'decommission the lifestyle' (as one unnamed journalist put it) by employing different tactics and not just plain assault and battery, as witnessed at the Beanfield. Two different tacks were adopted: the police impounded vehicles on small technicalities and, with the aid of local social services, they planned a dawn raid to take the children into care. A

sympathetic social worker forewarned the parents however and as a result all 47 children who were named on the care orders were off-site by 4am when the raid commenced (As told by 'Spider', an eyewitness, interviewed by Lowe and Shaw 1993: 91-92).

The use of five to fifteen mile exclusion zones were now routine in areas such as Stonehenge and Glastonbury in an attempt to keep New Travellers away from the area. Indeed, as well as their nomadism being a point of conflict with sedentary society it is also their capacity to *stay* in certain areas that causes tension and anxiety for locals: disease, drugs and debauchery may just take root, it is alleged, given the chance (see McKay, 1996: 48) .

The next generation: in search of an identity?

In the late 1980s and early 1990s a significant change occurred in the demography and composition of the New Traveller community. Martin (1997; 2000: 4), a sociologist who conducted ethnographic fieldwork with New Travellers during 1994-95, talks about a 'generational divide' occurring. A number of young people from the cities opted to take to the road. For many there was little choice in the matter due to the tightening of eligibility for social security benefits and a lack of affordable accommodation. Sections of the 1986 Social Security Act, which were implemented in 1988, meant that most 16 and 17 year-olds were denied benefit and it is no coincidence that from this point onwards there was a significant increase in the numbers of young people adopting a nomadic way of life. Similarly, changes in

housing legislation (for example, those concerning board and lodgings payments from 1989) around this time had led to a lack of affordable accommodation and this also led to increasing numbers of both young and old New Travellers (Hutson and Liddiard, 1994: 55).

These young unemployed people living in cities, who had been denied benefit, opted to become 'New Age Travellers' rather than just being young, unemployed, penniless and homeless (McKay, 1996: 50). Such 'economic refugees', if that is an appropriate phrase, became part of a growing population that was now starting to reproduce itself so a first and second generations of New Travellers was now not so uncommon. Arguably, a new 'ethnic' culture was emerging, although the legal system did not recognise this in terms of sites legislation.

Those young people – or 'economic refugees' – were taking the forced choice offered to them, seeking refuge from unemployment, hostile government policies and bleak inner-city environments. By escaping to rural sites which appeared to offer new hope, a real sense of community and all the things that were missing in life when stuck in the high-rises of city-centres, these 'refugees' sought to find a new identity and meaning to their lives, looking for a fresh start. To illustrate, witness Claudia's story (BBC TV, 1993: 11-12):

I was sick of living on the 27th floor in a squat, basically with a kid. I grew up in London and I didn't see much future for myself there. I left, I sort of escaped my destiny, if you like, and I didn't want my two children to have the same future. It's not an unnatural instinct to be nomadic. A lot of people have got a nomadic instinct in them - they don't want to see the same thing outside their window every day - and

I'm one of those people. It's a community where you're not isolated. If I was living in a city, on my own, I'd be isolated, with two children. I would never have the degree of freedom that I've got. I know that here I'm safe to leave my children. They are not going to get snatched - everyone keeps an eye out for each other. I look after other people's kids.

For Claudia then, and many like her, travelling is a year-round way of life. The reasons for that choice have been well thought out and are deliberate and continuing. Her way of life is not just a summer outing as it is for the other 'weekenders' who come out into the country from the cities to make up the Travellers' ranks at the festivals and gatherings. Claudia is just one New Traveller whose nomadism constitutes a 'normal' and 'settled way of life'. It may not be settled in a 'conventional' sense or according to what the government call 'settled', but it is to her and her children.

Indeed, this adoption of a nomadic existence (rather than being born into it) is an interesting and recurring theme when talking with New Travellers (Martin, 1997; Murdoch, 1999). Their account of how and why they took to the road is often the first discussion point for many first-generation Travellers when asked about their lifestyle (Lowe and Shaw, 1993). One New Traveller I met and spent a lot of time with at one site in Scotland, 'Scrumpy', told me that he had been on the road since around 1976/77. He had been in the medical corps of the British Army and posted to Northern Ireland for a time. A serious incident involving an explosive device resulted in him losing his left arm. Upon being medically discharged from the Army, he found it difficult to adjust to civilian life and to his disability and he 'drifted' (his word) into the early squatting and then the Traveller scene. 'Scrumpy' now annually

participates in and follows closely the free-festival calendar of events, knowing where he will be in the country at a certain time in order to go to the festivals and meet-up with friends. For 'Scrumpy', as with the thousands of others like him, his form of nomadism offers him a very 'settled way of life'. This lifestyle has specific festivals associated with it and its own established routes and venues, and this seems very similar to the lifestyle of how other commercial nomads (such as *Romanichals*) operate. The free-festival circuit is his economic niche and opportunity to earn a living (in 'Scrumpy's' specific case this involved working a food stall and some dealing in 'soft' drugs, such as cannabis). Gypsies, who are engaged in various forms of economic activity - such as tarmacng or scrapping - often travel around traditional routes selling specialised goods and services to settled people. For New Travellers the free-festival season, running from about May through to September, offers the year-round Travellers an opportunity for this economy to work and a common meeting point to exchange news. Again, in many ways these New Traveller festivals reflect and echo the purposes of the traditional Gypsy horse fairs (such as Stow-on-the-Wold or Appleby) which revolve around economic trade and the transference of news.

It should be made clear at this point that not all New Travellers fit the above description as 'unemployed refugees' from the city. The current population travelling in caravans and buses – not to mention canal boats – also includes students, as well as financially self-supporting craftspeople, musicians, artists, writers, photographers, builders and mechanics. They come from choice seeking the freedom and the community spirit of the open road (Dearling, 1998).

Elements of the younger generation of New Travellers, whilst to a certain extent respecting and admiring the 1960s and 1970s hippies, make it quite clear that they are different in a number of respects, including philosophy and outlook. This is the point that Offshore was making in his earlier quote. To many, both within the New Traveller community and those outside it, the older generation are labelled as ‘crusties’ or ‘the brew-crew’. Such terms are used largely due to their appearance and actions, revelling in the stereotypes mentioned above with references to their being ‘out to lunch’ (intoxicated) on special brew lager (hence the nickname ‘brew-crew’). In other words, they became a minority within a minority group which it was acceptable to fear, loathe, vilify and generally blame.

‘Operation Snapshot’

One reaction of the state to this growth in New Traveller numbers during the 1980s and 1990s was to keep a check on who was moving where, when and in what vehicle. It represented a classic piece of police monitoring and surveillance and it was known as ‘Operation Snapshot’ (McKay, 1996: 50-51). This police effort, located at bases in Wiltshire and Cumbria, aimed to gather information and establish a computer database on what the police regarded as ‘hardcore’ New Travellers. The intelligence units documented names, nicknames, known acquaintances, details on type of accommodation and other information deemed to be of use in keeping one step ahead of their movements (McKay, 1996: 50-51). A profile was built up of the various free festival dates and who was most likely to be behind the organisation of the various events (The Independent, 1993).

This information, and that of the similar 'Operation Nomad', despite the Data Protection Act of 1984, has been shared amongst the various agencies of the state, especially between the police, the Post Office and the DSS. Indeed, it was the 'wanton' claiming of social security benefits by New Travellers that the media and politicians primarily picked up on in their headlines and speeches. Peter Lilley, at the Conservative Party conference in 1992, likened New Travellers to locusts: they descend to 'demand benefits with menace' (BBC TV, 1993: 11-12). Indeed, New Travellers served an important political purpose here as Lilley, on the strength of anti-New Traveller sentiments, was able to push through changes to existing social security regulations regarding 'active' work-seeking that was to impact on not just New Travellers but so-called 'bogus' asylum seekers, single mothers and essentially anyone who was young, single and unemployed (Finn, 1992). The net had been tightened thanks to the public hatred directed at New Travellers. Further, in July 1996, job centres were told to carry out a national census of New Travellers following an incident in Montrose job centre earlier in the year. This was being done, the memo said, so that a 'more effective' service could be delivered to them (Milne, 1996: 9). Officers were given three ways to spot them: appearance, living conditions and a nomadic way of life.

The Criminal Justice and Public Order Act 1994 and New Travellers:

Almost a decade on from the 'Battle of the Beanfield', the 1994 Criminal Justice and Public Order Act was passed which further tightened up the laws on trespass and made a nomadic lifestyle a criminal activity (Murdoch, 1999). Sections 61-80 of this Act,

which applied to Gypsies as well as to New Travellers, were influenced by events a year or so earlier. In the summer of 1992 (the 'second summer of love' according to some cultural commentators) an outdoor event in the Malvern Hills, at Castlemorton, saw some 20,000 to 40,000 New Travellers, ravers and local youths get together to hold a 'gathering' (Saunders, 1995: 172). The government of the day was determined, this time, to make sure such a large assembly never happened again on British soil and the relevant sections of the CJPOA 1994 began to be drawn up. With the Labour Party abstaining on the votes, the Bill eventually reached the statute books in November 1994.

The impact of the CJPOA 1994 and the earlier Public Order Act of 1986 on the British New Traveller communities has been quite profound (O'Hagan, 1997). The legislation accentuated a trend which, for some years now, has seen some New Travellers migrating to other parts of Europe. Preferred locations seem to include Spain, Portugal, France and Sweden. A few New Travellers have even made it as far as South Africa and Goa in India (Dearling, 1998: 84 and 166). The one common message that is filtering back to the UK from these New Travellers who are abroad is that of a much more relaxed attitude towards them from both local people and officialdom. Certainly this is reflected in what some New Travellers wrote for the recent Alan Dearling collection *No Boundaries* (1998). Others have chosen to stay in Britain and, for the time being, park-up their bus where they can and see what the future holds. Still others have decided, quite bravely, to confront the legislation, keep at it and continue to pursue a nomadic way of life. To dismiss such individuals as drop-outs and idle

scroungers, I would argue, ignores the determination and resilience that drives them on to lead the way of life that they are drawn to, for whatever reason.

Education

Derek Hawes and Barbara Perez in their book *The Gypsy and the State* (1996) suggest that the development of education policies concerned with the needs of Gypsies and other Travellers can be divided into at least three historical periods. The 'early years' cover the period from 1902 until the passing of the Education Act of 1944, the 'voluntary initiatives' period is considered to cover the 1960s and 1970s, and the 'multi-cultural and co-ordinated service' period takes us into the 1980s and 1990s. The situation of New Travellers in relation to state education policies designed for Travellers does not fall so easily into the three-period model. However, Section 36 of the 1944 Education Act does state (Barber, 1995):

Parents are obliged to ensure that their child receives efficient full-time education suitable to the child's age, aptitude, or any special educational needs he or she may have, while of compulsory school age.

This 'full-time education' does not have to take place in a state school of course. The Act also goes on to say that the child must be (Barber, 1995):

receiving efficient full-time education... either by regular attendance at school or *otherwise* (my emphasis).

Many New Travellers who are parents have picked up on the 'or otherwise' <<http://www.education-otherwise.org/legal/sinc.htm>>. The parents do largely appreciate the need for some degree of formal schooling, especially in relation to basic skills and literacy, exams and gaining qualifications. However, equally, and of greater importance to many parents, is the fact that their children should be able to 'learn through life' and possess a number of practical skills in living the lifestyle of a nomad: e.g., wooding, cleaning and maintaining of vehicles and the home, cooking, collecting kindling and picking fruit and vegetables. In other words, children's education should be opened up to reflect their experiences of living on a site and travelling with their parents and friends. Children learn a great deal from being close to and working with adults as they go about their daily routines. Play amongst younger children also reflects this, e.g. playing with toy trucks and transforming them into 'homes' or 'scrapping' them when they are beyond repair. The environment and nature are also topics that are on the curriculum (Earle et al, 1994: 86-105).

There is a healthy scepticism and questioning amongst many New Traveller communities of the types of state education services that are available. This scepticism has been endorsed, to some extent, by Arthur Ivatts, Consultant to OFSTED, with responsibility for Traveller Education. He used the following words at an on-site New Traveller conference in Shrewsbury that I attended in 1997 (taken from my own notes from the conference):

The New Traveller communities have introduced the rare concept of asking new and different questions about education.... Questions such as what are we raising standards for? Who is driving this? Will it result in greater wealth? How will this wealth be distributed? Who

will be accountable? Will it improve children's lives or is it about competing with the Pacific Rim? Will it increase the spiritual quality of life?

Whilst nearly all New Traveller parents do ask these questions, it is true that for many it is important that their children receive a sound secondary education and get some qualifications. Interestingly, the reverse seems to be true for primary level children who live on sites with their parents. Home education is seen by many parents as a preferred option at this level. For many Romani Gypsy parents this is the 'wrong way round'; many Gypsies are keen that their children get to enjoy the benefits of a primary school education. At eleven or twelve the children generally come out of the state system to enjoy the education offered to them by family and friends. They become adults and start to fully acquire the skills and knowledge it requires to be a 'good Traveller' (Lee and Warren, 1991).

In England and Wales a variety of voluntary and statutory groups exist to enable New Traveller children and parents to access educational opportunities. At the state level, Traveller Education Services (TES) and the Education Welfare Service (EWS) throughout the country work to ensure that New Travellers have increased opportunity to get support from teachers and local schools where this is possible or appropriate. Flexibility in local education services is the ideal situation although this is not often seen to be the case from reports that have been given to the Traveller School Charity (TSC), whose work will be outlined more fully below as it is one of the main voluntary Charity groups working with New Traveller children. Other organisations, such as the Children's Society and Friends, Families and Travellers Support Group,

work to a similar remit with the general aim to meet the varied needs of Traveller children in their different environments and to facilitate learning.

The Traveller School Charity

This section details the history and work of the Traveller School Charity which has perhaps done more than any other organisation or agency to promote and meet the educational needs of New Traveller children who live nomadically with their parents. It is largely based on 2 interviews with Fiona Earle of the TSC during 1997. For a much fuller account of New Traveller education and the work of TSC see Earle et al (1994) and Dearling (1997) in the bibliography.

The Traveller School Charity (TSC), established in 1984 as a self-help organisation to 'advance the education and training of children', is one of the most well-known groups working with children whose parents follow a nomadic way of life. The management and staff of TSC have all at some point in time been New Travellers and many still live a nomadic existence. This fact gives TSC teachers a good degree of understanding when it comes to what New Traveller children and their parents are looking for in terms of an education.

It was around 1986-87 that things progressed for TSC and eventually, after various fund campaigns, the *Skool Bus* was purchased and in 1988 it was mobile and travelling to various New Traveller sites in England and Wales. It was in this year that TSC received its charity status which helped in terms of making applications for funding.

By 1989 and 1990 running the bus and stocking it with necessary educational materials and equipment was becoming expensive. Also, as it was the only mobile resource, it was not managing to get to as many sites as the staff would have wanted it to. Those New Travellers who got a visit were full of praise for it, but equally those who did not were rather disgruntled about the situation.

In 1990 Fiona Earle joined TSC as a teacher and used the bus as a mobile classroom. However, TSC was, by now, more than the bus and to some within the charity it was a problem, rather than a solution to the needs of educating New Traveller children on sites. Part of this problem was the sheer effort and cost it was taking to maintain and move the bus to various sites. Also, with increasing police pressure, smaller New Traveller sites were becoming the norm rather than the larger ones. This just added to a host of practical problems in meeting needs.

In 1991 Fiona Earle began using a smaller and more mobile caravan as a classroom. This was towed by her own vehicle. However, just a couple of years later, the direction of TSC was uncertain and the future looked bleak. Indeed, from about 1993 to 1995 TSC was at a low point, and the bus was gone and disputes and internal rifts looked to be breaking the charity apart.

Not all was lost though. 1996 represented something of a new start for the TSC and new funding opportunities and projects began to develop and enthusiasm was returning to those within TSC. To date, the achievements and work of TSC since 1996 have been many and illustrate how important its existence is for New Traveller

children outside the state schooling system. In the past couple of years it has taken on more teachers and has organised conferences and kids camps as well as on-site education in tents. Though TSC has had a shaky history, its future seems bright and those involved in the charity seem confident about continuing to meet the needs of New Traveller children who are outside the state education system.

Health

As Derek Hawes (1997: 31) in *Gypsies, Travellers and the Health Service* wrote:

New Travellers are considerably more aware of the services they can get than traditional families and are capable of being more assertive in dealing with bureaucracy. Young mothers will often return to settled living during pregnancy, in order to ensure good antenatal care and subsequent support. It was said by respondents that having children is a sure means of obtaining whatever services the family may need. Some reported that they retain registration with a GP in their original place of domicile.

Following a nomadic lifestyle has many implications for how basic public services are accessed, delivered and taken-up. This is especially true when it comes to the National Health Service (NHS). There are problems encountered by New Travellers in registering with a GP or getting treatment at a hospital, no matter how aware and assertive they may be, as Derek Hawes implies above.

For some New Travellers, traditional or standard health services such as those provided through the NHS are ones that are either simply 'out of reach' or to be avoided as much as possible. This rejection, whether based on ideology or negative

experiences in the past, leads some to embrace a more holistic approach to healthcare which takes in such 'alternative' practices as herbalism or homeopathy. There are various examples of men, women and children being refused registration with a GP on the basis of 'transient' status in the local area (Stangroome, 1993). Likewise, since the implementation of GP fundholding in 1991, the situation has been reported as getting even worse for New Travellers (and many other sections of the population) when attempting to register. As well as being too transient they are also too expensive. GPs have no financial 'carrot' to register patients who will not help the practice achieve its performance targets: expensive patients are a liability. Such examples of exclusion include anecdotal evidence from my fieldwork of pregnant women who have been refused ante-natal care from GPs. Save the Children Fund in a recent study reported similar complaints (SCF, 2000: 7). In situations like this it seems the preferred option is to find a relatively secure and safe stopping place and try to build up good relationships with sympathetic local midwives and health visitors (Nelligan, 1993).

New Travellers have a pragmatic approach to health care. Often, the approach that is taken will include using the NHS and 'alternative' health care methods simultaneously. As with most patients, this is never a passive exercise and some form of control over the situation is desired. For example, like many Gypsies, some New Travellers tend to rely on the nearest Accident and Emergency department for immediate treatment for particular injuries or complaints. This is viewed by some as not being an ideal solution especially in terms of preventative medical care, but for the New Traveller or Gypsy it is the NHS doing its job: free health care at the point of use (and without much paperwork).

It is certainly true that some New Travellers do retain a GP where they have a more permanent residence (Hawes: 1997: 23). This is also the case for those who choose to park-up over the winter months. Needless to say, the chances of a successful registration with a GP and a better quality of health care are improved when a fixed address can be given. Health records can be established and allow for a continuity of care that more nomadic New Travellers may not have access to.

Derek Hawes (1997: 23) contends that:

... from the evidence of health visitors and others, the levels of poor health, of child neglect, and in some cases, of drug and alcohol abuse, are serious among New Travellers...

This raises several questions. It would be interesting to know whether these 'serious' levels of health, child neglect and drug/alcohol abuse are also applicable to the settled population (and who the 'others' are that Hawes speaks of). It is unhelpful to suggest that serious issues such as child neglect or drug/alcohol misuse are endemic within New Traveller communities. To do so, as Acton (1998b) has pointed out in an online review of the study, is to pathologise such communities and ignore wider environmental issues. The status of being a Traveller is not a health variable in its own right. Likewise, when Hawes (1997: 9) states that some New Travellers have a 'widespread illicit drug dependency' and are involved in a 'criminal subculture' he provides no supporting evidence to substantiate these claims. Gross generalisations abound in this report about the health and general lifestyle of New Travellers and Gypsies and it does little to smooth the path towards such groups having access to effective and appropriate healthcare.

On the other hand, according to Stangroome (1993), *hard* drug use (especially heroin) by New Travellers is relatively rare and is largely not tolerated on sites. She also argues that within the communities there are internal divisions regarding what is and what is not acceptable behaviour on sites. For example, where a site has a lot of families with children, unwritten rules develop amongst those on the site regarding what kinds of behaviour are tolerated and not tolerated. People coming onto the site may be informed of the 'code of conduct' and asked to abide by it and respect it. Extreme anti-social drinking or using needles to inject drugs intravenously are the kinds of behaviour that are as unacceptable to many New Travellers groups as they are to settled communities. It is disingenuous and a fallacy, I would argue, to portray *all* New Travellers as alcohol-fuelled heroin addicts who have no interest in their own or their children's health. This is a picture that is far from the truth and the emphasis should be on improving access to GPs and other forms of healthcare for Travellers rather than merely blaming the sick for their own ill-health.

Work

Although the tabloid image of New Travellers is one that often sees them castigated as dole scroungers (e.g. The Sun, 1992), many of them do, of course, work for a living and have many skills and trades. Skills can be traded with others on-site and with residents of other sites in the near area. They can also be used in the local area more generally amongst the settled population on a cash or exchange basis.

Like Gypsies, most New Travellers prefer being self-employed regarding work. The reasons for this are very similar to why Gypsies prefer self-employment: it gives them the power to control their own working agenda and set their own pace, price and type of job undertaken. Again, like Gypsies, the recommendation for a good job done spreads far and wide.

The range of trades followed by New Travellers is as varied as amongst the settled population. These include mechanics, welders, joiners and electricians. As well as those following particular trades, there are some New Travellers with qualifications in other areas. There are a number of professional occupations that, with some flexibility and understanding from clients, lend themselves to being nomadic: e.g. teachers, health visitors, journalists, researchers, photographers. Also, some New Travellers have successfully accessed state services or sources of funding, such as the Princes Trust or some of the European funds, to get a prospective business off the ground (Earle et al, 1994: 72-74).

There are many other types of work associated with New Travellers. One is craft work, that is making jewellery, pottery, clothes and the like. Such items can be made during the winter park-up (from about September to March) and sold during the summer period at festivals and other gatherings and fairs.

Busking at festivals, as well as in town centres, is also a method of supplementing an income. Begging and selling the street magazine *The Big Issue* are other sources of income (Cole and Craig, 1999). In the 1980s and early 1990s some of the larger

festivals used to employ squads of New Travellers to maintain or organise a specific area, for example, the gate, fencing, bin duty, etc. This did happen at Glastonbury but during the late 1980s and early 1990s there was trouble between Michael Eavis, the landowner and festival organiser, and some New Travellers and the squad system was quickly ended. As well as official festivals there are also the unofficial gatherings (such as Letham in Angus, Scotland) where money is to be made from local settled 'customers' who come to listen to the sound systems and bands and to dance and get merry.

New Traveller children particularly enjoy the fruit-picking season as young and nimble fingers tend to make much more money at the strawberry and raspberry picking than older ones (i.e. their parents). Again, this equally applies to Gypsy children. Entertaining, New Travellers have found, is also a good way of earning a living with circus skills (juggling, stilts, fire-breathing. etc.) being in demand, especially in continental Europe. One group with the skills was paid by the French government to run a nomadic circus on the south coast and got a good price for their highly valued and skilled services! (Dearling, 1998).

As with Irish Travellers, scrapping (or recycling as it is now known) has also provided a means to an income. But recently, due to falling prices and changing government regulations on the types of vehicles that can be used for scrapping, many Travellers (both New and traditional) have been forced to turn from this occupation to others. Nonetheless, in urban areas such as London, Manchester and Glasgow, many groups are still involved in the industry.

Some New Travellers do hold down what we might term for want of a better expression 'normal jobs' (or 'wage labour') but the lack of a fixed address – as for homeless people – can make this difficult. Prejudice is encountered and employers can be reluctant to take on someone who gives their address as, for example, the bus, c/o the lay-by near Gateshead. In academic debates about 'flexible labour markets' and 'globalisation', New Travellers and Gypsies would appear to represent the ultimate flexible labour squad, or what the sociologist Anthony Giddens (1997) has termed 'portfolio workers'. They travel to where the work is and can adapt to changed circumstances very quickly.

Self-representation: Friends, Families and Travellers

Steve Staines is a former soil scientist who re-trained as a teacher. He established Friends, Families and Travellers (FFT), which was based in Glastonbury, in the early 1990s as he was personally concerned for the future of some members of his family who were living on the road, his son and grand-daughter in particular. FFT appreciates that the nomadic way of life has much to offer but that, in a post-Criminal Justice Act Britain, the lifestyle is under threat. Since its humble beginnings, FFT has grown to be, unarguably, one of the best known support and campaigning groups around for New Travellers. Its networking principles and the enthusiasm of those who staff the group have ensured its growth and development around the country. The work of FFT has many dimensions, although attending and overseeing evictions, arranging planning appeals and organising conferences to help inform local authority and district council policy-makers are amongst some of its most important tasks (FFT, 1996a/b). A

network of FFT offices now exist up and down the country with the aim of providing advice and information for and about New Travellers. The main office of FFT is now located in Brighton and Susan (Alex) Alexander is one of the main co-ordinators.

Conclusion

By including New Travellers in this study it has allowed us to show that it is not just an 'ethnicity' issue that drives settled society to persecute this minority population.

The other source of fear and loathing is nomadism and the reactions that New Travellers experienced, particularly from the mid-1980s until the mid-1990s, illustrate this anti-nomadic prejudice well (McVeigh (1997)). This was a theme I introduced early on in the thesis and is one I see as a route forward in campaigning terms regarding sites etc.; by shifting the debate to look at nomadism *as well as* 'race' and ethnicity Gypsies and Travellers who travel can have a focus to unite their efforts to try and decriminalise nomadism.

This chapter suggests that the resources and effort put into the 'policing' of New Travellers in Britain have been at odds with their small numbers. However, what is lacking in numbers is more than made up for by their 'imagined' power and the 'threat' or challenge they are seen to pose to sedentarism; they have *become* nomads, shifting from a sedentary mode of existence to a nomadic one, thus turning modernity on its head (Giddens, 1997). To be a civilian (settled person) who then becomes a barbarian (nomad) is something that needs to be addressed. This perhaps, in part, explains the actions of the State around the 'Beanfield' incident.

PART THREE: PUBLIC POLICY AND GYPSIES/TRAVELLERS IN ENGLAND: THE EXAMPLES OF SITES, SOCIAL SECURITY AND OTHER SOCIAL SERVICES

Part 3 is a detailed examination of some social policies that directly affect the Gypsy and Traveller community in England today; in particular sites (accommodation) and social security. I discuss other social services such as education and health as well.

Please note that most of the material in this part relates to England. Due to the amount of material collected, I decided to locate the discussion of sites, health etc. in Part 3 rather than Part 2 where a similar discussion for Wales, Scotland and New Travellers took place. This may give the thesis a slightly unusual structure, but the wealth of information and data gathered for England, I believe, justifies its own Part and analysis. This also reflects the nature of the Gypsy Council archives which, being based in Essex, understandably concentrates on the English situation (as I discussed in the earlier section on methodology).

As we have seen, the whole issue of the state and British settled society 'accommodating' Gypsies and Travellers has been a major issue for the past 50 years and longer. It is such an important issue that I devote all of chapter 7 to recalling the struggle for caravan sites in England and the various Acts and guidance notes that have been passed in recent years to try and square this circle. Various 'real life' examples are used to highlight the impact of this legislation and the consequences it has had for Gypsy and Traveller families (mostly drawn from legal cases and from the Gypsy Council Archives). For chapter 8, I make the important distinction

between the 'public' sites that used to be provided for by the government and local authorities and those sites that Gypsies and Travellers themselves are trying to set up with their own resources. I argue that the complications of trying to establish private Gypsy sites in Britain is *the* issue for many families in Britain today - if they have the money to buy their own land and can afford to hire a good planning lawyer who can argue their case for planning permission.

In chapter 9 I analyse how the social security system caters for Gypsies and Travellers, as a specific case study, and, in chapter 10, I briefly consider some of the other social/welfare services that Gypsies and Travellers attempt to make use of and also relations with the police.

Chapter 7

The struggle for caravan sites in England

But what did they fight for and why did they die?
 For freedom to wander around
 But where can we wander; there's no place to go
 For they're closing our camping grounds down

'The Hawker's Lament' by Duncan Williamson (in Sandford, 1973: 5)

Nomads, sites and houses

As previously discussed, nomadism is one of the most notable features of the *Romanichal* lifestyle in England and one that has perhaps created the most misunderstanding. The image of the 'wandering Gypsies', alien everywhere they roam, has hounded them in the past in every country through which they have travelled. This nomadism is in contrast with modern European society where the populace remains largely sedentary (such as in Spain, Gay Y Blasco, 1999, and in Sweden, Takman, 1976).

Not all Romani Gypsies are nomads and not all nomads are Romani Gypsies and a Gypsy is not merely 'a member of a wandering race' as defined by the 1933 edition of the *Oxford English Dictionary* (Murray et al eds., 1933). Some Gypsies live their lives by the seasons, as previously mentioned. They may remain sedentary in the winter months and then travel in the spring, while others may stay in the same place for several years, moving only ten or fifteen times in their lives. Yet a third pattern is for families to move all the time if they have occupations which require a continual supply

of new customers. Some travel throughout the British Isles while others will never leave a particular county. As Liégeois (1994: 79) has put it, 'nomadism is a state of mind rather than a state of fact'. Even when sedentary, a Romani family will remain 'nomadic' in values and spirit. This can be the case for families who have been settled for generations, such as those in parts of Wales. For example, if the family buys a bungalow they may well keep a small touring caravan in the backyard, just in case. At the very least, they will usually have an old wagon wheel propped up against the wall of their house.

During a survey conducted by Cardiff Law School (Thomas and Campbell, 1992: 34), an Area Housing Manager in Wales commented:

There have been numerous Traveller families waiting for Local Authority housing for years but after they had been living in the house for a short while they found they were unable to settle to the different lifestyle. There have been cases where the family had moved into a house but in fact had chosen to live in the caravan parked in the garden.

A resident on the Cardiff Gypsy site said (1992: 41):

It would be wrong to put Gypsies into houses, They would be taking away all our culture. And we wouldn't be able to keep pets: chickens and horses. I'd feel lost in a house 'cause of all the space, it would make me feel ill.

A Romani settled in a house may still be referred to as a Traveller by other Romanies, for, in addition to its practical functions, nomadism is a part of Romani identity and distinguishes them from the *gaujos*. It has helped Gypsies in Britain to safeguard their

culture as it has enabled them to avoid too much contact with the non-Romani. They travel not because they are asocial or anti-social but because travel is part of their heritage. In the debate leading up to the 1968 Caravan Sites Act, Parliament accepted this and proposed the setting up of a national network of sites between which Gypsies could move and preserve their way of life. Many Gypsies moved onto these sites as they opened, thinking they would be able to move from place to place, but now, increasingly, stay put because there is nowhere for them to move to, as there are insufficient pitches. Table B above shows that upwards of 3,000 Gypsy families have nowhere to stop. This lack of spaces on authorised caravan sites and the consequent harassment they encounter on roadside encampments is a major problem for Gypsies in Britain today (Duncan, 1996).

Local authorities have at times attempted settlement policies to alleviate what they see as the 'Gypsy problem'. A few have been well-intentioned and have aimed at improving the poor living conditions that some Gypsies had to endure. One such example was the setting up of centres in the 1960s by Hampshire County Council. Many Gypsies who had been living in huts took advantage of these centres that provided them with basic accommodation. If they showed a willingness to assimilate to house-dwelling society by abandoning their dogs and their distinctive colourful clothing, normal council housing accommodation was offered (Gypsy Council Archives).

In other cases, local authorities have been reluctant to accommodate those Gypsies who wish to be housed although the Housing (Homeless Persons) Act (1977) gives

them this duty in the case of any Gypsy without a legal pitch. A south London council demanded that one family (who had registered as homeless) stay on their illegal site until the bailiffs (acting under the order of the same council) arrived, then leave their caravan and report to the Housing Office (Hyman, 1989). However, even if families are technically ruled to be 'intentionally homeless', they can now, if there are children, be housed under the Children Act, 1989 and Children (Scotland) Act, 1995.

This reluctance to house Gypsies is, in some cases, due to fear of hostility by the local population towards their future Gypsy neighbours. For example, Conservative Party councillor Margaret Tookey in March 1990 said that she would like to see 'all filthy, dirty Gypsies dumped in the sea' rather than living in her town. Similarly, a campaign poster in 1987 for the same party stated: 'Gypsies: Filth! Crime! One day after the election we promise to move them out!' (both examples in Hancock, 1993: 10). This hostility sometimes comes out into the open to harm Gypsy families.

From the Gypsy Council archives comes the case of Margaret M. and her five children who wanted to move from the official caravan site in Winterbourne into a council house in Bristol for the sake of her son who suffered from kidney problems and had undergone a brain operation. The potential neighbours organised a protest meeting in a local school, attended by more than 100 people. Following this, the housing department decided to review the offer.

In a similar case, Mrs B. describes her experiences:

I was put into temporary accommodation in a very high class area and the neighbours didn't like us because we are Gypsies, even though we have not said any wrong or bad words against anyone. The neighbours started to complain about rubbish but the rubbish wasn't ours. It was there before we moved in. And also our dog, but he is a puppy and couldn't make a loud bark if he tried. They also said we have been threatening them but we haven't. The neighbours twice complained to the police that we had stolen electrical goods in the house and the police broke down the door while we were out. But they found nothing. Now we are told we have to leave because of our 'anti-social behaviour' and the council will not re-house us.

Of greater importance than possible hostility from neighbours are the psychological problems that the Gypsies themselves may face at the prospect of permanent housing. Housing takes away any possibility of freedom and mobility which most Gypsies want. Working from a house has its problems, too. A Gypsy in Essex was refused permission to conduct a car valeting service in his extensive grounds, although the nearest neighbour was a lorry park on the opposite side of the road (Gypsy Council Archives).

One Romani family said that they concealed their origins and were accepted by their neighbours. Then, suspicions were aroused by the vans the Gypsies parked outside their house, visits by relatives with dark faces and the women's long dresses. Their identity revealed, they were ostracised by the neighbours and in the end moved back into caravans (Gypsy Council Archives).

Not all experience hostility and, if entered into for positive reasons, such as stable education for the children or a more secure environment for their elderly parents, housing can be successful. It seems, however, that a large proportion of those Gypsies who go into housing do so for negative reasons, to escape harassment or as a result of

poverty. As Davies (1987) has pointed out in one of the very few studies on this topic, the help of local authority workers to make the transition into housing a smooth one is often not available and the result is that many Gypsies leave housing within a short period of time and return to the road.

Table E: Moving into housing

Number of families who moved into housing

<u>Year</u>	<u>From authorised sites</u>	<u>From unauthorised sites</u>	<u>Total</u>
1981-4	248	275	523
1985	84	112	196

Number of families moving back into caravans

(1981-5): 146

(From: E. Davies, *Gypsies and Housing*. Department of Environment, 1987)

The disappearing ‘*hatchin tan*’ (stopping place)

It is evident that for many families housing is not the answer – sites, whether local authority, private or unauthorised - are the preferred choice due to a host of cultural and economic factors. However, as we shall see, the history of the struggle for sites has been a long and hard battle. For example, it was noted earlier (in chapter 3) that there was a short period after 1945 where Gypsies led a comparatively untroubled life in harmony with the house-dwelling community for whom they provided useful services. Two factors were to change this. First, the movement of their ‘customers’

from rural to urban areas which had started with industrialisation as early as 1850, gathered speed after the Second World War. This meant that Gypsies, too, had to move into towns and cities in order to earn their living but in their areas they found it harder to find stopping places and also came into contact with local police and council officials who were not used to seeing a Gypsy caravan amongst the willowherb on their old bomb or demolition sites. They had not met Gypsies before and had little sympathy for their life-style (Fraser, 1995).

The second factor was the conflict over land use, especially in the south-east of England (Bancroft, 2000). Empty plots in otherwise built-up areas were bought up and built on, disused aerodromes – popular Gypsy stopping places since because of the concrete runways – were taken over for new housing or industrial estates, and motorways with no grass verges replaced roads. The prefabricated houses and mobile homes which many Gypsies had bought and used as a home after 1945 became an ‘eyesore’ to local councillors who wanted them replaced by the newly popular high-rise flats (Lund, 1996: 39-40).

Moving on

As their traditional stopping places disappeared, Gypsies were moved on by police and council workmen more often and in a more brutal way than by local country policemen. For example, the hard reality of moving on is described here in one of many accounts reported by the Safe Childbirth Foundation (this one from 1993, Gypsy Council Archives and also noted in Earle et al, 1994: 117):

We were stopping on a piece of waste ground in Islington. I was working. It was 7.0 am. I had just arrived at my workplace when the phone rang. It was my daughter M. "Mum come home quick, the bulldozers are here!". The council workers cleared a path through the rubble and towed the trailers out into the street with landrovers. We threw gas bottles, churns and anything else we could rescue into the moving caravans. The caravans and their contents were taken and locked up in a big hall. We set out in the rain with our dogs to follow on foot. The caretaker of the hall told me he was locking up. I asked if I could come back later to collect some dry clothes. He said I would have to come back the next day. As M. looked all in and was pregnant with her first child I sent her off to the housing office to find a place in a hostel for the night. When I got to the hall the next morning the caretaker said I could have five minutes to get everything I wanted. It was another day before I could get the caravan out and find a new site. As we drew up, a council officer arrived with a notice to shift. We had two days to get off!

In extreme cases evictions can lead to tragedy. At an eviction in Edmonton, north-east London, in May 1998, police and town hall officials ordered Travellers, including a twelve year old boy, to drive their caravans off an open space. In the process, six year-old Patrick Dooley, from an Irish Traveller family, was run over and killed. Unusually, the newspapers did pick up on this terrible event (Lewis, 1998: 3). Incidents of this type can happen during evictions when things get heated.

On occasion, as the Gypsy Council has seen, Gypsies may be pulled off a site with or without a court order. This can sometimes lead to an appearance in court and a fine for the Gypsy family. Travelling families stopping on the roadside could be, and regularly were, prosecuted under an ancient statute dating from 1822 (The Turnpike Roads Act) (Kenrick, 1999: 64). This made it an offence to 'be a Gypsy encamping on the highway', and was still used until it was finally repealed in 1980. Under this legislation Gypsies on the roadside verge or in a lay-by were committing an offence while, in theory, a foreign tourist or British holidaymaker would be able to park a

caravan next to them without being summonsed. Now all caravans are subject to the same legislation, the Criminal Justice and Public Order Act, 1994.

However, many local authorities have Local Acts of Parliament, dating from the 1930s, which give them additional powers. Thus, for example, the Surrey Act of 1931 enables local councils to draw a circle of 880 yards radius around any one caravan and ban any 'movable dwelling' from stopping within that circle for ever. A Mr Giles was fined at Guildford in 1969 under this Act, for having a *chalet* (adjudged by the court to be a movable dwelling) on land which he owned (Gypsy Council Archive).

A determined police force can quickly move a family out of their patch if they want to or are asked to by local residents. In 1996 a Gypsy was imprisoned overnight in the London Borough of Havering for the offence of 'driving a vehicle [his lorry and caravan] across the pavement' which he had done in order to reach a few feet of anonymous grass to stop for the night, after being evicted in the morning. The next day he was fined £30 and, not surprisingly, moved to the next local authority (Gypsy Council Archive). This particular family has never been able to get on a site and the children had only a few days of education from time to time. Early in 1994 the now grown-up son of this same Gypsy was fined £500 for stopping on his own land without planning permission and in 1998 was again refused planning permission by an Inspector following a public enquiry to place his caravan on land owned by his father (Gypsy Council Archive). Another generation of children are deprived of schooling while he searches for a permanent winter base.

If all else fails, a request to 'show me a receipt for every item in the caravan down to the teaspoons' or be arrested and taken to court for receiving stolen property will usually have the desired effect. Local authorities have become more ingenious in barring off empty pieces of land – ditches, low barriers on car parks, wooden and metal posts, banks of earth (often hastily planted with rose bushes) are used to prevent caravans driving on to any open land (Clark, Morran and Lloyd, 1995: 6). Trade Unions representing local authority workers have told their members not to evict Gypsies but councils now employ private firms of security guards to do this work. With or without court orders, the majority of the nearly 3,000 to 4,000 families still unable to get on to a site are moved on after a few days or weeks and have to look for a new place to stop.

As Carmel told listeners to the BBC's *Woman's Hour* programme (Radio 4, 23 August 1998):

The police came and said if we weren't gone by the Monday morning they were going to come with armed officers with firearms to move us all. The children couldn't believe it; they looked at each other really frightened and so I said 'Let's get off here, we're not going to stay if they're going to come', we imagined something off the telly, like in Ireland or something. It's just unbelievable what they'll do to you so we just moved. You'd never be able to take the children to a play group or anything like that round here because you just don't get the time to do it, and somedays they're stuck in a lorry perhaps eight hours at a time. For instance a little while ago in Southend we had helicopters above us. I think there were ten squad cars and we said. 'Are we murderers?' They were blocking every junction on the motorway and wouldn't let us off and I said 'for instance, if my child needed to go to the hospital, I couldn't get off that motorway to get the turning for the hospital.' The policeman said 'That's not my problem, that's yours.'

When Gypsies and Travellers are moved on, they need to move on somewhere. I look below at attempts by the government to encourage local councils to provide stopping places.

In and out of Parliament

For many years neither the Lords nor the Commons had discussed Gypsies but this was to change with the election in 1945 of Norman Dodds as Labour MP for Dartford, which contained several shanty towns on the Thames Marshes. Until his death, twenty years later, he was to campaign in the House of Commons on behalf of their inhabitants. He helped to set up a Committee with Gypsy and *gaujo* members which in 1947 drew up a nine-point *Charter* (discussed at length in Dodds, 1966 and also Acton, 1974a: 138-139). Its demands included these four key issues which, I would argue, are still as relevant today as they were back in 1947:

- a survey to be taken of the number of Romanies and other Travellers in England and Wales.
- adequate provision of camps with water, sanitation, ablutions, and communal centre facilities.
- a suitable scheme for the educating of Gypsy children.
- consideration given to the practicability of training young Romanies as teachers for the education of Romani children in established camps.

In 1950, Dodds was moved by an old Gypsy woman from Manchester who had travelled to ask his help. Her husband had been called up to the army and killed in Italy during World War II. She and her daughter had been evicted from the piece of land that they owned but had lived on for over twenty years until a Compulsory Purchase Order displaced them. For the past two years they had been hounded from place to place (Dodds, 1966). In November of the same year he was to ask the first question on this subject for many years (Hansard, 485, c.2280):

Mr Dodds asked the Minister of Health what steps he was taking to alleviate the serious position that is developing for Gypsies in finding places where they and their caravans can be accommodated.

Mr Bevan (Labour Minister of Health):

'I am considering with my Right Honourable Friend the Home Secretary what information is available to us on this matter and am not yet in a position to say what further steps may be required.

It was to be fifteen years before the Government had sufficient information available to them. However, in 1951 Norman Dodds initiated a debate in the Commons and on 9 May the then Home Secretary Hugh Dalton received a deputation of Gypsies. Then there followed a General Election and Norman Dodds, now an opposition MP, had to turn his attention to the new Conservative Housing Minister, Harold Macmillan. Macmillan agreed to a pilot survey in Kent which Dodds later felt was a delaying tactic to keep him quiet (Dodds, 1966; Adams et al, 1975: 8).

Meanwhile, Dartford Rural District Council evicted 200 men, women and children from Drench Wood. *The Times* (15 July, 1951) was moved to write in a leader of 'the victims whose helplessness merits sympathy'. Following the publicity aroused by the

eviction of these families, Dr Charles Hill, by then Minister of Housing, agreed to carry out a national survey of Gypsies.

But, other things were happening at the same time. Norman Dodds himself opened, not without opposition, a private site (Dodds, 1966: 81-85). The late novelist, Barbara Cartland, built another in Hertfordshire with the help of the Earl of Onslow (Acton, 1974a: 150), while the then Strood Council (in Kent) opened one of the earliest local authority sites (Adams et al, 1975: 238-239). Dodds died suddenly in 1965, three years before the passing of a new Caravan Sites Act, which owed much to his endeavours. By then others had joined the struggle and his work lived on. (for a chronology of key Acts etc. during the 20th century please see appendix 3)

The Caravan Sites Act of 1960

In 1960 the Government introduced legislation to control private caravan sites – The Caravan Sites (Control of Development) Act which made it difficult for Gypsies to buy small plots of land and winter on them (Acton, 1974a: 150). Section 1 of the Act spelt this out clearly:

No occupier of land shall after the commencement of this Act cause or permit any part of the land to be used (as a caravan site) unless he is the holder of a site licence.

As many Gypsy families find, obtaining a site licence is impossible unless you have planning permission. After 1960 anyone buying a piece of land had first to get the required planning permission and then a site licence before they could (legally) put a

caravan on it. Some exceptions were made to this rule. For example, 'established sites' were to be exempt from this rule and a number of cases were heard over the following years asking for the recognition that the land had 'established use' as a caravan site (Adams *et al*, 1975). As many Gypsies and their lawyers found, it was not always easy to prove that the site had been in use before 1960. For example, the H. family lost the right to remain on their land near Heathrow Airport because the word of the retired Enforcement Officer as to which side of a hedge caravans had been parked fourteen years earlier was believed rather than the statements of the families themselves (Gypsy Council Archives). They had been refused planning permission because of the danger of 'low flying aircraft' even though houses had been built in the neighbouring village, not to mention luxury hotels on the edge of the airport itself. Many years later, the local Council realised that it would be cheaper and less trouble to abandon the search for an alternative site and let the families stay where they were.

The existence of a caravan site before 1960 and the obtaining of an 'established use' certificate was still no guarantee that the families would be left alone. Local councils were to take over the sites by compulsory purchase order and either kept the Gypsies on as their tenants, as in the case of Harrow Manorway (now called Thistlebrook) in Greenwich and Outwood (in Surrey), or evicted them and built houses, as was to happen in Greenways (also in Surrey) (Fraser, 1967: 107).

In addition, other Gypsies were driven on to the roadside as private landowners who previously let them stop on their land would no longer do so as they had to get a site licence. The 1960 Caravan Sites Act was also used against farmers who let Gypsies

stay on their land before or after the days when they were actually working on the crops (Adams et al, 1975).

The Caravan Sites Act of 1968

I referred above to the survey initiated by Charles Hill, when he was Minister of Housing, in 1962. Replies from local councils to this survey were voluntary and sparse. In 1964 a Labour Government took office and a new Minister of Housing, Richard Crossman, decided to get things moving. On 22 March 1965, a national survey of Gypsies took place (Adams et al, 1975: 11-12). It recorded some 15,500 'Gypsies and other Travellers', perhaps 75 per cent of the real number, but a start had been made and the Government and its civil servants could no longer claim, as had Aneurin Bevan in 1950, that there was not enough information available.

The report of this survey was published in 1967 under the title *Gypsies and Other Travellers* (MHLG, 1967). It found that 60 per cent of the families had travelled in the previous year. In many cases this travelling was not voluntary but the result of harassment by the police and council officials. Few children received any regular schooling. Only 33 per cent of the families had access to a water supply. There were few local authority sites, even though the 1960 Caravan Sites Act had given councils the power to set up caravan sites.

In this same year the Government offered to support the Liberal MP Eric Lubbock (later Lord Avebury) with his Private Members Bill which dealt with the suspect

practices of some private mobile home owners in return for his adding a second part on the subject of Gypsy sites. It is still a matter of debate as to whether these provisions were introduced because of, or in spite of, the campaigning of the newly formed Gypsy Council. Acton (1974: 182-185) analyses this debate fully and I shall not attempt to improve on his analysis. Suffice to say, the Gypsy Council did claim some credit!

The major provisions of Lubbock's Bill – which eventually became the 1968 Caravan Sites Act – were the following:

- County Councils and London Boroughs had a duty to provide accommodation for Gypsies residing in and resorting to their areas (Section 6(1)).
- A London Borough did not need to provide accommodation for more than fifteen caravans. (Section 6 (2))
- The Secretary of State for the Environment could give directions to any local authority requiring them to provide sites. These directions were enforceable by *mandamus*. (Section 9 (2)) (NB: *mandamus* is a judicial writ issued as a command to an 'inferior' court or ordering persons to perform public or statutory duty. 'We Command' in Latin)
- An area could be given 'designated' status. This meant that Gypsies could not station their caravans in that area except if there are pitches free on an official site. It was a criminal offence to do so. (Sections 10 (1-3) and 11 (1-4)).

(source: Adams et al, 1975: appendix 2).

Gypsies were defined in the Act as ‘persons of nomadic habit of life, whatever their race or origin’ (Adams, et al, 1975). This definition served to ‘de-ethnicise’ Gypsies but meant that families would not be put in a position of trying to ‘prove’ their heritage and status as ‘True Gypsies’ (and thus give rise to the ‘poor half-Travellers’ not being covered by the Act). This definition has now been moved retrospectively to the 1960 Act. The provisions of Section 11 of the 1968 Act enabled a constable to arrest, without warrant, anyone who organised the type of passive resistance to evictions which the Gypsy Council had encouraged during 1967, while the designation provisions of Section 10 were compared, with some degree of accuracy, by Gypsy spokespersons as similar to the Pass Laws and apartheid once operating in South Africa (cited in Home, 1987). In the following section, I look at the working of the 1968 Act. The Gypsy Council argued for the immediate setting up of a chain or ‘network’ of temporary, but official, sites which allowed for commercial nomadism to operate (Gypsy Council Archives – circular on Transit Sites, 1972). In areas where the Council had some influence due to a large membership, such as Essex, sites were opened, often with primitive facilities but at least providing a haven from police and bailiffs and a place to conduct business (Acton, 1974a).

The 1968 Caravan Sites Act, in so far as it affected Gypsies, came into force on 1 April 1970. Some may consider this a well chosen date as many Gypsies were certainly fooled into thinking there was to be some rapid improvement in their living conditions. After a two-year wait for this part of the Act to come into force, the late George Marriott and other activists in Bedfordshire organised a celebration of ‘Gypsy Independence Day’ (Acton, 1974a: 221-222). Gypsies and supporters came from

London and elsewhere, a bonfire was lit, songs were sung and everyone thought that the long years of harassment had ended. In fact, it was to be a hard struggle for Gypsies, their supporters, sympathetic councillors and officials before a realistic number of sites were provided. The tables in the first chapter show what progress had been made but 3,000-4,000 families are still waiting for a site. Children born in 1970 (like me) are now thirty years old and many of them have, in spite of circulars from the Government urging an end to harassment and the provision of temporary sites, spent these years on the move and unable to get regular schooling (unlike me).

Unfortunately, the 1960 Caravan Sites Act was sometimes used by district councils to get Gypsies off land in their area owned by the county council, even when the county council was following the government recommendations not to 'harass' families. So, in 1972 the now defunct Caterham and Warlingham Urban District Council used the 1960 Act to take Surrey County Council to court for 'permitting land to be used as a caravan site without a licence', that is to say, not evicting some Gypsies parked in a field in Tupwood Lane (Acton, 1974a). The case was heard at Caterham on 26 June, the barrister representing the Gypsies was not allowed to address the court as it was ruled that the Gypsies 'had no interest in the matter' and the County Council was found guilty and fined £40 (Gypsy Council Archive). After a similar case in Hertfordshire where there was a conflict between the District and County Council over Gypsies, the Government stepped in and now a county council does not need a licence to run a site. The current Department of the Environment, Transport and the Regions can, however, call in a controversial site proposal for a public enquiry. Only for a short period around 1977, while the late Donald Byrne was Gypsy Sites Officer at the

Ministry of Housing (the forerunner of the Department of the Environment/DETR) did central government exert any pressure on councils to set up sites.

The Cripps Report - 1977

In 1977 the Government, aware of the shortcomings of the 1968 Act, or rather the way in which local authorities had ignored its provisions, commissioned John Cripps to make a rapid one-person study of the workings, and failings, of the Act (Cripps, 1977). Although he was not asked to make a detailed study like that which produced the 1967 Report mentioned earlier (*Gypsies and Other Travellers*, MHLG, 1967) he did, nevertheless, write an impressive document. The main finding that Cripps made was that the Act was taking a lot longer to 'work' than had been expected due to (Avebury, 1999: xiv) 'determined local opposition to every proposal made to establish a site anywhere'. Following this critical report, the Labour Government introduced a new Caravan Sites Bill, embodying many of his suggestions. Unfortunately for Gypsies, this Labour Government was to fall before all stages of the Bill could get through Parliament. Some of Cripps' less controversial and demanding suggestions were later incorporated into the 1980 Local Government Act (Homes, 1987).

Designation: 'Gypsy-free zones'

Under the 1968 Act, 'designated' areas of the country were those where Gypsies could not station a caravan on vacant pieces of land without committing a crime (Hawes and Perez: 1996: 160-163). In 1972 the first designations were proposed - the then County

Boroughs of Plymouth, St Helens and Stoke, followed in the same year by Manchester, Richmond on Thames and Wolverhampton (Adams et al, 1975: 235). Plymouth kept its status and the powers that went with it even though it had not had a site for many years (O’Nions, 1995: 6). Legally it was still a ‘Gypsy-free zone’. Apart from a short pause while John Cripps (see above) was reviewing the working of the Act, the process of designation continued right up to 1994, encompassing whole counties such as Dorset and West Sussex.

What did designation mean in practice? It should have meant that all the Gypsies usually resident in an area had been provided with pitches and that there were some pitches in reserve for families ‘resorting to’ the area for short periods, whether for work or to visit relatives (Hawes, 1987). All Gypsies would have to stop on a site. This would not have been unreasonable if pitches had been available. In practice it meant providing the minimum number of pitches that the local authority could get away with, based on an inadequate census that missed perhaps 10 per cent of families on the roadside and 50 per cent of those on private sites, and then denying access to the area for any caravans that arrived in transit.

In 1986 West Sussex (designated in 1982) claimed, in terms more appropriate to a Balkan war than to a programme of public provision, ‘to be on the verge of victory in its battle to sweep away unauthorised Gypsy caravan sites from the county’s roadsides’, as the *West Sussex Gazette* (12 August 1986) put it. Since the county had a duty to provide for any Gypsy families ‘residing in or resorting to’ the area, we may wonder why there should have been any caravans on the roadside at all. At any rate we

could have hoped that the Council was *sweeping* these families from the roadside onto officially provided sites. However, in the year prior to this statement, 43 caravans had come into the county. They were served with summonses immediately and warned that, if they did not move voluntarily out of the county, court action would be taken (Hawes and Perez, 1996: 34-35).

The Government's decision to designate was regarded by itself as being infallible. In reply to a letter from the then Chair of the Gypsy Council pointing out that there were still unsited families in the four designated districts of Buckinghamshire, the County Secretary replied (Gypsy Council Archives):

Designation would not have been granted for the four districts if the Secretary of State had not at the time been satisfied that the proper provision had been made.

Yet there were 33 unsited caravans in July 1982 while designation was being considered and a count in March 1983 showed 40 on the roadside proper and 12 more squatting on the edge of a full site (Gypsy Council Archives).

The Government had the power to de-designate an area under the Caravan Sites Act, 1968 but this was never used (Adams et al, 1975: 236-237). Under the Criminal Justice and Public Order Act, 1994 the powers previously available in designated areas have been strengthened and apply across the whole of England (and Wales). They are available against all caravans, not just 'Gypsy' ones. This is probably to stop New Travellers from defending any court proceedings by claiming they are 'not Gypsies' for the purpose of sites (Beale and Geary, 1994; Lloyd, 1993).

Life on a council site

During the debate on the 1968 Act, it was stressed that the intention was to provide 'a network of sites on which the Gypsies could continue their traditional way of life' (Acton, 1991). In January 1999 there were 329 council-run sites operating, providing some 5,216 pitches. Numbers of pitches are now decreasing with the impact of the Criminal Justice and Public Order Act, 1994 as there are now 34 pitches less than in January 1997 (5,250) (DETR, 1998a). We must ask the question: to what extent has the *intention* of the 1968 Caravan Sites Act been carried out in England?

With hindsight, we can say with some authority that there was not enough sites or pitches provided during the 1970s and 1980s. This has left a legacy of problems. From fieldwork in both England and Scotland between 1993 and 1994, I learned that many families are afraid to leave a site in order to seek work in case they cannot get a pitch when they want to return. The 'network' principle of being able to move freely between different sites in different parts of the country has not worked. Families, if they did leave for a short period, may then have to move to another site and find a new school for their children and a new doctor. More likely they will end up on the roadside or, unwanted, in a car park or a sports field. A few enlightened authorities do allow Gypsies to reserve a pitch on payment of half or full rent for a limited number of weeks each summer (e.g. Edinburgh).

The least provided for are the 'long-distance' Travellers with their specialised trades such as gate-making and tarmacing drives, who need to travel all the year round

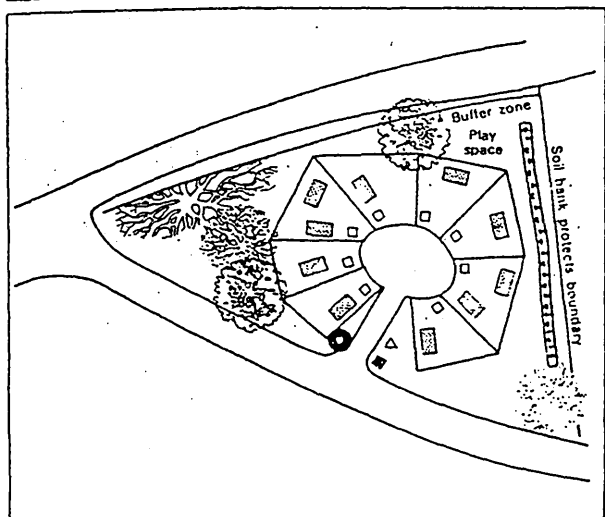
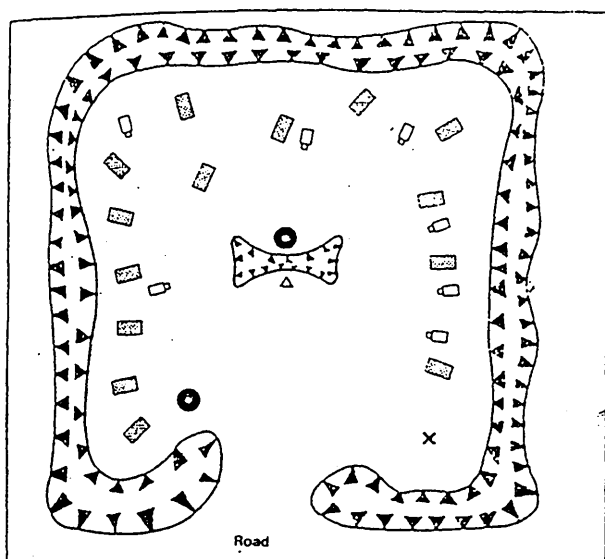
(Adams et al, 1975: 295). In the past they often stopped on private land and paid rent but the working of the 1960 Act has ended this. Transit sites or transit pitches on residential sites have been suggested in Government circulars (1/94 and 18/94, DoE, 1994a/b) but there is little such provision. The Government set up an enquiry (for which they imported two sociologists from America – Sharon and George Gmelch) and this recommended a chain of Government-run sites ('serviced stopping places') along the major motorways. The report (*The Special Accommodation Needs of Long-Distance and Regional Travellers*) has been roundly ignored (Smith, Gmelch and Gmelch, 1982).

The social and economic life of Gypsies has been changed by the way official sites are organised (Kendall, 1997). The most popular number of pitches favoured by those designing the sites appears to be about sixteen, comprising fifteen caravans and a warden's hut, all neatly marked out with white paint to the same size and numbered (see site plans, over page). The figure of fifteen is based on the minimum number for which London Boroughs had to provide. In the past, Gypsies could choose their own neighbours when they stopped in a field. Now Councils decide who will occupy any vacant pitch on the basis of a points system similar to that used for housing vacancies (Hawes and Perez, 1996). Two families from groups which have traditionally been at loggerheads may find themselves unwilling neighbours. If in-laws come to visit there are further problems. In the past they would pull up their caravan alongside and while keeping their own cooking and sleeping facilities would be able to enjoy the company of children and grandchildren for a few days. Nowadays they have to leave their own caravan behind and sleep in a perhaps already overcrowded caravan. The same applies

to a mother who wants to come and help her daughter before or after the birth of a new baby or an aged parent that a family would like to have nearby. Caravans arriving to attend a funeral or wedding add to the problems (from interviews with residents on sites in Hull [1996] and Newcastle [1997]). The old freedom, it seems, has gone.

PLAN OF A DETR APPROVED GYPSY SITE

(Source: DoE Circular No. 28/77)



Caravan		Waste water disposal	
Chemical closet		Refuse skip	
Reception point for contents of chemical closets		Vehicle	
Water tap		Soil bank	

PLAN A

Transit site for up to fifteen caravans and associated vehicles parked at random. About one acre.

PLAN B

Site for eight families: entrance road and turning circle hardened, chipping and gravel surface to pitches, post and wire fences between pitches, chemical closets, water tap and water reception facilities.

NB: reproduced by kind permission of the DETR.

No allowance is made for children growing up. As they get older, the family needs two caravans so that sons and daughters can sleep apart. Many councils then insist on a one caravan per pitch rule and so the family has to rent a second pitch – if they can afford it. This pitch may not be adjacent to the other caravan. There has been some friction on sites where one family has tried to create vacancies for other relatives to move on (Daley and Henderson (eds.), 1998: 76-78).

Bureaucratic procedures can make it difficult to get on a site. These regulations from Nuneaton and Bedworth Borough Council are typical (from guidance notes held at the Gypsy Council Archives: 'Griff Gypsy Site: Information Package for Site Administration' (dated January 1997). An applicant for a pitch has to fill in a two-page form. In addition to what seem to be very reasonable requests for information such as details of the caravan, the form asks for more:

How many vehicles do you have at the present time?
 Have you any regular occupation? (give details)
 Name of employer
 Have you occupied any other local authority site?
 If so where?

After completing the form the applicant has to return to the roadside but keep in touch with the authorities to find out whether they have been accepted for a pitch. This process can take weeks and can, of course, end in rejection. If allowed onto the site they have to abide by the a total of seventeen conditions of this licence including the following:

The caravan must be of proprietary manufacture and of an external colour approved by the Council.

In addition to the seventeen conditions of the licence there are eleven 'site regulations' such as:

No bonfires shall be lit on the site.
No trade or business shall be carried out on any part of the site other than on vehicles [lorries] on individual plots.

Animals are restricted:

The licensees shall not keep on the site any animals or poultry with the exception of a single domestic pet for which prior approval is obtained in writing from the Chief Housing Officer.

The Harrogate Borough Council site (from guidance notes held at the Gypsy Council Archives, dated February 1994) bans animals completely:

The Licensee shall not keep and shall not permit or suffer any person living with him to keep on the site any dogs poultry or any other animals.

Any Gypsies who are able and willing to accept these conditions, which may mean radically changing their lifestyle, have to pay a deposit of roughly £150 and four weeks rent in advance before being allowed on to the site (in the case of Harrogate, as of 1999). Tenants are allowed to vacate the site for a maximum of four weeks only to do seasonal work – much less than the normal summer agricultural season. While away they have to pay full rent and – so the families allege - the Council informs the social security office that the family is away doing work.

On the Harrogate site overnight guests are restricted:

Only the persons named on the application form shall be resident in the caravan. No visitors will be allowed to stay on the site unless specific approval is received in advance to any exception.

Even if the families keep these conditions, they have no security. Caravan sites for Gypsies are specifically excluded from the protection of Part 1 of the 1968 Caravan Sites Act and the Mobile Homes Act 1983. A Council can terminate the licence by giving notice at any time and the family in the caravan have to leave. The tenants of a Gypsy site have little recourse to the courts, a point confirmed in a judgement by the House of Lords in the case of Greenwich versus Powell (*Greenwich LBC v Powell, 1998*). The House of Lords ruled that the fact that Mr Powell himself no longer travelled and had lost his 'Gypsy status' did not affect the status of the site. It was built as a Gypsy site and, therefore, the Council had the power to evict any tenant without a reason - be they 'legal Gypsies' or not. The irony of this particular case is that the Greenwich site had originally been privately owned by the Gypsies themselves.

These sites are also not cheap. The Potton site in Bedfordshire charged £76 a week for the pitch and a wash-room in 1997. Following a brief rent-strike, it was lowered by £15 a week (Gypsy Council Archives). As with most other sites, the families on Potton provide their own caravans. As a result of high rents, many of the licensees (Gypsies do not have security of tenure in law) on council sites have been forced on to social security to get housing benefit, as they cannot earn enough to pay these high sums (Okely, 1983a). This situation applies to Scotland in the same way as to England and

Wales, even though the legislation in Scotland differs. High rents for Gypsy pitches are a universal truth throughout Britain (see chapter 4 and 5 respectively).

A useful book, *Static Life on the Site* (Daley and Henderson, 1998: 25), gives a summary of the position on the Wakefield site, which - as we have seen - is applicable elsewhere:

The [residents] are stuck on a site which apart from being in physically poor shape, lacking facilities and resources, and being poorly managed, does not allow them the control or autonomy necessary to live within their own traditions or extended family networks.

From January 1996 the rules governing the payment of housing benefit to tenants, whether living in houses or in a caravan on a council site were changed. From that date, all new tenants can claim a 'fair rent' as housing benefit is now based on a Local Reference Rent (LRR) determined by the Rent Officer. The tenant has to make up the shortfall between the fair rent and the rent that the landlord wants to charge (McKay and Rowlingson, 1999: 130-131). This can lead to problems for some people in certain housing circumstances, both Gypsies and non-Gypsies. The example I give below, which hit the headlines of a regional newspaper, is not particularly unusual but does illustrate the kind of negative reaction and 'backlash' that can occur if things go well for Gypsies and Travellers.

In Mid Bedfordshire District Council, a licensee who was formerly paying £70 a week for a pitch on the Potton caravan site moved back onto the same council site in January 1999 and had her LRR assessed at £27. Since she could not afford to pay the

difference, the District Council, which had an obligation to house her, decided to reduce the rent for all its licensees on council sites to the fair rent. Predictably, this decision was greeted with outrage by tenants of council houses whose views were reported in *Bedfordshire on Sunday* on the 6 June 1999 as follows:

Gypsies' rents down – others pick up tab

Council rents have been slashed by two thirds – but only for Gypsy tenants. One council tenant said ‘I might as well go and live in a bloody caravan. Our rents go up every year. Now my money is subsidising housing for Gypsies’.

It should be noted that all tenants are subject to the new rules governing housing benefit and the fair rent assessment took account of the fact that the Gypsy licensee only received a concrete pitch and a brick built bathroom/kitchen.

Transit sites

The 1968 Caravan Sites Act spoke of provision for Gypsies ‘residing in and resorting to an area’. It was assumed that provision for those resorting to an area referred to transit sites or transit pitches so that nomadic families could move around the country in search of work and find a pitch wherever they were (Gypsy Council, 1972). In practice, few local authorities have provided transit pitches while the proposed new planning policy for Malden (in Essex) states categorically that no transit sites will be permitted (Gypsy Council Archives). Often transit pitches have been converted into permanent pitches to meet the demand for long-term stays.

The Courts and the Ombudsmen

Under the 1968 Caravan Sites Act, the Secretary of State could order any local authority to provide additional sites but he had not used these powers when two Gypsies (Lee and Bond) requested him on their behalf to issue a Direction to Hertfordshire County Council to provide more sites. He refused to do so. In 1992, an application was made for judicial review of his decision and also for a declaration that Hertfordshire County Council was in breach of its statutory duty to provide sites (*R v Secretary of State for the Environment, ex parte Lee, 1992*). Although the Declaration against the County Council was made the Court refused, however, to make an order of *mandamus* against the Secretary of State that he should direct the County Council to provide the sites. As a result of this case, however, the Secretary of State did issue such a Direction but without a time limit and as a result the sites were not built. Subsequently, similar Directions were issued to Surrey County Council and Hereford and Worcester County Council that they were also in breach of their duty to provide sufficient sites (Gypsy Council Archives).

Attempts were made to involve the Parliamentary Commissioner for Administration who is responsible for investigating complaints referred to him by members of the House of Commons on behalf of members of the public who claim to have suffered injustice due to maladministration by Government Departments. A member of the public complained that the Minister responsible had not used his powers to direct the County of Avon to build sites and, as a result, the complainant was suffering from the presence of unauthorised caravans in a neighbouring road. The Commissioner ruled

that insufficient time had elapsed since the County of Avon had been established for the authority to have been able to formulate a policy and develop sites. However, Avon was later directed by the Secretary of State to provide more pitches (Hawes and Perez, 1996).

Complaints to the other Ombudsman, the Commissioner for Local Government Administration, who is responsible for investigating complaints against the actions of local authorities have been more successful (30 March 1998, complaint number 96/A/2767):

Hackney and Tower Hamlets were found guilty of maladministration in not providing a caravan site. Both councils have now done so.

In 1984 Staffordshire County Council was criticised by the CLA for ‘taking ten years to get nowhere’ in the provision of a site in the Lyme valley. No compensation was ever awarded to Gypsies for the lack of a site while the 1968 Caravan Sites Act was in force but *gaujo* house-dwellers have been luckier.

In 1988 the CLA ruled that Sevenoaks Council was guilty in not removing some Gypsies from land neighbouring the complainant. They owned the land themselves and had been living on it (albeit without planning permission) before the house-dweller had bought her house. She was awarded compensation (CLA, July 4 1988, Complaint 87/A/950 and 87/A/29).

In 1995 two families living in houses next to a new Gypsy caravan site were awarded £400 to be paid by Cornwall County Council because of the effect on the view from their windows of the 'inadequate' landscaping of the site (Local Government Ombudsman, Complaints 93/B/3650 – 93/B/3776, 28 June 1995).

The Public Order Act of 1986

One of the provisions of the Public Order Act, 1986 - Section 39 - increased pressure on unsited Gypsies, although it was actually introduced to deal with New (Age) Travellers (Vincent-Jones, 1986). I deal elsewhere with other parts of the Act which concern incitement to racial hatred.

As a result of a number of confrontations between New Travellers and police in 1984-1986 (see chapter 6) the Government decided to introduce new measures against trespass in the Public Order Bill during its passage through the House of Lords (McKay, 1996). A new clause was tabled on 26 September 1986. Four days later the Department of the Environment wrote to interested organisations 'consulting' them about the clause. They had less than a week to reply before the debate took place. The replies that were seen all protested but it was in vain (Hawes, 1987). The new clause (number 13) was added to the Bill.

Under the new clause, a police officer could order trespassers to leave land without a court order if:

(a) any of those persons has caused damage to property on the land or used threatening, abusive or insulting words or behaviour ... or (b) have between them brought twelve or more vehicles on to the land.

If they did not leave, any uniformed policeman could arrest them without a warrant.

When the debate reached the House of Commons, Gerald Kaufman, then spokesman for the Opposition, raised the question of Gypsies (Hansard, 1986):

Gypsies had better travel in small groups. As long as they travel with twelve caravans or fewer and behave themselves they will be all right. The moment they travel in groups of twelve or more, they will be in trouble.

Douglas Hogg, for the Government, replied (Hansard, 1986):

The right honourable gentleman (Mr Kaufman) belly-ached about Gypsies. The purpose of the new clause is not to harass innocent Gypsies. However, if Gypsies create the nuisance contemplated by the Bill, I see no reason why it should not be extended to cover them.

In fact, Gypsies had to travel in groups of less than six families as a caravan and a lorry count as *two* vehicles. The Home Office wrote to the Gypsy Council in February 1987 (Gypsy Council Archives):

Neither the Government or the police have any wish to harass well-behaved Travellers ... Highways were specifically excluded from the scope of the section so that Gypsies can stop on them.

So Gypsy families were encouraged by this law to stop on the edge of roads, with all the inherent dangers, rather than pull into a piece of unoccupied land. This new legislation was soon in force. In April 1987 two families of Travellers stopped on a

piece of parkland in Haringey. Because they had ‘damaged’ the surrounding fence when they took it down in order to get into the park, they came within the rules of the new Act. John W. as well as his wife, and Mrs M. in the second caravan were all three fined £40 and £10 costs (Gypsy Council Archives). The Criminal Justice and Public Order Act of 1994 (see below) strengthens the provisions on trespass.

The General Elections of 1987 and 1992

In the run up to the 1987 General Election, Conservative candidates in particular used the Gypsy issue to win votes. Christopher Murphy, MP for Welwyn-Hatfield, brought in a short bill entitled Gypsies (Control of Unauthorised Encampments) Bill, 1987 which would have designated the *whole* of England and Wales as an area where Gypsies could not stop and made outlaws at a stroke of all families not on public or private sites. Seven years later these suggestions were to be incorporated in legislation.

In March 1987 Peter Lilley (MP for St Albans) initiated a debate on Gypsy Caravan Sites. He wanted no more sites to be built in either Green Belt or residential areas as, he said, the majority of the public do not want to live ‘cheek by jowl’ with Gypsies (Hansard, cols 970-976, 3 March). His suggestion was to put sites in out of the way rural areas. He talked too of an influx of a previously unheard of group called ‘Irish didicois’, who should not be classed as Gypsies, and for whom no sites should be provided. Another Conservative, Sir Hugh Rossi MP for Hansey, claimed in the debate that his constituents ‘suffered horrendous problems because of an invasion of the area by so-called Gypsies’ (Rossi was also chair of the Environment Committee at this

time). During the 1987 election Conservative Party officials in Bradford were seen handing out more than 500 stickers for cars bearing the message:

Keep the Gypsies out – Vote Conservative.

After protests from the Gypsy Council the stickers were withdrawn (Massey, 1987: 15).

The new Government elected in 1987 had a fresh report compiled by Dr Gerald Wibberley, Professor of Countryside Planning at London University (DoE, 1986). Its recommendations were similar to those made by John Cripps some 10 years earlier. Published in 1986 they are still valid and I give below the most important (DoE, 1986; Hawes and Perez, 1996: 46; O'Donovan, 1989):

- The definition of a Gypsy should be made more specific
- Better and more frequent counts of the numbers are needed.
- There must be a speeding up of the process of providing authorised local authority sites and a concerted attempt to increase the range and number of private sites.
- Some provision of transit sites, primarily for long-distance Travellers.

The Conservative Government, elected in 1987, did little to take this matter further. In view of the anti-Gypsy views expressed by some Government MPs during the General Election campaign, Gypsies may well have breathed a sigh of relief as any legislation might well have worsened their situation .

Nicholas Ridley, then Secretary of State for the Environment, summed up the situation in a Parliamentary Reply in February 1987 prior to the election, saying the Government had decided that there should be no amendment of the legislation at this stage. Likewise, falling back on the need for more information, as his Labour predecessors had in 1950: 'An early priority will be to examine how information on Gypsy numbers could be improved' (Hawes and Perez, 1996: 56). The Gypsy Sites Branch of the Department was to get a sixth member, attached to the Social Research Division, who would carry out a research programme and supervise privatised research contracts.

By the time of the 1992 General Election, New Travellers were high on the political agenda. In his speech to the Conservative Conference before the election, John Major highlighted the need to control New Travellers and for more toilets on the motorways as priorities for the new government. This time, action was taken, as I show below.

Department of the Environment Circular 1/94

As the Government's first step in a two-pronged attack upon the existing policies for Gypsies in January 1994, the Department of the Environment issued a circular (1/94) the main aims of which were (DoE, 1994b):

to provide that the planning system recognises the need for accommodation consistent with Gypsies' nomadic lifestyle; to reflect the importance of the plan-led nature of the planning system in relation to Gypsy site provision ...and to withdraw the previous guidance indicating that it may be necessary to accept the establishment of Gypsy sites in protected areas such as Green Belts.

A circular represents advice from the Government which local authorities ignore at their peril. This circular has in practice made it more difficult to get permission for caravan sites, although it was issued at the same time as the Government was proclaiming as a policy that Gypsies should provide their own sites. The second prong was to be the abolition of the 1968 Caravan Sites Act and the introduction of new penalties for trespass.

It should be noted that the present Labour government is keeping this circular in force. Miss Bird, a civil servant in the Department of Environment, stated soon after the 1997 election that 'there are no plans to withdraw the advice in circular 1/94 that Gypsy caravan sites are not normally regarded as being appropriate development in Green Belt areas' (personal communication to CC, 25.8.97).

The circular advised local authorities to have a planning policy for Gypsies. However, a useful report prepared by Mark Wilson and supported by the Advisory Council for the Education of Romani and other Travellers (ACERT), published in 1998, found that 30 per cent of local authorities in England had no such policy (ACERT, 1998; Wilson, 1998). The majority of the others had criteria-based policies and Wilson identified 63 different criteria which were used in different places to judge whether a proposal for a private site might be granted. Nearly all criteria require a site to be neither adjacent to existing accommodation nor in the countryside, two contradictory requirements. Without exception the criteria require the site to be screened already or capable of screening, so that the caravans cannot be seen by cars or passing pedestrians. Other criteria include (from Gypsy Council Archives):

- the site must be flat (Lincoln City Council)
- the family must have been resident in the district for five years (Canterbury)
- access to the site is not through existing housing areas (Carrick)
- the site must be capable of easy and regular supervision (East Lindsey)
- the site should be of a size to allow ready assimilation into the local community (Leominster)
- the proposals should result in acceptable smell impact (Mid Devon)
- sites are only permitted in areas which have traditionally been stopping points for Gypsies (Richmond).

ACERT has prepared a further report – on the result of applications to councils for planning permission for private sites (Williams, 1999). A research report by Friends, Families and Travellers (1996) suggested that less than 10 per cent of initial planning applications by Gypsies have been successful. This compares with an 80 % success rate for all applicants for planning permission (Morris, 1998: 636).

The courts have ruled in respect of Circular 1/94 that the personal circumstances of Gypsies must be considered. In the case of Marlene Ayres in South Gloucestershire, the Judge rejected the claim made on behalf of the Secretary of State that ‘the effect of Circular 1/94 was to make the status of Gypsy irrelevant [and that] the mere fact of being a Gypsy in need of a site could not amount to a very special circumstance’ (Gypsy Council Archives). In practice, to get permission for a site in a Green Belt does require something special, for example, a large family and the absence of an official site or severely disabled children.

In another case (*Rexworthy v. Secretary of State and Leominster D.C. 1998*) Mr Malcolm Spence QC looked at the first sentence in paragraph 22 of Circular 1/94 which reads (DoE, 1994b):

As with any other planning applications, proposals for Gypsy sites should continue to be determined solely in relation to land use factors.

Mr Spence suggested that this sentence was ineptly and ambiguously worded. Factors other than land use have to be considered, such as the lack of official sites in the area. The Department of the Environment, Transport and the Regions commented on this decision saying the sentence simply meant that applications by Gypsies should be determined without regard to any prejudice against them! (Morris and Clements, eds, 1999: 101-118).

There may be an increase in Gypsies getting planning permission on appeal following Mr Spence's comment that personal circumstances have to be considered – which is indeed what another Government circular (PPG1) suggests (in Williams, 1999).

A small step forward in helping Gypsies to get planning permission was a letter from the Department of the Environment to all local authorities in 1998 pointing out the need for a 'consistent' policy on Gypsies. It stated that the absence of such a policy could be a material consideration in favour of an Inspector granting planning permission on appeal and would also be relevant in enforcement procedures against roadside camps (Gypsy Council Archives).

The 1994 Criminal Justice and Public Order Act

Soon after the 1992 Election, a joint press release issued by the Home Office and the Department of the Environment announced the intention to reform the 1968 Caravan Sites Act (Clements, 1992). Introducing the new proposals, Sir George Young declared (DoE, 1992):

The 1968 Act is too loosely defined. It has become an open-ended commitment to provide sites, which inevitably leads to a drain on tax payer's money and undermines Gypsies' responsibility to provide for themselves.

This 'reform' was to quickly become a full-scale 'repeal' of the 1968 Act. A consultation document was issued and over a thousand replies were received, mostly opposing the idea of repealing the 1968 Caravan Sites Act. The government was attempting to take a new approach to the 'Gypsy problem' - one that saw a radical shift from public provision of sites to private self-help (Hawes and Perez, 1996: 126). The Government pressed ahead despite the objections and – in spite of the opposition of the Labour and Liberal Democrats in the House of Commons and all-party opposition in the House of Lords – new measures were enacted as part of the 1994 Criminal Justice and Public Order Act (CJPOA).

The House of Lords tried to keep some of the provisions of the 1968 Caravan Sites Act in force for a further five years, and the Labour opposition in the Commons supported this (Sinclair, 1993). Peter Pike, their spokesman for Home Affairs said (in Clements and Campbell, 1997: 61-69):

The Government's proposals to repeal part of the Caravan Sites Act 1968 do not solve any problems but create more...What would be achieved by passing the Bill?...to do so would criminalise some Gypsies and increase homelessness; it would cause family breakdown and place added pressures on social and education services. It would certainly not solve any problems. Indeed it is our view that it would create more problems and improve nothing.

Lord Irvine, at the time Labour Party Spokesman on Home Affairs in the Lords, was most scathing about the government's proposals during the Report stage of the Bill on 11 July (in Williams, 1999: 26):

There is humbug at the heart of the Government's policy ...at the same time as they suggest that private site provision is the solution on which we should rely, they are making such provision more difficult by altering national planning policies.

Unfortunately, Lord Irvine has not subsequently been able to persuade his colleagues in the Labour Government to do anything about this 'humbug'.

In the Act, the number of vehicles needed to commit 'collective' trespass was reduced from 12 to 6, which means that a maximum of two families (2 caravans and 2 towing vehicles) can stop together on roadside sites. The powers, given under the 1968 Act regarding 'designation' to councils that had provided enough sites, were made nationwide and now apply to all caravans (Section 61):

If it appears to a local authority that persons are for the time being residing in a vehicle or vehicles within that authority's area (a) on any land forming part of a highway; (b) on any other unoccupied land or (c) on any occupied land without the consent of the occupier the authority may give a direction that those persons ... are to leave the land and remove the vehicle or vehicles.

Not moving within a reasonable time after being asked to do so by the police or a local council then becomes a criminal offence (Section 61). Indeed, in February 1995, in one of the first prosecutions under the new Act, two Irish Traveller families were given twenty-four hours to get off private land by Tonbridge magistrates. They did this by simply moving to the other side of the road! (Fermor, 1995: 1). A fresh eviction notice was served, however, and within a week they had moved out of the area rather than risk having their home impounded. The 1994 Act also repealed such parts as remained of those circulars which had encouraged tolerance both for unofficial and private sites. A new government circular in 1994 (18/94, DoE, 1994a) asked councils to 'tolerate' unofficial sites where these 'cause no nuisance'. (Tolerated roadside sites in this sense should be distinguished from private sites which do not have planning permission). Previous guidance had been to tolerate illegal sites where there was no public site available.

Section 80 repealed the 1968 Caravan Sites Act and with it the duty on local authorities in England and Wales to provide sites for Gypsies. This does not just mean that councils no longer need to build sites; it means that they can stop maintaining and close the sites they have already built. With the disappearance of the duty on councils to provide sites, the absence of a pitch will be of less weight in a defence against an accusation of trespass or an application for planning permission for a private site.

The number of pitches on council sites has gone down in recent years as well. During 1996 there was a net loss of sixteen pitches and between January 1997 and January 1998 a further decrease of thirty-four pitches. This last figure excludes forty-nine

pitches which were transferred from council to private ownership (see Williams, 1999 for a detailed analysis of this).

The Local Government Ombudsman since 1994

Since the repeal of the 1968 Caravan Sites Act in 1994, the involvement of the Commissioner for Local Administration in Gypsy matters has been much reduced. Nevertheless, there follows below two examples.

CASE 1 (complaint no 95/B/1009 March 1996)

Mr 'Andover' (the name given to him by the Ombudsman) bought some land in north-west Leicestershire but was refused planning permission. The Council then started enforcement proceedings against him for being in breach of planning law. With no immediate possibility of finding another piece of land Mr Andover reluctantly applied for housing as a homeless person. Under the 1977 Housing (Homeless Persons) Act someone living in a caravan is classed as homeless if they have nowhere legally to station the caravan. The council did not reply to his request. The Commissioner ruled that the Andovers would not be homeless until the Council was about to evict them and that they should be informed officially of this situation. However, it was further ruled that they should be paid £350 to compensate for the delay in informing them of their position.

CASE 2 (93/B/1442 December 1995)

In 1995 Hackney Council decided to use its powers under the 1960 Caravan Sites Act to build a new permanent site for Travellers and move them from their existing site (which had been provided under the 1968 Caravan Sites Act). Discussions within the Council on building this site dragged on and finally the Travellers were evicted from their original site and resited on a third temporary site which had no facilities. There was no electricity and one tap. Six chemical toilets were provided to be shared by fifteen families (plus two which were there without permission). Each family could only have one caravan, which meant older boys had to sleep with younger children of both sexes. The CLA ruled that each of the fifteen families who were official tenants should be paid £250 to compensate for having to live in these unsatisfactory conditions.

In other cases, Bedford Borough Council was recommended to pay £750 to Gypsy families who had earlier been left without facilities while waiting to be relocated on a new site (1995). On the other hand, in 1995, Humberside County Council was ordered to pay £250 compensation to the neighbours of an unofficial site in Cleethorpes for the 'nuisance' they had suffered from the presence of the Gypsies (both from Gypsy Council Archives).

Department of the Environment Circular 18/94

The circular issued following the Criminal Justice and Public Order Act 1994 (Department of the Environment Circular 18/94) urged tolerance in eviction policies in

respect of Gypsies and drew attention to the wider obligations authorities might have to Gypsies and Travellers under other legislation concerning homelessness (1977 Housing (Homeless Persons) Act) and children (1989 Children's Act). In two High Court judgements heard at the same time in August 1995, Mr Justice Sedley made it clear that local authorities could not evict Gypsies without making proper enquiries concerning the health and welfare of the persons to be evicted. Mr Justice Sedley in cases heard at the same time in August (*R v. Lincolnshire CC ex parte Atkinson*, *R v. Wealden DC ex parte Wales and Stratford*) ruled:

The material considerations in Circular 18/94 are considerations of common humanity, none of which can be ignored when dealing with one of the most fundamental human rights, the need for shelter with at least a modicum of security.

Later the same year, Mr Justice Latham dealt with a similar case where Kerrier District Council was seeking to evict Catherine Uzell and other New Travellers from a highways materials storage depot where they had been living, by the issuing of an enforcement notice (*R v Kerrier District Council ex parte Uzell Blythe and Sons* – see Johnson, 1999: 97-98). He referred to an oft-quoted statement by Lord Scarman during a planning case which did not involve caravans:

It would be inhuman to exclude from the control of our environment the human factor. The human factor is always present of course indirectly in the background to the consideration of the character of land use. It can, however, and sometimes should be given direct effect as an exceptional or special circumstance.

In this particular case, however, Mr Justice Latham concluded that the 'human factor' had been adequately considered and that the Council was justified in evicting the

Travellers. The Wealden case, as it is usually referred to, will slow down but not stop the process of evictions under the 1994 Criminal Justice and Public Order Act (The Times, 1998: 15 and 20 January). Interestingly, Lord Scarman's dictum has also recently been cited by the *opposition* to the granting of planning permission to a private Gypsy site in Bedfordshire. It was argued that the objections of many villagers to the site were a 'human factor' that had to be considered (Johnson, 1999: 98).

The obligation to make welfare enquiries does not apply to the police using section 61 of the Criminal Justice and Public Order Act of 1994 to evict caravan dwellers. There is, however, a Home Office circular (45/1994) which says that police officers 'may wish to take account of the presence of elderly persons, invalids, pregnant women and children'. In practice, the police evict more quickly than the local authorities and on at least one occasion, in Grantham in 1998, have used CS gas on New Travellers during an eviction (personal communication (23.5.98) with Fiona Earle of the Traveller School Charity who was evicted from the Grantham site at this time).

Local authorities have evolved various strategies for dealing with unauthorised encampments. Somerset County Council, for example, has set up a Travellers Policy Review Panel with representatives of the district and parish councils, landowners, the National Farmers Union, religious bodies and the Travellers themselves (Gypsy Council Archive). Essex, Cambridgeshire and other councils have evolved independent Gypsy codes (see Appendix 7 for the text of the recent Essex one). Doncaster has a very positive statement of policy in relation to unauthorised Gypsy and Traveller encampments, including the statements (Gypsy Council Archives):

- The Council will at all times act in a humane and compassionate fashion.
- Gypsies will not be moved unnecessarily from place to place

On the negative side, Northampton has encouraged landowners to take protection measures (ditches, boulders) to stop illegal encampments on their land (Gypsy Council Archives). A local authority now has the power to take action against trespassers on private land (Section 61 of the CJPOA 1994) but Northampton has told landowners that it will not continue to take action on behalf of a private landowner if ‘protection works’ are not undertaken (Gypsy Council Archives).

1997 – New Labour in Government

Gypsies and New Travellers were not a national issue in the 1997 General Election, although, in the campaign leading to county council elections held on the same day, some candidates saw the subject as sufficiently important to include it in their manifestos. Rodney Bass, a bank executive standing for election to Essex County Council as a Conservative, declared (Gypsy Council Archives):

I believe that Essex County Council should reduce spending on social services and stop treating hooligans with kid gloves and giving *special favours to Gypsies*. (my emphasis)

Mr Bass was elected with a sizeable majority.

In spite of its opposition to the repeal of the 1968 Caravan Sites Act, there was no Labour manifesto pledge to reintroduce it, and new policies for Gypsies and Travellers

were not seen as a priority by the new Government. There were few votes to be won – and many to be lost – over this issue.

As in other areas, the new Government was to follow the policy of the previous Conservative government with Gypsies remaining the responsibility of the Homelessness and Housing Management Section in the Department of the Environment, Transport and the Regions. In a somewhat belated response to a letter sent from the Gypsy Council to the Minister of State, Hilary Armstrong, a civil servant – Rob John at the Department of the Environment, Transport and the Regions – wrote on August 11th 1997 (Gypsy Council Archives):

Current policy is as set out in Department of the Environment Circulars 1/94 ‘Gypsy Sites and Planning’ and 18/84 ‘Gypsy Sites Policy and Unauthorised Camping’.

In other words, there was to be no change. In November that same year, Hilary Armstrong wrote to the Editor of the *Bristol Evening Post* (18 November 1997) (in response to articles in that paper) (Armstrong, 1997):

We have no plans to make the law harsher. Even if we were persuaded it was the right course, harsher treatment may bring the UK government into conflict with both the domestic courts and the European Court of Human Rights. We are working to improve best practice by local authorities in their dealings with Travellers... research is being done now and the best practice advice will be out next spring.

Publication of the advice (mentioned above) was in fact delayed until the following autumn (1998) and introduced to the public by Nick Raynsford, Parliamentary Under-

Secretary of State at the Department of the Environment, Transport and the Regions in a speech to the National Association of Gypsy and Traveller Officers' conference in Leicester in October 1998. He was clear about what the Government would *not* do (DETR, 1998b):

We have thought hard about whether to return to the position in the Caravan Sites Act of 1968 and whether to return to the days of mandatory municipal site provisions. And we have concluded that would be a retrograde step.

He rejected the suggestion of the Local Government Association that the Government should set quotas for public site provision in each locality and the demand of Gypsies for the advice in Circular 1/94 to be relaxed to aid the development of private sites.

As for planning policy, Mr Raynsford declared that: 'We will not be making any changes to the policy set out in Circular 1/94' (DETR, 1998b). However, he did draw attention to a letter that the Department had written to Chief Planning Officers earlier in the year telling them that the Government expected them to include 'clear and realistic' policies to meet the needs of Gypsies wanting to provide their own sites. In his speech, the Minister suggested that some of the £7 million spent annually by local authorities on evictions might be better spent providing temporary sites or transit pitches. Many present, including myself, could only agree with him.

The Code of Good Practice - 1998

The repeal of the 1968 Caravan Sites Act in autumn 1994 left, according to government figures, nearly 3,000 families still on the roadside. There were no permanent or transit pitches available for them on official sites. The total number of families on the roadside has not changed since then, as the formation of new households has outstripped the provision of new legal pitches. Under the tough provisions of the 1994 Criminal Justice and Public Order Act these Gypsy families became outlaws. In an attempt to regularise their position, the DoE issued circular 18/94 (DoE, 1994a) (see above).

This was followed by some individual counties and districts producing their own 'Gypsy codes'. These varied, but the one adopted by Essex in February 1995 is a typical example (Gypsy Council Archives). Provisions included:

Subject to the satisfactory assessment of the following factors, Essex authorities will not normally pursue an order for the removal of vehicles from any land on which they are stationed for a period of between 14 and 28 days ...

The maximum number of caravans normally acceptable will be three caravans in any one group ...

The minimum acceptable distance between groups of Travellers shall normally be half a mile ...

No fires shall be lit on any land.

(NB: A more recent version of this 'code' is reproduced in full in appendix 7.)

Following research by the School of Public Policy at the University of Birmingham, commissioned by the previous government, (Niner et al, 1998) the Labour Government issued a Guide to Good Practice entitled *Managing Unauthorised Camping* (DETR, 1998a). The Research Report itself felt that (Niner et al, 1998: 45):

a range of site provision was needed in order to reduce the scale of unauthorised encampment and make rapid and firm action to tackle it more justifiable.

Extracts from the Guide itself are given below (DETR, 1998a):

- Local authorities should have an overall strategy towards Gypsy and Traveller issues, including needs assessment, site provision and service provision, as well as eviction policies, which should be developed with the local police force.
- All local authorities should seriously consider identifying 'acceptable' temporary stopping places.
- Where agencies or contractors are employed [for forced evictions], their proper behaviour must always be checked. Violence and avoidable damage to vehicles or other Gypsy and Traveller possessions is unacceptable.

The Government's Guide was the first step by the new Labour Government to intervene in the Gypsy and Traveller field. Even with these local and national codes, Gypsy families are still having difficulty in finding stopping places.

Conclusion

It has been shown in this chapter that the struggle for Caravan Sites in England has been a very difficult one involving much debate. This debate has occurred both in and out of Parliament, as well as the law courts. It has been a very complicated story to tell and do justice to. As we have seen, a plethora of different Acts, Circulars, Reports and Guidance materials have existed for many years on the question of Gypsy and Traveller accommodation needs and the ways they should be met. Despite this wealth of engagement, it is evident that many problems remain in finding suitable sites for Gypsies and Travellers. One of the reasons for this, as highlighted in the chapter, is concerned with tensions over land ownership and land use in Britain.

In this chapter we also examined some hard 'real life' examples of what it is like to be on a council site and also what it means to be evicted and 'moved on' from unauthorised encampments. When served with a notice to move on, Gypsies and Travellers become 'persons unknown' as this is usually the preferred expression for the eviction notice. One of the main reasons for this is that it saves busy officials the time and cost of finding out the family name. This is both highly symbolic and literal, I would argue, furthering my general argument about 'invisibility' and 'otherness': they are 'unknown' or 'blank figures' (Hetherington, 2000).

From the work of Norman Dodds in the 1950s to the ongoing work of Cardiff Law School and Lord Avebury, the question of sites has been a struggle and one where easy answers seem very hard to find.

Chapter 8

Private Sites

Since the Cripps Report of 1977, and later the Wibberley Report of 1986, the Government has consistently urged local authorities to help Gypsies, wherever possible, both to acquire land and to set up their own sites but this advice has been almost totally ignored. Local authorities operate planning policies which allow them wide discretion in the granting of planning permission in accordance with increasingly complex and conflicting policy guidelines. Final decisions are made by council committees, consisting of councillors who are dependent for their position on election by voters. Politics, therefore, plays a large part in the decisions as do... personal prejudices of individual members of planning committees... The majority of voters will object to any planning application which in any way affects their own property, such as being next door to it. Most of them will object on much wider grounds to Gypsies being given planning permission anywhere within their neighbourhood. Many will complain to their local councillor... These are the hurdles which have to be surmounted by Gypsies before they have any chance of living on their own land.

(Allen, 2000: 118).

Because of the importance of private caravan sites for Gypsies and Travellers in Britain at the present time, I have devoted a separate chapter to this issue. It must be remembered, though, that not all Gypsies can afford to buy land for a private site and that for those who need or choose to travel throughout the year because of the nature of their work, private sites are not the solution. What they want, if you bother to ask, is transit sites. The 'hurdles' that Allen speaks of above are often too high for many families to jump.

Before beginning this section, it is important to clarify – in legal/planning terms – who actually counts as a 'Legal Gypsy' for the purposes of obtaining permission to build and live on private sites. This is necessary to minimise confusion and so as not to mix

the *sociological/social-anthropological* method of defining a group, which we discussed in Parts 1 and 2 of the thesis, with the *legal* method. As will be shown, there are numerous differences.

Who is a 'Legal' Gypsy? – The Courts

Although for the purposes of the 1976 Race Relations Act Gypsies are an ethnic group, for the 1960 Caravan Sites Act and planning purposes they are regarded as a social group ('persons of nomadic habit of life' as the Act put it). Lord Bridge, in the case of *Greenwich LBC v. Powell (House of Lords November/December 1988)*, suggested in an aside that seasonal nomadism was necessary to retain a nomadic habit of life and Gypsy status. (It was being argued that some of the tenants on the Greenwich Gypsy site were not Gypsies as they travelled only in the summer) (see Hawes and Perez, 1996: 164-165 for a discussion of this point).

This approach was followed by the High Court in a case involving an appeal against the refusal of planning permission – *Horsham DC v. Secretary of State for the Environment and Mark Giles (13 October 1989) (QB 1989, cited in Dunn: 586)*. The High Court overruled the decision of an inspector that Mr Giles was a Gypsy and said that, although he was of Romani origin, he no longer had Gypsy status because he had stopped travelling. He was not, therefore, entitled to special consideration in his planning application for a private site. Mr Justice McCullough said that (in Kenrick, 1999: 67):

Clearly there can, and indeed must, come a time when as a matter of fact the nomadic habit of life has been lost. When it is lost the Gypsy is no longer a Gypsy for the purposes of the [1968 Caravans Sites] Act.

Mr Justice McCullough's remarks were refined by the further ruling in the case of *R v South Hams DC ex parte Gibb* (1994, 26 HLR.) in which it was held that not only must there be at least *seasonal* nomadism, but this must be for an *economic purpose*.

Wandering aimlessly around the countryside is not nomadism in the eyes of the law (Halfacree, 1996a). For example, Maidstone Council queried the Gypsy status of a Mr Dunn in 1996. The High Court ruled that he was a Gypsy as 'the amount of nomadism does not have to be substantial' (*Dunn v Maidstone and also Secretary of State v Dunn*, 1996).

At many enquiries where Gypsies are trying to get permission to station a caravan on their own land much time is spent debating whether the applicant has 'lost' his or her Gypsy status. It comes as a surprise to the applicant that, even though all his or her life he or she may have treated as a Gypsy, he or she may no longer be one when it comes to trying to get sympathetic consideration for trying to find a place legally to stop.

Understandably, this can cause some distress at these enquiries for Gypsies: their very identity is being subject to question and often 'rejected' (as in the case of Mr Giles, above). In a sense, they are not just invisible here, they are 'blank figures' and – legally - not who they thought they were (Hetherington, 2000)

Who is a 'Legal' Gypsy? – Planning Law

This section deals in more detail with the definition of 'Gypsy' in Planning Law. This is very important in relation to private Gypsy sites. Even after Department of the Environment circular 1/94 (see above), the fact that an applicant for planning permission is a Gypsy is a material factor and therefore it is important to define who is and who is not a 'Gypsy' in British law.

Until 1967 it was considered that the word Egyptian/Gypsy applied to a 'race', and indeed a 'foreign race'. Thus, Henry VIII in 1530 imposed a ban on the immigration of 'Egipcions' and notice was given to all Egipcions in England to leave the country. In 1554, Mary Tudor's government reaffirmed this. Egyptians were forbidden to enter the country and provisions made for the capital punishment of Egyptians if they remained in the country for more than one month (Fraser, 1995). In 1783, all existing laws concerning Gypsies were repealed. However, in 1822 the Turnpike Roads Act and in 1835 the Highway Act re-introduced the term 'Gypsy' into legislation. The Highway Act of 1835 penalised Gypsies who camped on the highway to a fine of 40 shillings. The later Highways Act of 1959 Section 127 said (in Kenrick, 1998):

If ... [a] Gypsy pitches a booth, stall or stand, or encamps on a highway he shall be guilty of an offence ...

For over a hundred years Gypsies camped on the highway regularly and paid up their 40 shillings until 1967 when a Mr Cooper contested a case and pleaded not guilty,

saying he was not a Gypsy, as it could not be proved that he was descended from Indian immigrants and of Romani 'race' (*Mills v Cooper (1967) All ER 100, 2 QB*).

At this point it became necessary for the courts to decide on the definition of the term 'Gypsy'. The Divisional Court in 1967 finally laid down that – as British law could not nowadays be discriminating against a 'race' – the definition of Gypsy for the purposes of the Highways Act must refer to 'a way of life' (*Mills v Cooper (1967) All ER 100, 2 QB*) (see Watkinson, 1987: 9):

Lord Parker said:

I think that in this context 'Gypsy' means no more than a person leading a nomadic life with no, or no fixed, employment and with no fixed abode.

Lord Diplock indicated his view that 'Gypsy' in the section bore:

its popular meaning, which I would define as a person without a fixed abode who leads a nomadic life dwelling in tents or other shelters or in caravans or other vehicles (*Mills v. Cooper 1967, as above*)

The 1968 Caravan Sites Act did not adopt this definition of Gypsy instead choosing to limit who is encompassed and who is not. Under section 16 of the Act it states that Gypsies are:

...persons of nomadic habit, whatever their race or origin... but [this] does not include members of an organised group of travelling showmen, or persons engaged in travelling circuses, travelling together.

It seems quite clear that the person who drafted the Act was aware that they were not following the earlier 1967 definition and the statements by Lord Parker and Lord Diplock.

The next relevant case was not until *Greenwich LBC v. Powell (1988)*. In this case a 'Gypsy' caravan site was defined by referring to the position of Gypsy sites as opposed to other caravan sites. As previously stated, the Caravan Sites Act of 1968 and a later Mobile Homes Act 1983, made a distinction between Gypsy caravan sites run by councils and other sites. In particular, tenants of pitches on Gypsy sites have no rights, such as security of tenure. The question before the court was whether the Greenwich Gypsy site was a Gypsy site for the purposes of the acts. The Lords decided that if the Council had set up a Gypsy site it did not matter whether the people on it were Gypsies or not, the site remained a Gypsy site for legal purposes. During the course of making their decision there was an obiter (as an aside) definition of a Gypsy. Lord Bridge said (Gypsy Council Archives):

I am inclined to conclude ... that a person may be within the definition if he leads a nomadic life only seasonally and notwithstanding that he regularly returns for part of the year to the same place where he may be said to have a fixed abode or residence.

This means that persons can be settled for part of the year but as long as they travel they are still legally Gypsies. This was also important at that time because the Caravan Sites Act 1968 made a distinction between Gypsies and non-Gypsies stopping in areas designated under the Act and also because of circulars from the Ministry of Housing

and Department of the Environment in which councils were encouraged to give planning permission to Gypsies.

With the emergence, in the late 1960s and early 1970s of New Travellers (see chapter 6), the question arose as to whether non-Romanies could be classed as Gypsies if they were nomadic. The key case on this issue is that of Mrs Capstick and others (in 1986) (*R v Secretary of State for the Environment ex parte Capstick*). Judge Herrod held that:

[The] defendants had adopted, and intended to continue with, a travelling life-style and [travelled] basically from Yorkshire to the West Country and back during the year. None of the defendants, with one possible exception, came from families with a tradition of travelling but they had adopted such a life for various reasons e.g. force of circumstances, the absence of settled accommodation and attraction to the way of life.

He held that ‘the applicants were Gypsies within the meaning of the Caravan Sites Act of 1968 as they were, on the evidence, ‘persons of nomadic habits of life’ (Watkinson, 1987: 9; Legal Action, 1988: 11)

The definition (of nomadic habit of life) was later refined in the case of *R v. S. Hams ex parte Gibb (1994)* referred to above. It was established by this case that to be a Gypsy one had to travel for an economic purpose:

The definition of ‘Gypsies’ in section 16 (of the 1968 Act) imported the requirement that there should be some recognisable connection between the wandering or travelling and the means whereby the persons concerned made or sought their livelihood.

This judgement was clouded by the statements of two of the judges (Lords Neil and Millet) that to be a Gypsy one had to travel in a group. Travelling in groups is now difficult as the 1994 Criminal Justice and Public Order Act effectively stops Gypsies travelling in groups since, if more than three families (three lorries and three caravans) stop in one place, they will have more than six vehicles and will be committing aggravated trespass under the Act (section 61) (Clements and Campbell, 1997).

Lord Justice Leggatt, the third judge in the case, however, said (Gypsy Council Archives):

The term (Gypsy) was not expressly confined to those who travelled in groups and the Act did not stipulate that persons could not be Gypsies unless they did so.

Finally, the case mentioned earlier of *Dunn v. Maidstone and the Secretary of State (1996)* had established the principle that the total amount of money earned during the period he travelled does not have to be more than the amount earned while not travelling. Maidstone had contested the Inspector's opinion that Mr Dunn was a Gypsy. However, the Court found as follows (Gypsy Council Archives):

(Mr Dunn's) main occupation and source of income is from landscape gardening around the Maidstone area which does not normally entail other than daily travel to work. However, I note that he also breeds horses of which he currently owns eight and travels to horse fairs including Appleby, Stow-on-the-Wold and the New Forest where he buys and sells horses... He could be away for up to two months of the year at least partly in connection with a traditional Gypsy activity which I consider ... also has an economic justification. I do not therefore conclude that taking into account the relatively short time during which he has adopted a generally more settled lifestyle, the

appellant has so abandoned travelling as to lose his status as a Gypsy under s.16 of the 1968 Act.

The importance of these cases is that they mean a Gypsy family can settle during the winter and let their children go to school while travelling mainly in the Easter and summer holidays for an economic purpose and retain their Gypsy status.

It is possible for house-dwellers to obtain Gypsy status if they start to travel, and the question arises – how long do you have to travel to become a statutory (legal) Gypsy?

The now defunct Avon Council established the principle in their area that New Travellers had to travel for at least two years before the Council would class them as Gypsies. If someone is brought up as a Gypsy how long can they be settled without losing Gypsy status? An early case where it was ruled that an ethnic Romani was not a statutory Gypsy is *Horsham DC v. Secretary of State and Giles (Queens Bench 1989)* referred to above when Judge McCullough said (Kenrick, 1999):

Clearly there can, and indeed must, come a time when as a matter of fact the nomadic habit of life has been lost. When it is lost the Gypsy is no longer a Gypsy for the purposes of the Act.

Mr Giles had lived at Billinghamurst on the same site continuously since 1969 and before then in another settled place in Worthing since 1957 – a total of thirty-two years, by far the majority of his life. It was argued on Mr Giles' behalf that he was part of a family group, some members of which had travelled a great deal, and therefore, he was of nomadic habit of life, but this was not accepted by the judge (see Kenrick, 1999:66).

This judgement was reaffirmed in *Cuss v. Secretary of State and Wychavon* (1991 JPL 1033) when Judge Vandermeer said:

[it is] clear that the element of the nomadic habit of life had to be present albeit that it might be seasonal.

The Inspector had found that ‘the predominant picture was of a relatively settled life-style’ and that Mr Cuss did not appear to have undertaken any regular seasonal migration or other travelling apart from occasional moves in search of a permanent pitch. However, the case note reminds us that [Gypsy] status can be regained again and so if the Cuss family were to take up seasonal travelling again the status could be regained (Kenrick, 1999).

In the eyes of the law, periods from two to five years have been suggested as the length of time spent without ‘nomadising’ after which Gypsy status would be lost. It is also suggested that New Travellers would lose their status more quickly (and regain it more slowly) than an ethnic Gypsy. In the case of a Mr Stacey, in April 1990, it was ruled he was not a Gypsy because he had a mobile home (not a touring caravan) and lived on a private site not a council Gypsy site (Kenrick, 1999: 67).

A further question arises; is it ever possible to stop travelling but retain Gypsy status? The answer is yes, in certain circumstances. In the case of illness of the person or a relative, Gypsy status is retained while not travelling as long as there is an intention to resume travel at some time. (This was decided in *R. v. Shropshire CC ex parte Bungay* 1990). If Gypsies stop travelling because of old age they retain their status. This was

agreed by the Inspector in a planning case (Mr Luderman) although there is no higher level authority for this belief.

It was discussed informally in the planning case of a Mr P. whether, if a Gypsy is prevented from travelling because of a prison sentence, is he still a Gypsy? The Council felt that he should not benefit from being allowed to keep his Gypsy status because he had committed a crime. However, the punishment for committing the crime was a prison sentence. It would be unfair if, in addition to a prison sentence, the Gypsy also lost his status and the right to live on his own land. In the event, the planning appeal was refused on another ground, the Inspector was not told why Mr P. was not present and no decision was taken on whether Mr P. was still a Gypsy (discussed in Morris and Clements, (eds), 1999: 101-118).

Logically, the act of applying for permission to reside on land implies the intention to give up travelling and therefore cease to be a Gypsy. The applicant would be refused permission on the grounds that he was not a Gypsy. He would therefore have to go back on the road and become a Gypsy again. However, there seems to be no reason why applying for a *bungalow* should mean loss of Gypsy status (as was ruled in the case of Mr Frankham, as discussed later in the thesis). Living in a bungalow for the rest of the year when not travelling seems no different from living on a fixed pitch on a caravan site. Indeed, some families have many problems obtaining insurance on their caravans, through no fault of their own, and therefore have no option but to move into a bungalow. Interestingly, studies such as that done by Adams et al (1975) included families who travelled in the summer although they had a house in the winter. For

their purposes, this was enough to mean they were 'Gypsies'. Inspectors have wondered how long each year a person has to travel to retain Gypsy status. The comment in 'Notes of Cases on Dunn' (see above) says: 'This sporadic nomadic life ...does not have to be very substantial.' Mr Dunn travelled for 'up to two months each year.' (in Kenrick, 1999: 66-67).

The emergence of Private Sites in England

In 1945, at the end of the Second World War, a number of Gypsies bought plots of land mainly to use as a winter base. However, the Caravan Sites Act in 1960 was followed by three Town and Country Planning Acts which made it almost impossible for individual Gypsies any longer to get planning permission to site their own caravan or for larger landowners, Gypsy or *gaujo*, to build caravan sites (Malpass and Murie, 1994).

Sites opened after 1960 without planning permission were closed by enforcement orders (Gypsy Council Archives):

- In 1970 Dorking closed the site at the Journey's End Cafe.
- Sevenoaks required the 'discontinuance' of the Three Ways site.
- The then Hollingbourn Rural District Council used the 1962 Planning Act against two families on a caravan site called Leytonstone.

Literally hundreds of families were turned off their own land or other privately owned sites which did not have planning permission at this time. Sites bought before 1960 which do not need planning permission because they had 'established use' have been refused site licences or they were taken over by councils and closed using Compulsory Purchase Orders (Gypsy Council Archives):

- Greenbanks in Walton-on-Thames housed ninety caravans, mainly Gypsies. After the land had been purchased by the Council, houses were built on it. The Gypsies were driven out of the area, as far as London.
- In 1971 Epsom took over Cox's Lane site, ran it for a while, and then evicted the residents. Some years later they had to reopen it as an official Gypsy site and let many of the original inhabitants on again. The unfortunate families from Cox's Lane had spent many years on the roadside because of this.

Local authorities just did not like the idea of large numbers of Gypsy families living freely in their area. In March 1987, Runnymede Council evicted fifteen families, including twenty-seven children, from the families jointly owned land in Egham (Gypsy Council Archives). The Gypsies were offered accommodation in a bed and breakfast hotel at Basingstoke, some thirty miles away. Similarly, the picturesque Greenwich site was taken over by the Council and had its leafy alleyways removed and replaced by a concrete structure, a design which actually won an architectural prize. When a Council takes over a site, it tends to reduce the number of families provided for and these have to seek other sites or join the thousands on 'unauthorised encampments' on the road.

Enforcement action against privately owned sites had been condemned by central government in the now cancelled circular MHLG 38/70 (MHLG, 1970):

Where local authorities are considering the timing of planning enforcement action against travelling families who may have bought a plot of land and have stationed their caravan on it without the necessary planning permission and site licence, in some circumstances it may be possible to defer enforcement action until sites have been established in the county to which such families could go.

In spite of this, local councils still issued enforcement orders (The Gypsy Council Archives have at least 18 cases on file that I could find). One example from many was Chelmsford Council's action against Mr and Mrs M. in 1988. Even though there were *no* sites in the district they tried to force this family off their own land, justifying their action by the danger of 'ribbon development' along the road.

But what of the planning process today? What is the route that must be followed? For an exact route, the best map is that offered by veteran campaigner Diana Allen (2000) who was quoted at the beginning of this chapter. For the purposes of this thesis, a model that demonstrates the hurdles Gypsies have to face when trying to provide site accommodation for their families in a legal and self-financed way will be outlined. I will again draw on the rich data to be found in the Gypsy Council Archives.

The planning process

The first step in the process is to make an application to the local council to change the previous use of the land (often grazing) to residential. In some councils a committee of

councillors makes the decision, in others the task is delegated to officers in the planning department. At this stage 80-90 per cent of applicants are refused (Todd and Clark, 1991). Rejection in the 'Green Belt' is almost always automatic.

In 1977 the Government, following the Cripps Report (in another withdrawn circular (DoE 28/77), requested a more sympathetic attitude in considering planning applications:

In view of the urgent need for more sites, local authorities may wish to consider the advantages of encouraging [Gypsy owned sites]. It may involve a sympathetic and flexible approach to applications for planning permission and site licences.

This too was ignored. Only 10 per cent of applications were passed and the rest were dropped or had to go to appeal (Morris, 1998). Thus in December 1987 Mr T. was refused permission by Epping Forest District Council, who stated (Gypsy Council Archives):

The proposal is contrary to Policy 36 of the Draft Local Plan which states that Planning Permission will not be granted for use of land as a Gypsy caravan site within the Local Plan Area.

A reason for rejection can always be found, for example (Gypsy Council Archives):

The proposed development is contrary to the provisions of Policy CS19 of the Mid Bedfordshire Local Plan, for the following reasons:

The visual appearance and nature of the development would be detrimental to the character and appearance of this part of Houghton Conquest.

The site lies within an area where residential development would not normally be permitted.

An appeal can be made against a refusal and will eventually be considered by an Inspector appointed by the Planning Inspectorate in Bristol. It has been argued before the European Court that because the Inspectors work for the Government they are not neutral but the Court decided that, because, in some cases, there is the right of appeal to the normal courts, which are independent, the system is fair (this happened in the case of Mrs June Buckley which went to the European Court of Human Rights in Strasburg in 1995: *Buckley v UK App.23/1995/529/616 [1996] JPL 10018*. This important case is discussed more fully in chapter 11). But since such an appeal to the British courts was only possible on a point of law the European Court left it open for the decision to be tested in other cases where the basis for the appeal is on factual rather than legal grounds.

There is a higher rate of success with appeals than for initial applications although Gypsy sites are between two and three times more likely to be refused than other developments. On appeal Gypsies often face a Catch 22 situation. Although they are supposed to be given special consideration, it has been argued by councils that the applicants, because they have bought land, are no longer of nomadic habit of life, so no longer Gypsies and, therefore, do not merit special consideration. This argument was accepted by a Department of the Environment Inspector in 1975 (Gypsy Council Archives):

Turning to the submission that your client is a Gypsy who wishes a permanent home for himself, his wife and six children and should

accordingly be treated as a special case, it was indicated to me that Mr Frankham's real desire was to build a bungalow on the appeal site and the proposed caravan developments before me under appeal were somewhat inadequate alternatives. While this motive is commendable it appears to indicate, when coupled with the fact that Mr Frankham and his family have lived on the appeal site for five years, that he has given up his nomadic habit of life. I accordingly see no reason to disagree with the Magistrates' Court decision in 1972 that Mr Frankham was not a Gypsy in terms of Section 16 of the Caravan Sites Act.

Forced off his own land by this decision, Mr Frankham then had to wander the country (with 'economic purpose') before he again became a 'legal Gypsy'.

Although in one similar case recently the Secretary of State overturned an Inspector's decision that a Gypsy who had settled down was no longer a Gypsy as defined by the 1968 Act, this view has not always been shared by the courts (Gypsy Council Archives). Even if they are accepted as Gypsies they may not always benefit if the Inspector is unaware of or ignores Government policy. In Essex in 1980, in spite of earlier circulars, Mr A. the Inspector was 'not aware that Gypsies should be treated differently from other applicants.' (Gypsy Council Archives).

Friends, Families and Travellers (1998) studied planning appeal decision letters for Gypsies and New Travellers from 1994 to 1997. The study found that the success rate was 34 per cent of which only half were permanent permissions. Somewhat surprisingly there were more refusals for proposals in landscapes of local significance (such as Areas of Great Landscape Value) than those of national importance (for example, Areas of Outstanding Natural Beauty).

Private sites and planning law

The stationing of caravans requires permission under the Town and Country Planning Act of 1990. Circular 1/94 makes it difficult to get permission in protected areas.

There are many of these ranging from Green Belts and National Parks, through Areas of Outstanding Natural Beauty, Special Landscape Areas, Areas of Special Landscape Value, Coastal Conservation Areas, not to mention Strategic Gaps and Green Wedges. The Lea Valley Park covering hundreds of acres has resisted all attempts to establish Gypsy sites whether by local authorities or private owners. In all, over 50 per cent of the country is covered by such designations and if one adds the built-up area it leaves relatively few places where Gypsies can actually get planning permission for a private site (Malpass and Murie, 1994).

Because of Circular 1/94 and another DoE document known as 'PPG2', to get permission to station a caravan in the Green Belt needs 'very special circumstances' – the term used in PPG2 (Morris, 1998). In the case of a Special Landscape Area or Area of Outstanding Natural Beauty it has been suggested by planners to me that only 'special circumstances' are required not 'very special circumstances' (from private conversations at a conference in London in 1999).

We now turn to see what happens on appeal. If the local authority refuses a planning application, an appeal can be made to the Planning Inspectorate as stated above. In the two years following the issue of circular 1/94 and the withdrawal of previous advice, the number of cases granted on appeal was low compared with most previous years.

The figures and research in this area are interesting to examine. A previously mentioned survey for ACERT (Williams, 1999) examined the results of appeal applications at the first level. This more detailed and recent research has shown that the Gypsy success rate on appeal during the 1980s was around 40-50%. However, in 1994 only 26 per cent of appeals were allowed and in 1995 the figure was 25 per cent.

The survey by Friends, Families and Travellers (FFT) has looked at appeal decision letters from 1994 to 1997 (FFT, 1998). On the basis of incomplete figures for 1996 and 1997, this analysis suggests an increase in the success rate during those years, although it did not reach the level of earlier periods (40%-50%). The survey notes that half of the positive appeal decisions were for temporary permissions with an average of less than three years being granted. These were normally allowed on the grounds of a 'personal need' rather than the lack of Gypsy sites as such.

Many planning consultants feel that decisions are irrational. A site similar to one which is passed in one area by one Inspector might be refused elsewhere by another. A standard refusal letter concludes (Gypsy Council Archives):

The site is very open and exposed to direct views from the adjoining roads. In my opinion, the caravans, associated structures and domestic paraphernalia represent an alien development ... in this rural area.

On the other hand, a site outside the village of Queen Charlton in the Bristol Green Belt was passed for three years. The Inspector said (Gypsy Council Archives):

In this case I consider that at this moment the combination of the acknowledged local need for Gypsy sites, the absence of any local provision ... the absence of serious harm to the interests of landscape and the amenity of occupiers of nearby land and buildings and the important material consideration of Mr O'Connor's agreed Gypsy status amount to very special circumstances which outweigh the strong policy presumption against this inappropriate development in the Green Belt.

An increasing trend is for Gypsies to buy bungalows with the intention of making it possible for older members of the family to live inside while the younger ones live in caravans in the grounds. The rules allowing this as 'lawful development' are very strict and the caravan has to be within the curtilage of the house and the occupants have to use its facilities (such as the kitchen). As a Mr Boswell found out to his cost, the existence of an outside toilet disqualified his disabled brother from living in a caravan at the side of the residence. Mr Boswell's application is currently under appeal (Gypsy Council Archives, current case files, Jan. 2001).

Inspectors at work

Refusal of planning permission by Government appointed Inspectors can mean that a family loses its life savings purchasing land that becomes worthless and that they have to go back on the road, taking children out of school. Some of the refusals are hard to understand. The following two cases are from the Archives of the Gypsy Council and illustrate the complexities of the system.

Case One

Mr and Mrs S. bought a piece of land on the edge of the village of Houghton Conquest that had been used as a builder's yard. They moved there with their two grown-up children and one grandchild. Planning permission was refused. Even though the government circular 1/94 recommends sites on the outskirts of built-up areas as being suitable, the Inspector ruled against the site because it was outside the village envelope. Then it was ruled that Mr and Mrs S. were no longer Gypsies. This was because Mrs S. had signed an affidavit when she first applied for permission from the district council saying she wanted to settle down. This was used as evidence that she was no longer a Gypsy. Her husband was also denied Gypsy status because his travels were mainly as a preacher at religious conventions. So the family must leave the site and travel again and Mrs S. will be re-established as statutory Gypsies but they will have lost their site.

Case Two

Mr W. married a non-Gypsy and for a time lived on his father's caravan site but relationships between his wife and his parents deteriorated and so he bought a piece of land a few hundred metres away and moved on. There was a large barn on the land which hid the caravan from view by cars on the main road. After he had bought the land, the area was designated as an area of local landscape importance. The Inspector refused planning permission because of this and said the couple should go back to Mr W's father's land. A second Inspector reversed this decision but the Council appealed to the High Court and it was only after a costly hearing that the W's finally won the right to stay on their own land.

With all these obstacles, the reader may wonder whether anyone ever does get permission. The figures show that between 1989 and 1998 a total of 1,800 additional private pitches were provided on some 900 sites – an average of one site being approved per week (Williams, 1999). As touched on earlier in this section, this has to be judged against the other figures cited above, which indicate that 90 per cent of applications are refused by local councils at the first hearing (Todd and Clark, 1991: 12). About half of these have then gone forward to appeal, at which stage two-thirds are rejected. Both these figures are higher than for planning applications as a whole. Against the successful 900 Gypsies who have obtained planning permission (for an average of two caravans each) must be placed the 3,600 unsuccessful applications, at a cost of over £500,000 for the fees to the local authority alone (Williams, 1999).

Lord Avebury (who, as Erick Lubbock was responsible for piloting the 1968 Caravan Sites Act through the House of Commons) has pointed out that local authority accommodation is declining and that provision of private sites is levelling out (Avebury, 1999).

Enforcement

What happens if a Gypsy is refused planning permission for a private site? If a local council refuses planning permission for a private site it will normally then issue an enforcement notice ordering the residents to quit the site within perhaps six months and to remove any fences and hardstanding. It is possible to appeal against such an enforcement order just as one can appeal against the refusal of planning permission.

If there is no appeal or if the enforcement order is upheld by the Government-appointed Inspector, the local council will then take steps to remove the family.

Circular 1/94 which purports to help Gypsies get private sites gives very clear instructions to councils on how to evict Gypsies from their own land if they do not have planning permission (Halfacree, 1996b). Without entering into the complexities of the law, councils have three options:

- 1, They can take the residents to court for breach of planning law for which fines of up to £20,000 can and have been imposed. These fines are considerably higher than those for trespassing on someone else's property.

2. They can ask a judge to issue an injunction ordering the family to leave. This means the Gypsies could be imprisoned for contempt of court if they do not do so.

3. Thirdly, they can come along with a bull-dozer and push the caravans on to the road. Maidstone has taken this action at least twice, under section 62 of the CJPOA 1994.

In 1993 Guildford Council tried to get some caravan dwellers imprisoned because they had not left the land after an injunction had been granted. Judge Sedley, however, ruled that there was no evidence that they had deliberately disobeyed the order and they could only be fined, not imprisoned (Morris, 1998).

A Gypsy in Sussex who, on principle, refused to pay a fine for staying on his land without permission was sentenced to a term of imprisonment. Taking the Gypsies to court for a breach of planning law gives some possible chance for staying on the site. The lawyer for William Thomas of Basildon argued that there was no way he could comply with a notice to leave his land as there were no legal alternatives possible. The jury returned a verdict of not guilty (Gypsy Council Archives).

He was more fortunate than Mr Beard who was heard in the Court of Appeal where there is no jury. The judges ruled that no such defence could be pleaded. However, a loophole remains, and this relies on a point made by Lord Justice Bingham in 1997 when he said: 'When a suitable case arises the correctness of [the judgement in] Regina v. Beard should be considered by the House of Lords' (Kenrick, 1999).

Conclusion

This chapter has reviewed the situation of private Gypsy and Traveller sites in England and how they emerged in the early 1970s. It was shown that the various legal/planning definitions of 'who is a Gypsy' matter a great deal when it comes to obtaining the required permission to build and occupy a private site. Interestingly, these legal definitions that have emerged in planning cases and in the courts have many differences, as well as a few similarities, with some of the sociological interpretations I provided in earlier chapters to this thesis. What is clear, however, is the fact that common agreement is rarely found, whether one follows the legal or sociological path, when it comes to asking the question 'who is a Gypsy'.

Another task of this chapter was to highlight the important cases that had played a role in shaping contemporary guidance notes and circulars on private Gypsy sites, such as *Mills v Cooper (1967)* and *Greenwich LBC v Powell (1988)*. These cases, and the many others, help illustrate the complexity of the planning process for Gypsies and how families have to negotiate this expensive and time-consuming maze. Often cases will have to go to appeal and rely on the decision of a planning inspector who can operate a great deal of discretion in reaching his or her judgement.

At present, it seems that it is not a sufficient defence in an appeal court to show there is no alternative to staying on your own land without permission except trespassing on someone else's land. It is possible that if a Gypsy has some relatives living on his/her land and is served with an injunction to remove them, they could not be expected to do so by force. This needs to be tested in a higher court though and such a case will probably happen sooner rather than later given the speed of developments in matters of private sites. This chapter has sought to review the history of such sites and some of the complex and fast-moving legal and personal situations that the shift from public to private sites has created.

Chapter 9

Social Security

Not not while the giro

I shall tramp the mean streets in search of menial posts or skilled ones. Everywhere I shall go, from Shetland Oilrigs to Bearsden Gardening Jobs. To Gloucestershire even. I would go to Gloucestershire. Would I fuck. To hell with them and their cricket and cheese. I refuse to go there. I may emigrate to The Great Englishes – o Jesus Christ Australia & New Zealand. Or America and Canada.

All I'm fucking asking is regular giros and punctual counter clerks...

(Kelman: 1989: 199-200)

About the Department of Social Security and the Benefits Agency

The British system of social security provides over thirty distinct cash benefits which cover a wide range of circumstances and situations. The Department of Social Security (DSS) has overall responsibility for the development and monitoring of the system whilst the implementation, delivery and administration of benefits is devolved to five executive agencies created in the late 1980s and early 1990s as part of the 'Next Steps' New Public Management programme. The main aims of this reorganisation were to cut running costs, 'target' benefits more effectively to those considered to be 'most in need' and improve service delivery by detailing areas of responsibility and accountability for the different agencies (McKay and Rowlingson, 1999: 67).

The Next Steps programme saw a separation of policy from practice. The Department of Social Security (DSS) retained responsibility for policy development whilst the 'Next Steps' agencies were given responsibility for implementing policy and paying

out benefits. One of these five agencies, the Benefits Agency (BA), deals with contributory and means-tested benefits such as Income Support, Job Seekers Allowance, Incapacity Benefit, Child Benefit and the Social Fund. There are a number of different organisations that are involved in the administration and payment of benefits. Local authorities, for example, deal with Housing Benefit and Council Tax Budget whilst employers are responsible for the delivery of statutory sick pay. Administrative procedures vary enormously and the rules and regulations covering entitlement can be very complicated. Many of the rules and regulations contain large elements of discretion and can be open to misinterpretation. This is certainly the case when it comes to examining how the social security system has traditionally treated Gypsies and other Travellers; sometimes referred to as ‘transitory claimants’ (Employment Services, 1992; Clark, 1999b).

‘Race’, Ethnicity and Social Security

It can be said that eligibility for social security has two main sides to it. First, there are the formal rules and regulations that govern provision of benefits. Secondly, there are the *perceptions* of eligibility that are held by claimants, potential claimants and also social security staff. The contributory principle within the social security system, whereby national insurance benefits are linked to earnings, has given rise to eligibility rules which have the effect of excluding people who are in irregular or low paid work, those with a higher risk of unemployment and recent migrants. Historically, from at least the Victorian era onwards, regulation has been used to exclude a whole range of so-called ‘alien’ groups from welfare benefits (Williams,

1989; Holmes, 1988). Poor Law policies, pensions law, aliens legislation (such as the 1905 Aliens Act) as well as national insurance criteria have all incorporated such practices. The 'dangerous classes' (Morris, 1994) (meaning Asian, Black, Gypsy, Irish, Jewish etc.) were perceived as a threat to the jobs and wages of those in the emerging trade unions as well as to the State itself.

In many ways, post-war welfare reforms and immigration policies have continued to institutionalise racially exclusionary rules that determine access and eligibility to social security and other welfare benefits. Such rules include residence tests, rules on 'recourse to public funds' and sponsorship conditions (Solomos and Back, 1996). However, racism in welfare state and social security policies today needs to be seen and understood in a much wider context. Such 'normalised racism' needs to be viewed as an expression of the wider integration of racism, historically, in nationalist discourses and in gendered bourgeois conceptions of subordinate (or indeed 'dangerous') classes. In other words, an appreciation of the complex route that led to the current state of affairs needs to be undertaken: the nation-state, class relations, gender relations, colonial relations and their fusion with the very notion of 'race' both as a concept and an actuality is important here. As context for the following discussion, there is a direct connection between these complex sociological issues and the rules and regulations of the current social security system in Britain and how it is being experienced by Gypsies and other Travellers.

It is evident that most studies of social security have generally paid little attention to issues of racism and ethnicity. However, there have been some recent exceptions to

this general rule (see Law 1994, 1996; Craig, 1999). Despite the advice of the Home Affairs Committee in 1981 (Law, 1996: 60), the then DHSS refused, throughout the 1980s, to commission or support any substantive research to investigate what connections there were between ethnicity, racism and access to the social security system (though see Cooper, 1985). However, in the early 1990s the DSS (and the newly created BA in particular) started to interest itself in what it termed 'serving the needs of the local community' (CPAG, 1991).

The impact of the various public sector 'Customer Charters' was being felt within the DSS. In 1993, a report was published looking at the 'information needs' of ethnic minority groups (Bloch, 1993). However, the focus of the Bloch study was quite limited and there was little in the report in terms of new evidence. Indeed, it tended to follow the dominant theme in the existing literature which argued for increased resources being put into basic linguistic initiatives; that is providing interpreters, translated materials and the like. However, one of the report's recommendations did go a little further than this and suggested that closer co-operation between the voluntary sector, local authority welfare rights services and the BA might produce a better *all-round* quality of service for people using the social security system. This tripartite approach to delivering a 'quality service' has, in theory at least, been one avenue that the BA has been keen to explore in the last five or six years with the emphasis on good 'customer service'. Indeed, emblematic of this is the fact that claimants are no longer claimants, they are now 'customers' (Clarke, 1994). One other consistent theme in the limited literature on racism, ethnicity and social security has been the nature of racist (e.g., anti-Black and anti-Semitic) sentiments

amongst *some* staff working in local benefit offices (Ahmad and Craig, 1997; Cooper, 1985; Howe, 1985; Moore, 1980). Due to the use and acceptance of negative racial stereotypes, Asian and Jewish people can, for example, be viewed as wealthy and assertive in gaining information and access to benefits – as well as being ‘hard work’ for staff throughout the claiming process itself. Gypsies and Travellers also encounter unfavourable stereotypes which can result in poor service and exclusion from benefits (WRB, 1991: 11). Cooper’s study noted a variety of such assumptions in a number of different settings. For example, one of these settings was an unauthorised Gypsy Site where the visiting officer was calling on a pregnant Gypsy woman who had made a claim for a one-off payment (under the then Supplementary Benefits scheme). As the DHSS officer and Cooper left the site, he commented to the researcher that (Cooper, 1985: 87):

The Gypsies look after themselves. We don’t give them much help. Anyway, we’ve done the visit so that’s that.

Such racist sentiments can lead to many claims being disregarded out of hand (as above) or subject to racially discriminatory scrutiny and high levels of unwarranted suspicion. This scrutiny, in turn, feeds into racially-determined demands for extra documentation to establish both identity and actual eligibility for benefits. This is particularly the case in relation to proving one’s age, marriage, children’s births and immigration status. The practice of passport checking, in this context, is often erratic and unjustifiable to independent eyes. Stereotypes and racial assumptions are often made in terms of family structures or the cultural/social characteristics of different ethnic minority families (as noted above in the example of the Gypsy woman). Two

Commission for Racial Equality studies from the mid-1980s (Edward, 1983; CRE, 1985) demonstrate that exclusion from benefit can occur on the basis of misrecognition and misinterpretation of circumstances such as capital held overseas, pooling of household income, family separation and divorce.

More recently, a study looking at the experiences of Irish claimants in Britain (including Travellers) found that discrimination occurred on a number of fronts, especially the demanding of exceptional identification requirements to support a claim (Patterson, 1994: 12-15). This appeared to be the case in one quite serious incident that occurred during my fieldwork in Scotland during August 1993. This case also seemed to involve an assumption of fraud, as well as the requirement for extra documents to support a claim. I obtained copies of the exchanges between the Commission for Racial Equality and the Benefits Agency from the families involved in this case. A letter from the Commission for Racial Equality (Leeds office) was sent to the District Manager of a Scottish Benefits Agency office reporting that two officers, on two different occasions, had informed an advice worker (who was working on behalf of an Irish Traveller family who had not been in the area long) that (CRE, 1993):

all benefits claims from Irish Travellers [are] being referred to the fraud section

In total, twelve claimants were involved in this matter and the letter went on to ask the District Manager to clarify the position regarding the need to refer all claims from Irish Travellers to the fraud section and also to clarify the decision-making

process regarding the twelve individuals and what guidance was given to staff dealing with fresh claims. The response came nearly two months later from the District Manager. The response went on to deny that (BA, 1993: 1):

any such discriminatory policy exists or that staff in this office dealt with these claims in a manner discriminatory of Irish Travellers in general or in particular.

The District Manager did, however, confirm that some of the claims from this particular group of Irish Travellers had been referred to the fraud section and this was why 'non-payment' had been decided in some of the cases. The main reason was to do with (BA, 1993: 2):

... birth certificates submitted in support of one claim were also being submitted in support of other apparently different claims. It may inevitably have been the case therefore that this investigation delayed certain claims including those which were concluded to be valid.

The response addressed the other matters, such as guidance to staff on dealing with fresh claims, and the second last paragraph did make the point that (BA, 1993: 3):

It is of course a matter of considerable concern if any claimant feels that they have not been treated fairly or have been subjected to unlawful discrimination. I hope that this letter will reassure all concerned that no such action was taken in these cases.

As far as I am aware, this letter from the BA District Manager was the end of the matter. The families involved left the area within three weeks of the incident to return to Ireland on business. However, what this case seems to illustrate is that there are still problems around what forms of 'evidence' actually counts as 'evidence' for a

claim to the social security system. The case also appears to demonstrate that some Traveller claimants *may* be subject to a type of scrutiny regarding their claims that is only to do with their way of life, ethnicity and nomadism. Certainly, this was the perception of the families and the advice worker who was involved in the case.

Gypsies, Travellers, Work and Social Security

You could put me down anywhere on the world and I could make a living. If there's a nuclear war, only the Gypsies'd be able to look after their selves.

(An English *Romanichal* Gypsy quoted in Okely, 1979: 23).

Many assumptions underpin the British social security system. The implicit economic demands for sedentarism that lie within the structures of the labour market are particularly important when considering anti-nomadism and social security. The historical development of what was to become the welfare state placed great emphasis on the organisation and control of the labour force, hoping to eliminate most forms of casual labour (Beier, 1985). The regulation of labour and an assumption of full-time wage labour as the norm quickly developed and took hold (Harris, 1972; Whiteside, 1991). However, with the recent development of part-time and temporary work (mainly amongst women), and current preoccupations with more flexible labour markets, the rigidity of the system has been brought into question. In many ways, as illustrated by the above quote, Gypsies and other Travellers – being prepared to travel to find work and engaged in self-employment – can be seen as a paradigm for greater flexibility (or even what Giddens (1997: 594) has termed the 'portfolio worker'). However, social security policy, along with other

government policies, do contain a number of inherent assumptions which penalise an itinerant (or 'unsettled') way of life. The most crucial point here is the assumption that to travel is to *not* actively seek work. Two documents serve to illustrate this assumption:

There is a widespread view that because of their itinerant lifestyle, many of these claimants cannot be regarded as available for work even though they declare availability when claiming unemployment and supplementary benefit (DHSS, 1986: 3).

and, more recently,

Clients must be available for employment and must actively seek employment. However, clients who frequently travel from one place to another put limitations on their opportunities to find work and reduce the chances for their availability to be tested (ES, 1992: 1)

This sedentarist assumption is clearly at odds with the culture and lifestyle of Gypsies and other Travellers in Britain where travel is *fundamentally* linked to their search for the types of employment they engage in based on their preference for self-employed, family based, multi/flexi occupations (Acton, 1974a; Okely, 1983a). To say that to travel is to *not* seek work actively discriminates against nomadism.

More generally, recorded and anecdotal evidence has long suggested that Gypsies and other Travellers have not received fair treatment when attempting to access the social security system (AGIY, 1993). Some believe that this discriminatory treatment is because they follow a nomadic lifestyle (as illustrated above), whereas others hold that it could be a result of both their nomadism and their ethnicity (as with the Irish

Travellers in Edinburgh referred to above). However, as I suggested at the beginning of this thesis, the linkage between ethnicity and nomadism – as ‘organising’ concepts - is a problematic one.

Fresh Claims

One of the most fundamental problems arises when Gypsies and other Travellers first attempt to register with the Benefits Agency to make a fresh claim. The many forms of identity required by the BA (i.e., passport, driving licence, birth certificate etc.) are not always available to Traveller families for a variety of reasons. A case in point is the example of Irish Travellers and their cultural norms; more emphasis is given to baptismal certificates rather than birth certificates and these are commonly not accepted as proof of identity by the BA (AGIY, 1993: 46).

Another factor here is something that advice workers often report and that I reported above in Scotland. When a local BA office experiences an increase in claims from Traveller families this may lead to a referral to the fraud section to check the claims over again to ensure that they are not fraudulent. This may be done for no other reason than the claims are made by ‘Travellers’ who live in caravans. In other words there is often an assumption of fraud before a claim has even begun to be processed. This assumption has also been made with regard to other minority groups living in Britain (NACAB, 1991; Benefits, 1994; Law, 1994). Much of the evidence for fraud is anecdotal.

In the mid-1980s a '*Nomadic Claimants Working Party*' was established within the then Department of Health and Social Security (DHSS) to examine and report on the question of Travellers and Social Security (DHSS, 1986). Though the working party was primarily interested in the new situation that was developing regarding the movements and activities of New Travellers, it also concerned itself with Gypsies. The report made a series of recommendations, one of the most important being to recommend the use of a special index of 'nomadic claimants' and separate case papers which would record details of evidence of ID and a physical description of the claimant. An '*Itinerant Caravan Dwellers Information Card*' was used in the London North Region for a time following the guidance given by the Working Party to the government. It is possible that this type of card was used in other regions around the country, though this has not been proven (Kenrick and Bakewell, 1995: 62-64).

Traditionally, Gypsies and other Travellers did not ask for help from the State at any stage of their lives. Born with an aunt acting as midwife, looking after their own disabled children, supporting relatives and friends when money was short, having a 'whip round' for cash to replace someone's burnt out caravan and supporting their aged parents in a bungalow, they have preferred to turn to their family and friends within the community. But times have changed. Families and friends can no longer stay together because of site regulations and the disappearance of the larger traditional stopping places. Craft work is hard to sell and in a country where there are often large levels of unemployment, there is less call for the odd job man, the out-of-work and

poor do their own repairs and gardening and keep their cars and refrigerators until they are too old for resale, even as scrap metal.

Farm labour has been replaced by machines and *gaujo* women are often bussed in from neighbouring towns. Daily horoscopes in the paper, or telephone ‘spiritualists’ are cheaper than palm readers. A breadwinner may have a spell in prison because of some vehicle or driving offence. Further, rules on local authority sites often prevent any work being done near the caravan. Poverty does now exist in some sections of the Travelling community and many Gypsy families – for the first time – have had to turn to the Benefits Agency for cash and social services for support (as noted by Butler, 1983 and more recently by Cemlyn and Morris (1999). However, this is not always an easy or straightforward task (both from Gypsy Council Archives):

There seems to be an inconsistency of treatment towards the Travellers compared with anybody else claiming. A typical example (from Port Talbot) is that most people would be required to sign on once every two weeks in order to get benefit whereas, with Travellers here, the DHSS [as the Benefits Agency was then known] expects them to sign on every day. They won’t give them travelling expenses for that and the only way to do it is to walk or take a cut in food money to pay for the bus.

And again from the same area:

In some areas, DHSS offices will pay with one form of identification, whereas in this particular area you won’t be paid without two. We had one case of a woman with five children who had to wait two or three weeks before she received any money from the DHSS. She survived on charity parcels from the Salvation Army and the Church Army.

Circular S50 entitled, *Verification of Identity – Preventing Fraud* (DHSS, 1985), caused problems for many Gypsies. This circular instructed DHSS offices not to accept baptismal certificates as a means of identity. They should ask for full birth certificates or driving licences. This particularly affected Irish Travellers whose births are often not registered and, of course, not all Gypsy women hold driving licences (AGIY, 1993).

The North London Regional Fraud Office designed its own Itinerant Caravan Dwellers Information Card. It asked DHSS officers to record ‘physical features, skin colour, known associates and criminal record’. This card was withdrawn after pressure from a Citizens Advice Bureau. However, in 1986 the Nomadic Claimants Working Party suggested setting up a regional index. This was based on a form that officials were required to complete:

Nomadic claimant

The following claim has been made.

1. Name...

6. Identity confirmed: Yes or No.

If Yes, state means of identity accepted.

7. Description and other distinguishing features.

Known by any other names (give details)

The form was to go to the Supplementary Benefit Section Regional Office in Gabalfa, Wales. Item 7 seems to imply that a nomadic claimant may simultaneously be claiming at more than one office. Yet any Traveller with experience of a Benefits Agency office will know that claiming in one place is a full-time job, notwithstanding

the occasional case of claims at two or more offices that makes the headlines in the tabloid press.

One case in the files of the Gypsy Council Archives is that of the S. family in the South West of England. At the end of 1987, the family had all their documents taken away, on the grounds that they were forgeries. Officials suspected that some of the birth certificates for the eight children had been tampered with. While waiting for their return they had to move to another town where the local Travellers Support Group assisted them in obtaining duplicate birth and marriage certificates. Even today, not all Gypsies have either of these certificates as many just have a Romani wedding which does not have formal documents.

A study conducted by Action Group on Irish Youth (AGIY) in 1992-3 examined the experiences of Irish people, Travellers, the single homeless and ethnic minority groups when claiming benefits. AGIY was concerned to see what kinds of identity checks were being made by the BA when new claims from these groups were received. From the 'case studies' section of the report that deals with Travellers, it is clear that the social security system does treat Gypsies and other Travellers in a discriminatory manner. Of the eight cases documented, the experiences of 'Sean' were typical (AGIY, 1993: 53):

Sean is a young Irish Traveller living in London for less than a year. He makes a claim for Income Support and provides an original copy of his birth certificate. The claim is automatically referred for further investigation to the Fraud Section. The claim is delayed pending investigation; on a number of previous occasions attempts by Sean to

claim benefit have been similarly delayed. Sean said he felt he had so much difficulty because he is from a Traveller background.

New Travellers and social security

The intrinsic link made in the media between New Travellers and their claiming of social security benefits is almost always represented in a negative, if not an outright hostile, manner (Clark, 1997b). Headlines in the popular press such as ‘Sponging Scum’ (*Daily Star*, 29.7.1992), and ‘Hippy Scroungers Must Get Jobs Or Starve’ (*The Sun*, 1.8.1992) do little to warn the general public to the situation of their Traveller neighbours. As in other instances of biased reporting on Gypsy and Traveller matters, the Government, and the Press Complaints Authority, have both appeared to be unconcerned with such malicious reporting. The myth suggests that all New Travellers (or ‘*Giro-Gypsies*’ as another infamous *Daily Star* headline put it, 2.8.1992) are drunken, drug-taking, bone-idle scroungers who are living it up at the expense of the hardworking tax-payers. It would be untrue to say that no New Travellers conform to this tabloid stereotype; some do, but no more so than some settled people on so-called ‘sink’ estates. As Claudia, rather playing into the ‘divide and rule’ trap, puts it (BBC TV, 1993: 11):

There are hundreds of other dole scroungers, we’re just the ones that everyone really hates. I don’t understand. If we were in cities, in houses, we’d probably still be on the dole, you know. It doesn’t mean to say our job prospects would go up if we were living in houses.

Negative headlines and inaccurate representations of nomads by the media and other vehicles of popular culture are not, of course, a new thing. In the Irish Republic,

'The Report of the Commission on Itinerancy' (ICT, 1963) recommended that 'the solution of the itinerant problem' could be tackled by implementing basic 'liberal' reforms. These would include making state benefits to caravan dwelling 'itinerants' payable in voucher form rather than cash, 'so as to overcome abuse by dissipation on intoxicating liquor'. Indeed, this was a measure that Peter Lilley, the former Conservative Secretary of State for Social Security, considered reviving in the earlier part of the 1990's in order to deal with the so-called 'brew-crews' within the New Traveller community. Indeed, there were some reports during my fieldwork from some parts of the country (Devon in particular) of Social Fund Crisis Loans being paid to some New Travellers in the form of food-only vouchers. However, an interview during fieldwork in 1993-94 with a Higher Executive Officer (HEO) within the DSS in London about this policy, informed me that this discretionary practice is not specific to Travellers and can be applied to any case where there is a 'reasonable degree' of suspicion about the nature of the request for a crisis loan and what the money is being used to finance. It is interesting to note that one of the central features of the new Immigration and Asylum Act 2000 has been the implementation of a voucher plus cash daily allowance system of social security payments.

The extent of discretion in decision-making is one aspect which concerned Lipsky (1980) when he wrote of 'street-level bureaucrats' and the power they had in making policy as well as implementing it. Similarly, Cooper (1985), as noted earlier, reported on the prejudicial decision-making that went on under the Supplementary Benefits Scheme.

A contemporary example of a myth taken too far was the *Daily Mail* story in the early 1990s about why New Travellers had so many dogs (Earle et al, 1994: 133). The reason offered by the paper, basing its claims on a quote from a Traveller, was the fact that for every dog a Traveller had, the owner received an extra £8 a week in social security benefit to feed it. Although complete fabrication, it is amazing how many times this suggestion still appears in media reports - and in DSS offices. The real facts are, of course, a little different. Travellers have dogs for much the same reasons as anyone else - they make nice pets. In addition, because Travellers' sites are vulnerable targets for disgruntled locals and vigilante groups, dogs are a good advance warning system. As well as being guard-dogs, some dogs are used for hunting (e.g., Lurchers) and others make for a good source of breeding income (Lowe and Shaw, 1993).

It is evident that some Travellers cannot find suitable work and are unemployed, 'signing-on' claiming state benefits. This is due to many reasons, such as the increasing mechanisation of agriculture swallowing-up traditional seasonal work - a process which has hit Gypsies particularly hard. As discussed in chapter 6, many New Travellers do manage to make a living through various occupations, such as labouring, scrapping (rescuing all sorts of scrap from tips to sell on for recycling) and activities which are based around the festival circuit; making clothes, jewellery and food to sell (Earle *et al*, 1994).

A common criticism often levelled at New Travellers is that, while they claim to be following a lifestyle which can be described as 'outside' society, they still depend on

society's benefits. This is a rather simplistic argument, and in itself a highly questionable value judgement. In my own fieldwork, I did not encounter any New Travellers who claimed to be 'outside' society. Such an argument neglects the simple fact that pursuing a life on the road can be a far more attractive alternative to a life on Income Support. In many cases, just like nomadic Gypsies, New Travellers actually travel the country in order to try and find work, not to avoid it. However, it can be very difficult to get work when you live on the road. Though many Travellers have a variety of skills (e.g. welding, mechanics, crafts), tales of them being turned down for jobs when potential employers learn of their nomadic way of life - living in a bus on a lay-by - are all too common. In reaction to press criticism of their way of life, many Travellers have pointed out that by living on the road they are saving the Government money since they do not claim the Housing Benefit to which they would be entitled if they lived in a house and were unemployed. This was repeated to me often during fieldwork. This fact seems to have been conveniently overlooked by Whitehall and Fleet Street.

Tracking the Travellers

Since the early 1980s, the Department of Social Security and Benefits Agency have come to recognise the pattern of movement associated with the horse fair and free-festival calendar and many of their nomadic 'customers' (BA, 1993). In conjunction with Local Authorities, the Police, the Department for Education and Employment, the Post Office, landowners and other interested parties, the DSS and BA have adjusted their operational procedures in order to handle 'surges' of claims at small

district offices near to festival/horse fair sites at particular times of the year (for example, early June in Cumbria for the Appleby Horse Fair). A DSS National Task Force monitors the movements of Travellers, informs offices of their approach and numbers, provides assistance in the processing of additional claims and investigates cases of suspected fraud. Income Support Bulletin issue 24/93 (BA, 1993) entitled 'New Age Travellers' set out the remit of the Task Force. This widely leaked document introduced new operational guidelines and strategies for handling claims from New Travellers. The Task Force was really set up, I would argue, to 'police' New Travellers' benefits and allow for the monitoring and surveillance of the population more generally. As mentioned in chapter 6, 'Operation Snapshot', which was carried out by the Police in 1993, aided and abetted the DSS in their objective to control and monitor Traveller movements by documenting Traveller's vehicle registration numbers and the occupants of the vehicles. Databases now exist to hold this information and it is shared among those involved in the 'Task Force' (See The Independent, 1993 and Police Review, 1993).

One good example of this type of organisation, dating from 1992, was the swiftness of the DSS reaction to the wave of adverse media attracted by an incident on a festival camp at Kerry in Wales where social security staff were photographed handing out claim forms to a few Travellers on-site, helping them to fill them in and paying-out benefits (The Sunday Times, 1992). This was allegedly carried out at the request of local Police who wanted the Travellers moved-on and out of their area as soon as possible. The giro-cheques were required quickly to allow the Travellers to get diesel to facilitate this move. Others have regarded this incident in a

conspiratorial way, suggesting that the whole event was staged for the media by the government to justify a clamp-down on benefits to Travellers and other 'undeserving' claimants in the light of the resulting media and public protests (Earle et al, 1994: 132-133)

As the spokesperson for the Stonehenge Campaign Group wrote to me in March 1993:

Travellers became the media and political scapegoat last summer. This was clearly shown at the DSS propaganda exercise where a handful of people received giro's on site at a Welsh free festival - all in a blaze of publicity.

Although this interpretation is certainly debatable, the criticism of the DSS by the media undoubtedly led to a tightening-up of existing regulations and to the implementation of new administrative measures; namely, tightening-up the 'actively seeking work' (ASW) regulations and the cutting of exceptional needs/hardship payments to single persons where they were found to be not ASW (Finn, 1992). These changes of course affected not just 'New Age' Travellers who 'descend like locusts' to 'demand benefits with menaces' as Peter Lilley put it at the Conservative Party Conference in 1992, but all unemployed single people who were deemed to be not ASW (Clark, 1997b). Despite the Social Security Advisory Committee warning against such action at the time (Finn, 1992), the government pushed through the reforms saying: 'We are not in the business of subsidising scroungers'. Though Travellers were the public target, the net had been widened to catch other 'workshy' individuals.

The efforts of the Nomadic Claimants Working Party (DHSS, 1986) in the mid-eighties to address the issue of nomadism and social security did not help Gypsies and Travellers access the benefit system and many still do not receive the full range of social security benefits to which they may be eligible. This is due to a host of different factors ranging from a lack of basic information to institutionalised and individualised discrimination because of their nomadic way of life. Travellers who occupy unauthorised sites without a postal address are likely to be registered as people of No Fixed Abode (NFA), not as householders. Being NFA means they can only receive a basic personal allowance benefit, not being entitled to premiums (unlike those who are on fixed sites or those who can provide a *care of* address) (McKay and Rowlingson, 1999).

Evictions, Nomadism and Policy Problems

Another problem is the lack of a 'joined-up' policy between different benefit areas. For example, evictions which involve moving from one DSS area to another often result in the loss of Child Benefit, Family Credit and Incapacity Benefit payments. Unforeseen moves can also cause delays in payment of Jobseekers Allowance (JSA) and Income Support (IS). In order to be eligible for IS and JSA you must prove you are 'available for and actively seeking work'. During fieldwork, I met Traveller claimants who, when transferring to a new office, had to answer a set of additional Employment Service 'jobsearch' questions which asked:

- where they last claimed benefit
- when they decided to move and when they arrived
- how the move will affect their chances of getting a job

- what steps they had previously agreed to take in looking for work and what steps they have actually taken.

Thus, *theoretically*, moving into an area with high unemployment may be interpreted as failure to seek work and a reason for suspending benefit. In the same legislation (the ASW changes), entitlement to hardship payments was curtailed and the requirement of issuing a warning letter before suspending benefit for not actively seeking work was withdrawn (Finn, 1992).

The nature of the Traveller lifestyle and the actions of other bodies such as Local Authorities and the Police, when located within the broader context of sedentarist policies in contemporary Britain, affect the access, take-up and delivery of social security benefits to nomadic people. It is notable just how negative this kind of social control is. With the passing of the Criminal Justice and Public Order Act in November 1994 and the resulting increase in evictions, it seems that more nomadic Travellers are being penalised by DSS policies as a direct result of having to move more often from one area to the next. Each move to a different area requires a new claim to be lodged and this can take days to come through leaving a problem of immediate need to be met by a crisis loan - if one is awarded.

Method of payment procedures are not standardised and some Travellers I was with during fieldwork had to sign-on daily in order to meet the Employment Service '24 hour contact' rule. This meant that the ES office had to be able to contact the individual within 24 hours to inform them of new jobs they might be able to apply for. If the claimant had no phone and was on a site in a rural area that did not get

post, then they were required to attend the ES office every 24 hours to ensure they were not missing out on potential job interviews. At the same time, the office could check that these claimants were 'actively seeking work'.

In other cases I uncovered, Travellers were permitted to sign-on either weekly or fortnightly in the usual procedure, picking up their giro-cheque via counter-payment personal-issue 48 hours after signing. More recently, there are many variations in Travellers receiving benefit payments, in keeping with local offices' new 'freedom to manage' their own affairs. Further research is required to investigate the impact of the 'New Deal' programme as it has affected Gypsies and other Travellers.

It is apparent that some Gypsies and Travellers have difficulty claiming any benefits at all, especially those who choose or are forced to move-on with great frequency. Claiming Child Benefit is particularly difficult for some. Child Benefit is normally paid at a designated Post Office and for Travellers who choose or are forced to move-on frequently, claiming can be a problematic experience. Families who are on Income Support may actually be underpaid as it is often assumed that they are already in receipt of Child Benefit (and One Parent Benefit if the claimant is a lone parent). During fieldwork, 'Sue', a Traveller on a site just outside Bristol, told me about her local DSS office. They had a policy of issuing order books for Income Support / Sickness Benefit with all the change of Post Office spaces stamped out so they could only be cashed at the main Post Office in the centre of town, some way from the site. The main reason for this policy would appear to be to contain Traveller claims to one specific Post Office. The local Benefits Agency office, though unable

to discuss specific cases such as this, did say that this restriction on 'cashing' Post Offices was a standard (if not exactly common) 'anti-fraud' measure and was not *just* used for Travellers. It is not an isolated policy specific to that part of the country, as I have managed to confirm from ongoing work with the Gypsy Council, and is more concerned with social control and restricting movement.

Official Guidance

Staff guidelines in the Adjudication Officers Guide (which are not legally binding, being only a working interpretation of complex social security law) suggest that claimants can be required to produce evidence of their identity, address, income, the existence of a partner or dependants, their housing costs and their age. Clearly then, Travelling people who have no permanent address and who are self-employed may encounter difficulty providing the sort of evidence that is required by the DSS. Some Benefits Agency offices sometimes insist on having a National Insurance number (known to staff as a 'NINO') with which to work when processing a claim. Many Travellers simply do not have one and finding acceptable evidence of identity can lead to delays (AGIY, 1993.) New identity guidelines were drawn up by the BA in late 1994 and this eased some of the difficulties, particularly in relation to the demands to produce a passport in order to prove identity. Despite continued changes to such guidelines on proving identity since 1994, due in part to ongoing difficulties and different 'customer service' initiatives, reports suggest that there are still many problems and delays on proving identity - not least due to measures designed to

reduce fraud, error and non-take-up of benefit by the DSS (Rowlingson and Whyley, 1998).

Family Credit and the Social Fund

Claiming Family Credit, before it was replaced by the Working Family Tax Credit system in April 2000, was also problematic for many nomadic and working Traveller families. The Family Credit benefit was paid in twenty-six week periods on evidence of earnings over the previous five to six weeks. Earnings from seasonal/temporary work tend to fluctuate wildly and evidence is not always available due to the nature of the work and the frequent movement of Travellers - which is often in order to find work. Again, the demands for sedentarism and a fixed wage labour occupation are much in evidence in the workings of Family Credit. The recent changes to the Working Family Tax Credit system need to be further researched to clarify if this has improved the situation for Gypsy and Traveller families.

The Social Fund has had many criticisms since it was introduced as part of the Fowler Reforms and the 1986 Social Security Act (see Craig, 1990; McKay and Rowlingson, 1999). It comprises a cash limited and discretionary benefit which comes in the form of loans (Budget and Crisis) and grants (Community Care). The guidance available to officers who deal with social fund requests states that a Community Care Grant payment can be made to those who are seeking a 'settled way of life' as this can fit into the 'priority cases' criteria (Craig and Rai, 1996). Some BA staff I interviewed in a South West of England office admitted that they

might be 'reluctant' to award Social Fund loans or grants to Travellers as they 'might be harder to trace for repayment' as one Executive Officer put it. However, the computerisation of the Social Fund (as with most benefits now), makes tracing debtors easier and may allay this fear. More payments may be made to Travellers after being solely judged on their ability to repay the loan.

Reasons for not 'signing-on'?

From fieldwork, I discovered some individual Gypsies and Travellers, as well as New Travellers, who refused to claim benefit at all due to past negative experiences with the DSS/BA or through strong ideological beliefs which seem to be rooted in ideas of independence. A New Traveller who had been on the road for eleven years I spoke with, 'Weasel', pointed out to me the high incidence of police arrests of New Travellers and other peripatetic 'customers' for outstanding warrants in Benefits Agency offices - the Police apparently being informed in advance when a certain claimant was going to be in a particular office at a particular time. 'Weasel' suggested to me that this is not just coincidence (or a conspiracy theory). As he said:

I mean, fair enough if it's for fraud or that, they've got a job to do, but when it's for something totally unrelated to the Social, that's when it's just not on...

Indeed, the legality of this operation is questionable. Having spoken to a senior DSS official about this issue, in the hope of substantiating 'Weasel's' theory, it was confirmed to me that a 'certain level' of BA/Police collusion goes on in 'pinning people down' for outstanding criminal offences, especially if they are without an

address. Although this same officer assured me that such information would only be passed on to the Police if the offence was of a 'serious' nature, such as armed robbery or attempted murder, I have heard reports from some New Travellers in Wales who have been arrested in Benefits Agency offices for driving offences and other relatively minor charges. Many Travellers are understandably very concerned, but not terribly surprised, about such practices.

Recent developments

On the 17 April 1998, the new Social Security Minister John Denham announced a new £26.6 million double initiative to prevent fraud in the social security and housing benefit system (DSS, 1998a). As part of this, the £15 million Verification Framework pilot project, which operates under the terms of the Social Security Administration (Fraud) Act 1997, is currently being piloted in various areas of the UK. The Framework aims to produce a new administrative guide to improve standards of checking benefit claims, especially for Housing Benefit and Council Tax Benefit.

Various organisations working with Gypsies and Travellers, such as the Traveller Legal Research Unit at Cardiff University, were concerned that the draft of the Framework defined certain groups as being 'high risk' claimants in terms of fraud and also placed certain restrictions on how the Benefits Agency provides services to them (Clark, 1999c). The 'high risk' groups included lone parents, persons in houses of multiple occupancy, persons from abroad and Travellers. It seemed that

individuals who were defined as 'high risk' were determined to be so on the basis of their membership of a social category/group rather than on the basis of previous claims records. It was further suggested that those defined as being 'high risk' would be subjected to increased scrutiny, more 'un-notified visits' and shorter benefits periods of 26 weeks (Fife Racial Equality Council, 1998).

On the face of it these regulations would seem to be directly racially discriminatory against persons from abroad (this should be read as referring to refugees and asylum seekers) and against Gypsies and other Travellers. Indirectly, this Framework would also be discriminatory against lone women parents. The anti-fraud reforms would seem to be merely compounding the existing problems faced by minority group claimants of benefits who already experience differences in treatment regarding access to welfare benefits. Some concern should also be noted regarding the rationale for introducing such measures affecting persons from abroad and Travelling people as the Benefits Agency has not introduced ethnic monitoring and thus there is no statistical basis for assessing which, if any, ethnic groups are actually most likely to commit fraud.

During 1998, a series of communications took place between the Commission for Racial Equality, concerned MPs, organisations working with the four so-called 'high risk' groups (lone parents, persons in houses of multiple occupancy, persons from abroad and Travellers) and The Department of Social Security. Eventually, a response from the DSS indicated that changes had been made (DSS, 1998b). The

response reinforced the government's general line of welfare reform and made clear how important the Verification Framework was in this regard (DSS, 1998b):

The Government is committed to reducing poverty and developing an active benefit system which supports work, savings and honesty. To achieve those aims it is vital that administration of the Housing Benefit / Council Tax system is secure, fair and provides help where it is needed and is vigilant in tackling fraud – on these two benefits fraud amounts to almost a billion pounds.

It went on (DSS, 1998b):

The Verification Framework forms a platform for secure administration by defining the minimum standards for collecting evidence when a claim is made to Housing Benefit / Council Tax benefit, and for the frequency of subsequent reviews / visits. It has been commended by the National Audit Office and Audit Commission, and both the Public Accounts Committee and Social Security Select Committee have supported its implementation.

On the vexed question of 'high risk' claimant groups, the response contained some 'appreciation' of the comments from various groups on how the Verification Framework might encroach on Section 20 of the Race Relations Act 1976 (that is, racial discrimination in the provision of goods, facilities, services and premises, Home Office, 1976). 'High risk' group status, it transpired, was being applied on the basis of how frequent changes in circumstances were recorded for specific claimants and/or groups (DSS, 1998b):

The cases where changes in circumstances occur most frequently or where fraud has been previously committed, are allocated a higher risk group and will receive closer attention.

On the specific issue of Gypsies and Travellers being 'high risk' (as well as persons from abroad), it was decided that (DSS, 1998b):

Persons from abroad and Travellers are not *now* used to define (or included as) risk categories (my emphasis).

The recent events and discussion surrounding the implementation of the Verification Framework is symbolic, I would argue, of the way in which Gypsies and Travellers have been viewed by the social security system. As they are nomadic, self-employed and their circumstances change quite frequently (often due to evictions which are carried out by local authorities and the police), it is of no surprise that to begin with they, as a group, were seen as being 'high risk'. It is obviously a relief to many Gypsy and Traveller families that they will now not *formally* be subjected to the increased scrutiny, 'un-notified' visits and shorter benefit periods that the draft of the Framework would have imposed on them.

Possible reforms?

As with other large organisations and companies in both the private and public sectors, the Benefits Agency – at huge cost - has steadily moved towards computerisation of its systems and databases in the late 1980s and 1990s (Adler and Sainsbury, 1991). For many Gypsies, Travellers and other nomadic claimants this has not made claiming any easier, however; their cases are often taken 'off-line' and dealt with manually because if they move on quite frequently, the system cannot

cope with this (Clark, 1997b). A number of hurdles are still faced and the main one is still proving identity.

Since the return of the Labour government in 1997, it has initiated a whole series of changes to the welfare state and, in particular, to the social security system (DSS, 1998c, 1998d, 1998e). It is still too early to say exactly how, for example, 'New Deal' and other such reforms will impact on Gypsies and Travellers and more research needs to be undertaken in this area. The main change so far has been the Verification Framework discussed above.

Conclusion

Although in theory Gypsies and other Travellers claims for benefit should be treated in much the same way as those of any other 'customer' of the Benefits Agency, there are certain problems that do affect their access, take-up and receipt of social security benefits. These difficulties are a result of a combination of different factors, some of which have been alluded to in this chapter. The widespread antipathy, for example, towards New Travellers is in part explained by their non-conformity with the norm of settled wage labour and their rejection of consumerism and materialism. It seems evident that the nomadic lifestyle challenges the dominant familial ideology and offers an 'alternative' form of domestic living. One of the main factors which needs further discussion is the nature and framing of public policy and legislation. The example I have referred to in this chapter, social security, has been shown to be in direct conflict with the nomadic way of life. I have argued that there are intrinsic

sedentarist assumptions within the structures of the social security system, the main one being that to travel is to be not 'actively seeking work'. This is at odds with the reality of the situation for itinerants whose travelling is directly linked to their search for types of employment that are consistent with their self-employed multi/flexi occupations. In keeping with their preferred way of life, both Traditional Gypsies and New Travellers prefer such forms of work.

In sum, to say that to travel is *not* to seek work discriminates against nomadism; the system is culturally specific in catering for the needs of settled people whilst excluding and further marginalising nomads. The operation of social security, in theory and practice, is anti-nomadic leaving so-called 'unsettled customers' at best with problems in claiming benefits and at worst excluding them altogether from the welfare 'safety net' and wider society itself. More research is required to consider in what ways recent government changes to social security, and the welfare state more generally, has affected Gypsy and Traveller access to services. It would also be prudent to examine the other welfare services as it would seem likely that the social security system is not alone in having these institutional barriers to Gypsies and other Travellers accessing their services.

Chapter 10

Discrimination, Health and Education

In this chapter, I examine a range of other services where Gypsies and Travellers in England face problems of discrimination. I mainly consider health and education – as with Wales and Scotland in Part 2 of the thesis – but also look more broadly at discrimination and its consequences for Gypsy/non-Gypsy relations. This is perhaps most evident in the section which looks at relations with the Police.

Discrimination

The way I look at it is this. If a few settled people... had... an argument in a pub, every one of the settled people would not be put out as us Travellers are.

(Bridget Gaffey, quoted in Laing (ed.) 1992: 37)

Gypsies and Travellers regularly suffer discrimination by being refused service in public houses and shops, entry to dance halls and youth clubs, and even being refused on public transport. Discrimination is not a new phenomenon however. Here is an example taken from an article in *The Countryman* recalling the 1920s (Fraser, 1995):

In season, the itinerants poured in, to pea pick, single out and so on; tramps, Gypsies and Travellers of every kind. 'No Gypos' read the notice on the pub door.

The Commission for Racial Equality and its predecessor, the Race Relations Board, received many complaints in particular about pubs with 'No Gypsies' signs outside

(personal communication with the CRE, 19.5.1999). Letters achieved some success in the removal of signs but from the late 1980s and early 1990s new wording - 'No Travellers' - has been used. Under the Race Relations Act 1976, such a sign may be seen as indirect discrimination against Romani Gypsies. The pub owner would need to justify the sign. Under the Race Relations Act 1976, only the CRE can prosecute a discriminator. All that Gypsies can do is refer these signs, and refusals of service, to the CRE and leave it to the Commission to decide which cases to take up.

Notices are becoming more subtle, such as 'Travellers by Appointment only', so that a Gypsy with limited reading ability will see the sign as applying to him, but in case of prosecution the landlord might get away with arguing that he was referring to commercial travellers. It has been reported to the Internet Traveller discussion list <http://www.jiscmail.ac.uk/lists/traveller-net.htm> that a number of public houses in west London are painting white crosses on their door – as well as more blatant posters - as a sign to Gypsies that they will not be welcome. The sign below was taken from a pub in North London in November 2000: (this is a computer 'scan' from the original poster)



Beef & Barrel
 218 High Street
 Ponders End
 Enfield
 Middlesex
 EN3 4EZ
 Telephone (0181) 334 9701
<http://www.itsascream.co.uk>

our apologies but.....
 due to previous experiences

NO TRAVELLERS ALLOWED.

Thank you for your co-operation.....

In two cases where clubs rather than pubs were concerned, the cases were settled out of court with an apology to the Traveller who had been refused entry. One in 1991 involved an Irish Traveller but, because it never reached the stage of a trial, the argument that Irish Travellers are an ethnic group was not established in court (the matter was settled out of court between the Traveller and the club involved: Gypsy Council Archives). However, more recently this has been established.

In August 2000, Irish Travellers living in England were granted legal protection under the Race Relations Act 1976 in a court judgment. The Commission for Racial Equality reported that the judgment on the Travellers, who had been denied the protection given to other ethnic minorities, was a victory for a group that routinely suffered discrimination. Eight Travellers, originally from Ireland, were claiming

discrimination against five pubs in the Harrow and Enfield areas of London which, they claimed, had refused to serve them. They brought the case after secretly recording what happened when they asked to be served in the pubs in April 1998. Lawyers for Punch Retail, the owner of three of the pubs, argued that Irish Travellers were not covered by the Race Relations Act 1976. At a preliminary hearing at Central London County Court in July 2000, Judge Goldstein, however, rejected their argument, saying Irish Travellers should be covered by the Act in the same way as other ethnic groups. The judge said Irish Travellers had a shared history going back to at least the mid-19th century (The Independent, 30.8.2000):

Modern Irish Travellers are guided by the culture and traditions which have been handed down by generations. *They do not go around reading history, they practise it.*
(my emphasis)

His judgment means that the Travellers could carry on with their claim of discrimination against Punch Retail. The case (as of February 2001) is ongoing as the company has appealed. Four of the Travellers were in court to hear the judgment. Patrick O'Leary, Michael, Margaret and Kathleen Kiely said in a statement (also reported in The Independent, 30.8.2000):

This is a great moment for us. For the first time in our lives we feel we can proudly and publicly tell everyone we are Irish Travellers. We have suffered much when it comes to discrimination and prejudice. We are confident that we are now in a better position to deal with that. We hope this success will encourage other Irish Travellers to use the law whenever they are discriminated against.

If they are eventually successful in their discrimination claim, they would receive compensation of about £1,000 each. In his ruling, Judge Goldstein said excluding Irish Travellers from the protection afforded by the Act would leave three anomalies. The Court of Appeal, in 1989, had already decided in the case of *CRE v Dutton* that 'Romany Gypsies' were covered by the 1976 Race Relations legislation and the two groups shared characteristics. It would also, he said, go against the provisions against discrimination provided by the European Convention on Human Rights, which is now incorporated into UK law with the Human Rights Act 1998 (specifically, Article 8). They already had protection in Ulster under the Northern Ireland Race Relations Order, 1997.

This was an important case for Irish Travellers in Britain and it may encourage Scottish Travellers who have also suffered such discrimination from bringing a similar 'test' court case. The few cases that have made it to court so far have all been settled out of court. A test case to set a precedent in Scotland has still to be heard. (Okely, 1997c: 235).

One of the few cases where Race Relations legislation was pursued to a conclusion was in the village of Brymbo in Wales (CRE, 1981). Gypsy family J. lived in a caravan in a gravel pit in this village. Both parents had been born in nearby villages and had lived in the area all their lives. They had ten children. In 1978 they registered on the housing waiting list and in 1980 a house became vacant and it was expected that it would be offered to them.

A local house dweller Mrs S. organised a petition headed: 'We the signatories of the attached petition wish to state that we object strongly to the housing of a further Gypsy family in Brymbo' (CRE, 1981). Over 300 local residents signed the petition. Mrs S. was reported in a local paper as saying that there was already one Gypsy family in the vicinity and that she thought that the district where this empty house was situated was likely to become 'a Gypsy site'. She was further reported as saying that 'the Gypsies will move in here over our dead bodies' (CRE, 1981). In May 1981, the CRE ruled that Mrs S., a Mrs G. and the Brymbo Community Council had 'attempted to induce Wrexham and Maelor Borough Council to discriminate unlawfully in the disposal of council housing in contravention of the Race Relations Act'. They were ordered to stop their campaign.

Discrimination in the field of employment has been widely reported to the CRE and the Gypsy Council as well. Cases reported from Kent include a male Traveller who was turned down for work as a night watchman when he gave as his address the local caravan site. A young woman from the same site was also rejected for factory work, with the added problem that because of her age (17) she was also being refused Income Support (Gypsy Council Archives).

A successful lottery award to an Aberdeen-based Travellers Education Project in early March 1999 caused an outcry in the local area (Press and Journal, 14.3.99). The National Lottery Charities Board award of £175,000 was granted to help improve conditions in the community for Travelling People aged between twelve and twenty-five. A number of local residents objected to the project and dubbed it a 'waste of

money'. David Simmers, a founder member of the project, defended Travellers and said they were being 'kept out' because they are different. He said (Press and Journal, 14.3.99):

They are a group of people that are regularly discriminated against and excluded by society. People are often prejudiced and through ignorance they have a stereotypical view of them. It is our aim to identify and address the problems which Travellers face. For instance they often don't have access to education or other services....we want to encourage travellers to act on their priority issues and generate a community identity for their own benefit.

However, Richard Cowling, a local businessman, attacked the charities board for their 'infuriating and blatant waste of cash' (Press and Journal, 14.3.99):

I strongly object to charitable money being used for these types of schemes. I understand that travellers are a group of people who have their own culture but it is people like us that are usually left to clean up after them. Do they pay rates? No. Do they pay taxes? No. So why, when there are so many needy groups out there does this project get given so much money.

Kay Caldwell, of the National Lottery Charities Board, said the project was chosen because it fitted the community involvement category. However, to locals it was still a 'waste of money' (Press and Journal, 14.3.99). Although this is just one example, it is worth noting here that the arguments of Cowling are commonly aired when projects, such as the Aberdeen one, are awarded funding. At the heart of this argument is the question of the taxation and welfare contributions made by Gypsies and Travellers to the state and the assumption by non-Gypsies that they often do not pay any rates or taxes. As previously explained in chapter 3, the majority of Gypsies and Travellers prefer, for a variety of cultural and economic reasons, to be self-employed and pay

into the taxation scheme in the normal way that other non-Gypsy self-employed workers do. Likewise, those families on local authority and private sites will pay rent, council tax, water rates and other bills in the normal way that settled people do living in houses. However, the exception to this rule are those Gypsies and Travellers - some 3,000 people - who are forced to live on 'illegal' roadside encampments and have no access to any of these services. Though, again, the men will usually be self-employed, these technically 'homeless' families will often not pay rent, council tax, water rates and other bills as they are not in receipt of the services that paying council tax brings with it. It is unfortunate that individuals such as Cowling air such populist arguments without first investigating the details as these simple slogans and equations (no taxes = no grants) do attract newspaper interest and can add to anti-Traveller hysteria in the local area and nationally.

The Police – 'Gypsies are trouble'

Generalisations are... notoriously dangerous... it is not unknown for a policeman to treat Gypsies sympathetically. There is little doubt that, on the whole, the traditional rural policeman was much more tolerant towards them than his urban colleagues. I well remember one old 'country copper' whose beat was invaded each year by several families of Gypsies and hundreds of hop-pickers from the East End of London, maintaining that he preferred ten Gypsies to any one cockney.

(Ingleton, 1978: 184)

The police attitude towards Gypsies is ambivalent. On the one hand they may be friendly - as above - in country districts where police are recruited locally, with individuals whose families they will have known since childhood. Nevertheless, they

have to stand by 'to prevent a breach of the peace', assisting even where this may involve council officials or court bailiffs to evict Gypsies (Ingleton, 1978: 185-186). The police know, even if the council and magistrates do not that, when they move them on, the caravans will not disappear but turn up again somewhere else and the whole process will have to start again (Travis, 1998: 11). As one policeman said to a meeting of teachers and other workers with Gypsies in 1997 (Gypsy Council Archives):

Gypsies are trouble. If I move them on, I get you people or the local vicar complaining about persecution and harassment – if I don't move them on, then the people in the houses complain to my sergeant that I haven't done my duty.

In many areas a police force may have a Gypsy Liaison Officer or the Community Liaison Officer is in regular contact with local Gypsy spokesmen. This can help ease tensions and will go a little way to appease nervous settled people living close by the site or encampment. From members of the Gypsy Council, I have heard various accounts of Gypsies on unofficial sites who may see a police car draw up at five in the morning and hear the bang on the caravan window with a baton. Police may confiscate the water churn or other goods 'for checking' although they rarely nowadays find a cooking pot to tip into the fire (an action recounted by many older Gypsies who I have spoken with in the last five years).

A common complaint reported to the Gypsy Council is the over-reaction in the case of minor problems. In Peterborough in 1987 a house-dweller reported to the police that he thought a young child from the neighbouring official caravan site had stolen his

son's bicycle. A busload of police turned up to arrest an eleven year old boy. In the event no charges were laid (Gypsy Council Archives). This experience is, of course, not unique to Gypsies. However, the frequent association between Gypsies and crime is often made and can often be wrong. Also, it is still the case that if one particular Gypsy is found to be a thief then they are 'all thieves'. The stereotype, as we discussed in chapter 2, has stuck hard.

In 1988, 150 police came to Outwood, in Surrey, to 'look for two stolen cars'. They then took a great deal of property from the caravans. Later the same day a child threw a stone at a police car. Fifty police in riot gear then rushed on to the site and 'did it over' (Gypsy Council Archives).

In the same year, police descended on a site in Sussex and arrested all the men, who were held for two months without bail. The worst incident perhaps has been in Bedfordshire where police carried out a 'mock raid' with machine guns on a roadside camp as a demonstration for visiting continental officers (Gypsy Council Archives).

In Sheffield there were a few officers whom the Gypsies nicknamed 'The Gypsy Squad' (eye-witness account, reported to the Gypsy Council, Archives):

They drive on to the sites at two or three in the morning with blue lights flashing on their cars and just sit in their cars on the site. On one occasion they came with a warrant for a thirty year old man and because they couldn't find him they took away a seventeen year old on the same warrant.

On 7th October 1997 over 200 Thames Valley police raided an official site (Newlands Farm) at Bloxham in north Oxfordshire. The officers broke down the doors of caravans and prevented children from going to school. Residents said the officers swore and shouted insults including 'Hitler had the right idea'. One policeman allegedly urinated on the outside of a toilet block saying 'This is the Gypsy way' (Gypsy Council Archives and also recorded in the Lords Hansard text for 1 April, cols 278-280). They spent eleven hours on the site and found little to justify the raid. A dispute between neighbours can lead to mass intervention. Armed police surrounded a Gypsy site in Cornwall in 1998 for more than five hours after a family feud. More than fifty police including a firearms unit moved in to seal off the camp. The dawn raid was carried out simultaneously with another raid as more than 100 police swooped on a second site in the area (reported to the Gypsy Council, August 1998).

In the same year, a 5 year-old Irish Traveller was playing cowboys and Indians with a toy gun when ten armed police arrived wearing flak jackets and surrounded the caravans in a Strood car park. The police searched the caravans, As one mother said: 'They searched through all our cupboards, including my underwear'. Three hours later the police left the site empty-handed (Gypsy Council Archives).

This range of varied examples serves to provide some evidence of the kinds of relations that Gypsies and Travellers tend to have with the police. Such strained relations are not unique to the Gypsy and Traveller community of course. Other communities on certain housing estates around Britain, for example, will no doubt feel similarly 'under surveillance' from the police and CCTV cameras. However, if a

Gypsy trailer is camped on an unauthorised site then they are already criminals and breaking the law. This gives a reason for police intervention and a reason to move them on, by various means.

Health

A few stark figures illustrate some of the issues when examining Gypsies, Travellers and health in England:

- On average, Gypsy men die 10 years earlier than non-Gypsies (2001 UK average is 75.13)
- On average, Gypsy women die 12 years earlier than non-Gypsies (2001 UK average is 80.66)
- Infant mortality rates for Travellers are some four times higher than the national average (2001 UK average is 5.54 deaths per 1,000 live births)

(NB: 2001 UK statistics come from: <http://www.infoplease.com/ipa/A0004393.html>)

It is clear from these figures (from a 1986 survey covering an admittedly limited target group, reported in Snell, 1998:21 and also in Ballinger, 1988a: 345) and a number of later reports that the travelling life today is, on the face of it, not particularly healthy (Pahl and Vaile, 1996, 1998). As Dr Heller, a GP, and Beryl Peck, a Health Visitor, reported in Sheffield (Peck, 1983: 583):

The problems caused by poor sanitation, inadequate water supply and poverty, as well as the stress and fear that Gypsy families live under, cause a variety of problems we would be more familiar with in less developed countries.

The reports list a number of conditions directly attributable to the adverse conditions in which the Gypsies had lived their lives, mainly on illegal sites: uncorrected squints, unrecognised deafness, eczema, untreated cuts and burns, tetanus, bronchitis, etc (Peck, 1983: 583).

It was in Sheffield too that a research worker from the London School of Hygiene found in 1981 that a high percentage of all pregnancies ended in perinatal death (before the child was one month old). The report quotes the example of Mrs C. who (Ballinger, 1998b):

had to leave hospital the day after her child was stillborn. Fear of eviction made her rush back to her caravan. What chance would infection?

A survey carried out in Kent by Pahl and Vaile (1986) found that 35 per cent of all families had no means of receiving post which, as the authors pointed out, means that letters from clinics or hospitals do not reach the people to whom they are sent. Infant mortality figures were again higher than national and regional averages. The survey found that the places where Gypsies lived were (Pahl and Vaile, 1988: 203):

areas which would not normally be used for residential development, such as an old rubbish tip, a site adjoining a motorway, a sewage plant or a busy railway line.

A more recent study by Derek Hawes (1997) indicates that the situation has not changed much over the years. One health visitor tells of three deaths of Travellers in their thirties in her area in one year that could have been prevented. In the first case, influenza turned into pneumonia because the family were reluctant to call a doctor. The second was a case of cervical cancer where no screening had taken place and the third the result of hepatitis C through lack of knowledge of health risks (see Hawes, 1997: 21-38).

Many nomadic Gypsies – as well as New Travellers – find it difficult to get treatment from a GP, although under the Terms of Service of a General Medical Practitioner (Regulation 19) doctors who refuse to take a person onto their list must still provide ‘immediate necessary treatment’ for up to fourteen days (Hennink, Cooper and Diamond, 1993). In one documented case, a doctor in Wiltshire refused to treat a Gypsy woman and her daughter. The mother needed a further supply of penicillin and the daughter a letter of referral to a hospital (Gypsy Council Archives). Some Traveller families will journey hundreds of miles to return to a doctor’s surgery where they have been well received in the past.

In some cases, medical treatment can be interrupted or delayed due to eviction proceedings. This would appear to be an example of one agency interrupting the work of another (SCF, 2000: 7):

The midwife was due to come back [to the site] and see me. She was going to bring me milk tokens and some baby clothes ... but the police wouldn’t let me wait.

Most families, to this day, prefer to go to a hospital accident and emergency department where they will normally be accepted for treatment without discrimination. However, some A&E departments have a rule which states that if someone has had symptoms for more than forty-eight hours, they will not be seen and will be given the telephone number of a helpline which explains how to register with a GP. Some experts think the new financial arrangements for medical practices which came into force in April 1990 will not help Gypsies to get treatment (Rose, 1993). For example, doctors may be reluctant to start a series of immunisation with a Gypsy child if they think that the family will move on before the full series is completed. This would make it harder for the practice to reach the necessary percentage of children with completed immunisations for payment to be made hence they will lose funds (Feder, 1993). So far there is no evidence of this happening on a wide scale. It should also be noted that the potential health risks associated with partial immunisation are a factor and may, in part, explain some of the decisions taken by GPs.

The health visitor probably plays the key role in ensuring that Gypsy children can get the care they need and there is now a national association through which these professionals can get mutual support and exchange information (Ballinger, 1998a). The National Association of Health Workers with Travellers (NAHWT) also aims to act as a national voice to highlight the impact of legislation and local policies on the health and welfare of the Traveller and Gypsy communities. Health workers from the NAHWT say that until a national policy is implemented to support equal access to health services, the differences in effectiveness and appropriateness of health care provided throughout the United Kingdom for Travellers will vary enormously (Acton,

Caffrey, Dunn, and Vinson, 1997). Some of the new contracts for health visitors fail to recognise the additional work required in work with Travellers. Health providers have to monitor ethnic groups under Department of Health rules but Gypsies and Travellers are not monitored in this way (unlike the new practice in education).

It has to be said, however, that as long as many Gypsies and Travellers are forced to live on sites with no water, refuse collection and no guarantee that they will be allowed to remain from one day to the next, their health will suffer.

Education

After the English Education Act of 1902 extended compulsory schooling to the whole population of England and Wales, there was a need to regularise the position of Gypsies (Kenny, 1997). This was done in the Children's Act of 1908 by which children of nomadic parents were required to attend for only 200 half-day sessions (instead of the normal 380). This provision was rarely enforced and few children attended school (Hawes and Perez, 1996). Since most local councils put their efforts into moving Gypsy families out of their areas, there was little enthusiasm for organising education for them.

After the founding of the Gypsy Council in 1966 the first caravan school in Britain, run by volunteers, was established on an old aerodrome in the summer of the following year. Thomas Acton, now Professor of Romani Studies at the University of Greenwich, was one such volunteer (Acton, 1998a). Following this, a number of short-

lived *Romano Drom* (Romani Road) schools were started in England. In 1967 too, the Plowden Report *Children and their Primary Schools* described Gypsy children as probably the most severely deprived group in the country (Central Advisory Council for Education, 1967).

In 1968 the National Gypsy Education Council (NGEC) was set up with a committee of Gypsy activists and educationalists. Lady Plowden (chair of the committee which produced the report) was invited to head this new body and, with its respectable image, the NGEC succeeded in obtaining more grants from charitable funds than the Gypsy Council's own Education Trust had done. An independent voluntary project was set up in the Midlands which continued till 1976. Superseding this initial provision, although overlapping it for a brief period, the West Midlands Education Service for Travelling Children was created by a consortium of eleven local education authorities. Over the years, voluntary schemes were gradually replaced by LEA provision (Binns, 1990).

In 1973 the Department of Education and Science, under its HMI Short Course programme for teachers, ran the first official course on the Education of Travelling Children, organised by HMI Donald Buckland. This course was repeated every year until 1976 when it was changed to a bi-annual event. Some of the courses drew over 250 participants. The HMI Short Course programme was eventually phased out with the last course being held in Winchester in 1987 (Waterson, 1997).

In the same year as the first HMI Short Course, the NGEC split and there were then two national organisations, the NGEC and a new body known as The Advisory Council [earlier Committee] for the Education of Romani and Other Travellers (ACERT). Both these organisations were engaged in furthering the cause of Gypsy and Traveller education (ACERT, 1977). The NGEC recently recognised its wider brief by changing its name to the Gypsy Council for Education, Culture, Welfare and Civil Rights.

In 1977, the London Borough of Croydon's Education Committee caused a furore when it refused to admit a girl called Mary Delaney, a name made up for a test case, to its schools on the ground that she was on an illegal caravan site within the area of the authority. A similar action by the London Borough of Enfield led to joint protests by the NGEC and ACERT, together with a threat to take the Government to the European Court of Human Rights. The Crown Court ruled in favour of Mary Delaney and the Government responded by inserting a clause into the 1980 Education Act aiming to block the loophole by which Croydon might legally have been able to exclude children from illegal sites from schools. Circular 1/81 of the Department of Education and Science, declared explicitly the right of Gypsy and Traveller children to attend school (DES, 1981: 8):

The reference to children in the area of the authority means that each authority's duty extends to all children residing in their area, whether permanently or temporarily. The duty thus embraces in particular travelling children, including Gypsies.

Regular attendance at school by Gypsy and Traveller children living in houses or on permanent caravan sites is, for obvious reasons, more feasible than for the children from the 3,000 - 4,000 families who are still travelling from one unauthorised site to another, on account of an insufficient supply of legal stopping places. This situation can have a damaging impact on both school access and attendance (ACERT, 1993). A recent report from the north of England tells how police came to a school and removed four children from the classroom at the same time as the local authority officials were evicting the parents and their caravan from a roadside site (Gypsy Council Archives). An eviction in the London Borough of Enfield, led to the death of a six year-old boy during removal from an unauthorised site mentioned above (Lewis, 1998). Had the family been on a legal site, the child might very well have been in school on the fateful day.

Most Gypsy and Traveller parents, in theory at least, welcome the chance of primary education for their children. However, as their children reach puberty and the subjects on offer seem less relevant to their daily lives, attitudes change. Research has shown that as the children get older, attendance drops off (ACERT, 1998). Some parents, worried that their offspring will learn to take drugs, swear and hear about sex from young house-dwellers, encourage their older daughters to stay at home and their sons to go out with other male Gypsies to learn about work at first hand, rather than attend school. It is likely that, for some families, only the possibility of attending single sex schools and a curriculum more orientated to practical activities will encourage a greater attendance by 11-16 year-olds (Smith, 1997).

Until the 1980s, the role of central government in the development of policy for Gypsy and Traveller children's education, was only modest: the belief being that local education authorities were best placed to decide on policy and practice which matched local needs and circumstances (Acton and Kenrick, 1991). In 1983, the Inspectorate published a Discussion Paper entitled *The Education of Travellers' Children* (DES/HMI, 1983). This provided some case histories of good educational practice. At this time LEAs could receive additional financial support for the education of Gypsy and Traveller children under the arrangements known as the 'No Area Pool'. This was a fund set up and financed by local authorities to support provision for pupils who did not belong to any one local authority area (Mercer, 1992).

With the reform of local government finance in 1987/8, the 'No Area Pool' was ended. In its place the government introduced a new specific grant for the education of what it termed 'Travellers and Displaced Persons' (Section 210 of the 1988 Education Reform Act) (Waterson, 1997). This was followed by Circulars 10/90 and 11/92, both of which encouraged LEAs to be active in making viable provision for the education of Gypsies and Traveller children. Circular 10/90 included a Part B which indicated a model of good practice. In 1996 the specific grant was amended within the Education Act of that year and become known as Section 488 (Bhopal et al, 2000).

The impact of central funding has been significant. Over 400 teachers are now employed by local education authorities and most are locally organised within a Traveller Education Service (TES). In addition to teachers, TES also employ significant numbers of Classroom Assistants and Education Welfare Officers. Most

TES's operate as peripatetic teams and over the years these have established effective and functional networks which facilitate co-operation and liaison between authorities and allow for the exchange of information to aid continuity of provision for the Gypsy and Traveller pupils (Bhopal et al, 2000). Nearly all of these posts are supported by what is known as a Section 488 grant made available to local authorities by central government. The specific grant currently supports 65 per cent of the costs involved. In 1999/2000 this grant will support total expenditure in excess of £13 million (DEE, 2000). This is allocated within the framework of a competitive bidding process with local projects being planned for three year periods at a time.

Gypsy and Traveller children who have been settled in housing for two or more years are not eligible for support under this programme. This is known as the 'Two Year Rule' and is not helpful in some circumstances where the educational difficulties of some of the children concerned, are equal to, if not more extreme, than those of some of the children still 'on the road' and or living in caravans (Smith, 1997). The assumption here, as in planning law (see chapter 8), is that after two years you cease to be a 'legal' Gypsy. This example illustrates in an empirical fashion some of the issues I was exploring theoretically in beginning this thesis: the tension and conflict between ethnicity and nomadism. Where one aspect is given more 'weight' over the other, problems and contradictions appear in the policies of the statutory and voluntary organisations who work with Gypsies and Travellers.

A number of voluntary bodies are active in the area of Gypsy and Traveller education. In addition, many professional teachers are members of the National Association of

Teachers of Travellers (NATT). This organisation has made a significant contribution to Gypsy and Traveller education over the years by holding a bi-annual national conference together with regular meetings which have a strong in-service training element, and generally by promoting good practice and the constructive use of grants made available under the European Commission's Socrates educational programme (SCLRAE, 1993).

The pioneering and proactive work of TES all over the country has made a real change in the educational opportunities of Gypsy and Traveller children in terms of access and attendance (Morris, 1997). There are Traveller Education Services in 130 LEAs. Within England, over 17,000 Traveller children receive direct educational support from these services. Over 3,500 schools are supported by peripatetic staff working within TES (Bhopal et al, 2000).

Despite this progress, there are still serious concerns over attendance and achievement. The report published by the Office for Standards in Education (OFSTED, 1996: 16-19) in March 1996 painted a grim picture, particularly on the issue of attendance:

Approximately half of Travelling pupils enrolled at primary schools have an attendance rate of 80 per cent. One-third have a rate between 50 per cent and 79 per cent, with approximately one fifth falling below 49 per cent. This profile is in contrast to that which obtains at the secondary phase. Within the same three categories used above, only about one third of the much smaller number of Travelling pupils enrolled have an attendance rate above 80 per cent, a further third averages between 50 per cent and 79 per cent and with the rest below 49 per cent.

The same report went on to give worrying detail surrounding secondary education (OFSTED, 1996: 19):

It is estimated that only between 15 per cent and 20 per cent of Traveller pupils are registered, or in regular attendance at Key Stage 3 (11-14 years). The number of pupils who continue to Key Stage 4 (14-16 years) shows a further significant decline to an estimated 5 per cent of the secondary cohort.

The report suggests that as many as 10,000 children of secondary school age are not even registered with schools.

Research commissioned to explore the reasons for the under-achievement of many Gypsy Traveller pupils has recently been published (Bhopal et al, 2000). Entitled *Working Towards Inclusive Education: Aspects of Good Practice for Gypsy Traveller Children*, it looks towards 'inclusive' policies and systems of 'good practice' to encourage participation.

It is a key study which examined six schools in detail. Each was an example of a successful initiative in mainstream education that aimed to improve attendance and/or raise attainment. The main aim for the project was to identify the key elements of successful schemes and to disseminate them in order to promote more effective teaching and learning. The findings are put in the context of the existing research literature on the causes of underachievement by Gypsy Traveller children.

The research has positive messages. For example, it demonstrates that low attendance, access to the curriculum and the achievement levels of Gypsy Traveller children can be

successfully addressed by schools and Traveller Education Services (TESs). The report argues that support provided by the TESs to schools with Gypsy Traveller pupils is critical to the development of best practice. TESs can provide Gypsy Traveller communities with information about schools, secure school places for Gypsy Traveller children by supporting admission procedures and help to devise induction schemes for new children. They can also promote and facilitate regular attendance by organising transport arrangements, helping with the provision of uniforms and support during the immediate period after admission. They can also assist parents in their dealings with schools and help ensure that there is continuity in the educational experience. The TESs also provide essential support for schools by providing appropriate curriculum materials and training for teachers.

Schools have a crucial role to play in promoting access and raising achievement for Gypsy Traveller pupils. Race Equality and Equal Opportunities policies need to be in place and they should specifically mention Gypsy Traveller children and their educational needs, in order to establish an inclusive ethos in the school (a point raised by Smith, 1997 as well). The Bhopal et al (2000) report also notes that it is important for the head teacher and other staff members to demonstrate a commitment to these policies and that schools have effective behaviour codes and anti-bullying strategies.

It is also regarded as 'essential' that schools employ special support measures for Gypsy Traveller children. These may include pastoral care systems, in particular building strong and trusting relationships with parents. Other support measures which help Gypsy Traveller children may include, study support, mentoring programmes,

homework clubs and sanctuary areas. The most important finding is also the most obvious one: the way schools handle the initial induction process can greatly impact on future attendance and achievement of Gypsy and Traveller Children in the school classroom

Bullying in School

While, in the main, access to schools has been secured, there are still too many schools where prejudice against Gypsies and Travellers continues in many subtle and unsubtle ways. This appears to be an endemic problem and one identified in the 1996 OFSTED report and other official reports and publications (OFSTED, 1996). The 1985 Swann Report *Education for All* (Swann, 1985: 45-46) had a section on the educational needs of Travellers' children. It talks of the extreme hostility which the Traveller community faces from the settled community:

The degree of hostility towards Gypsies and other Travellers' children if they do enter school is quite remarkable even when set alongside the racism encountered by children from other ethnic minority groups.

There is no shortage of examples of racist attitudes and behaviour towards Gypsy and Traveller children. A survey in Sheffield found that racist name-calling was what the Traveller children most hated about going to school (Gypsy Council Archives). In 1994, in a school in the West London area, Gypsy children were subjected to name calling and attacks. *Gaujo* children blocked the school gate and prevented them leaving school and going home until the police were called. On another occasion the provoked

Gypsy children retaliated. Three Gypsy children were suspended but no *gaujo* children were punished. In a school in Hackney a playground argument started between an Afro-Caribbean pupil and a Gypsy girl. Each descended into racist abuse of the other. The Gypsy girl was excluded from the school for making racist remarks – the other girl remained on the roll. In 1998 a school in Gloucestershire admitted four infant Gypsy children. The next day 150 parents kept their children out of school and a local newspaper ran a headline, ‘Would you like your child to sit next to a Gypsy?’ (Gypsy Council Archives).

Despite these unacceptable stories of racist intolerance, progress is being made. Most schools have clear anti-bullying guidelines and know what to do, in theory, when an incident arises. The progress made, though, has represented a long up-hill struggle and it is certain that generations of Gypsy and Traveller children have needlessly lost out on their legal entitlement to a formal education.

Self-representation: The Gypsy Council in England

As discussed in chapter 7, Norman Dodds MP and his Gypsy friends were not alone in their struggle for sites and civil rights in England. In Dorset, Romani activist Tom Jonell campaigned from 1963, the year in which Tom O’Doherty, an Irish Traveller, founded the Society of Travelling People in Leeds. Two years later, Richard Hauser of the Centre for Group Studies and his wife, the pianist Hephzibah Menuhin, hosted a meeting which was the first step in changing the face of the Gypsy political scene in Britain. Those present included Vaida Voevod of the *Communauté Mondiale Gitane*

(see chapter 11), David Smith (author of several reports on Gypsies) and Brian Richardson, active in the National Council for Civil Liberties. During 1966, Grattan Puxon, a journalist who had been drawn into the fight for Travellers' Rights in Ireland, returned to England. He drew together Gypsies, such as John Brazil and Joe Eastwood, and their *gaujo* supporters who later that same year took a lead in setting up the Gypsy Council. The names of thirty Gypsies were on a leaflet calling all Travellers to come to a meeting in Kent on 11 December 1966 to support the following demands:

- camping sites
- equal rights to education, work and houses
- equal standing through respect between ourselves and our settled neighbours.

An additional twist was that the venue, the Bull's Head, was a public house which had a 'No Gypsies' sign on the front, a fact of which the local press made much (*Kent Messenger*, 12. 12.66, in Acton, 1974a: 67). The new Gypsy Council was to thrive on media publicity.

Over the next two years, Puxon and other leaders of the Council and their *gaujo* sympathisers were to run a campaign of passive resistance to evictions of caravans which hit the press and TV screen. Puxon himself drew inspiration from Gandhi's 'passive resistance' campaign and the movement to drive the British out of India, while experience of CND and the anti-Vietnam demonstrations either in person or as a TV viewer was common to all.

People from all walks of life supported the campaign for stopping places and education. Links were forged between Gypsies and *gaujos* and a 'bust card' was printed which, at its peak had twenty-three phone numbers across Britain for calling in an emergency. One member of the Gypsy Council, remembering those times, told me:

At the first sign of a bailiff arriving to evict [someone from] an unofficial site a man would run to the nearest public telephone and a mixture of housewives, ministers and students would assemble with the Gypsies, making a human barrier between their caravans and the council officials with their police and towing vehicles behind them.

This passive resistance was a major factor in persuading the Government to take some action over the 'Gypsy problem', culminating in the 1968 Caravan Sites Act. However, the battle for sites wound down during the 1970s for a number of reasons. Many of the most obstinate local councils opened sites, splits within the Gypsy Council weakened its leadership and the fact that caravans were becoming more expensive meant that their owners were no longer willing to risk damage during an eviction but were inclined to move off at the first sight of bailiffs. More recently, Gypsies and New Travellers have not meekly accepted the new laws on trespass in the 1994 Criminal Justice and Public Order Act and have resisted evictions on many occasions in different parts of Britain.

Realignments within the Gypsy civil rights movement led to the formation of the Romani Guild in 1972 which merged with the Gypsy Council to become the National Gypsy Council in 1974. The Association of Gypsy Organisations was formed in 1975 but no longer operates as an independent organisation, having merged with the NGECC

which was renamed the Gypsy Council for Education, Culture, Welfare and Civil Rights. At the time of writing there are also other groups with regional rather than national membership. A list of the major organisations is given in Appendix 1. All of these organisations have been contacted at least once by the author during the research period and most have been visited as well.

Conclusion

We have seen in this chapter the logical outcomes of what happens – on ground level – when the Gypsy and Traveller presence in Britain is constructed as a ‘problem’ to be ‘solved’. It is children being bullied in schools (when they are accepted into a school that is), women failing to get access to a GP during pregnancy or a period of ill-health and men being arrested or threatened with arrest in an attempt to get them to quickly ‘move on’ with their families into the next county. Strong political/newspaper messages and commentaries about Gypsies and Travellers do filter down into the towns and villages of Britain and the promotion of negative stereotypes and prejudice can result in the social exclusion of such groups from mainstream settled society and the services that Beveridge wanted to be open and accessible to all. As the Traveller Law Research Unit recently put it (Morris and Clements, eds., 1999: 7):

History shows... that the message sent to settled people by the state, and other powerful voices such as the media, has been a negative one; and that relations only improve when the state is no longer prepared to accept such stereotyping.

PART FOUR: ON THE EUROPEAN STAGE

This brief Part of the thesis broadens the questions and issues out by taking into consideration the European context and situation. Increasingly, what happens at a European level, in terms of social policies and legal matters, has a direct bearing on how the various parts of Britain tackle various social, economic and political problems. When it comes to issues that affect Gypsies and Travellers this is also very much the case. In light of this, it should be noted that the main purpose of this chapter is not to be comparative but to be contextual.

As well as reviewing the wider social and legal context of Europe and the European Union (EU) and how this impacts on Britain, I will relate this to the position of ethnic minority groups in Europe. In particular, I will go on to examine the specific institutions in Europe and the EU and their stance on Gypsies and 'nomad populations'. A brief focus of this chapter will be to critically investigate how it is that to date the principal concern of bodies such as the Council of Europe and the European Commission, when it comes to Gypsies, has been education policy. Other pressing matters, such as racism, nomadism and employment have only rarely been mentioned in statements and declarations. Can the Gypsies and Travellers of Britain look to Europe for answers to their situation?

Chapter 11

Civil rights and European action

People with an awareness of possibilities and of their rights are in a better position to negotiate with their environment and to see that their rights are respected: familiarity with existing guidelines and decisions taken by democratic bodies, and with the progress of ideas of respect for individuals and cultures, makes it possible to participate in ongoing debates and to support others active in the field... In the current period, as international institutions develop more and more activities aimed at Gypsy communities, it is well to take stock of the internal dynamics of these institutions...

(Danbakli, 1993: 7-8.)

As this chapter is essentially contextual, it is important to first review the general social and legal context of Europe and the European Union. It is true to say that when Britain became a member of the European Economic Community (now European Union – EU) in 1973 this had a major impact on British social policy (Hantrais, 2000). One example of this is the fact that as a member state, Britain is now under certain legal obligations to introduce particular social law that emerges and takes shape on the European stage (Burrows and Mayer, 1996). To date, there are fifteen member states of the EU and it seems very likely that others will join in the near future, especially from the central and eastern parts of Europe. Indeed, one condition of certain states joining from this region illustrates the importance of the Romani people as a transnational policy issue: the integration, equal treatment and respect of the human rights of their Romani, and other, ethnic minorities (Castle-Kanrová, 2001). Having said this, as Bill Jordan has noted (1998: 229), for entry to the EU the final test for applicants will be less to do with abstract ideas of ‘political democracy’ than it will be to do with the creation of viable ‘market economies’:

From the perspective of existing member states, the main advantage of an enlargement of potentially 100 million EU citizens is in their opportunities as markets, and sites for profitable industrial expansion.

One of the first things worthy of comment in opening this chapter is the fact that on the European stage, social policy looks very different in its definition and scope to that traditionally seen in Britain. The key areas of British social policy, such as housing and health, have, until recently with the passing of the 1993 Maastricht Treaty, been 'missing'. What we find at the European level is, historically, only a minor level of interest in redistributive issues such as social security. Nonetheless, as the years have passed, it has become increasingly apparent that some decisions taken at the EU level, especially in matters relating to social intervention (such as the environment, for example) can have a big impact on politics and policies of the states who are part of the EU network (Wurzel, 2001). However, this seems to be the exception rather than the rule: for although opponents of the European 'social dimension' continually assert how damaging the type of social intervention that is taking place and how binding the legislation can be, in practice this is not the case.

Indeed, in practice, there is no coherent model of EU social policy, despite various Green and White secondary legislation papers on the matter (EU, 1993; EU, 1994). Rather, as Cram, Dinon and Nugent (1999) have suggested, EU social policy efforts have developed in a 'stop-go' fashion. A telling example of this is the fact that few proposals have made it to the statute books intact: those that have made it usually go through a process which leaves them watered down and only shadows of their original

versions. As Leibfried (1993: 143) has argued, EU legislation, in most areas, 'is mainly procedural and not substantive'. That is, it can have only incremental and modest impact on member states legislative systems and can very rarely make major changes quickly. The forthcoming shift towards a single currency, however, may have a dramatic impact, although this remains to be seen (Bonoli, George and Taylor-Gooby, 2000).

Although changes have been incremental and modest, it is still the case that EU social policy concerns have had some impact on Britain. As Kassim and Hine (1998: 212-213) have said 'the impact of EU action on national policy is... complex and highly differentiated'. In practice - in the British experience - we can observe that this impact has been both direct and indirect; directly through a few limited legislative interventions in specific policy fields and indirectly through EU interest in social fields (Roberts and Springer, 2000).

At the start of a new millenium, it is still the case that the actual power of the EU in traditional social policy affairs is limited - largely through the problematic principle of subsidiarity (that is, EU institutions only getting involved in a policy area where member states are unable to deal with tasks themselves). Indeed, as Spicker (1991: 3) has noted, a more realistic definition of subsidiarity would see it as 'a synonym for national sovereignty'. Roberts and Bolderson (1999) highlight a good example of such a problem area. They assessed the settlement rules and disentanglements of non-EU migrants in relation to social security benefits in the EU and examined how widespread this exclusion is, what forms they take and how significant a problem this

is. In general terms, their study found little consistency within member states and the differences tended to reveal how 'open' or 'closed' a country was to outsiders (in terms of immigration, employment and asylum procedures). One implication of this is examining the discriminatory aspects of different legislative provisions across different member states in relation to settlement rules and social security entitlement and the case for a more focused EU-led approach to resolving the tensions.

It is perhaps because of issues like subsidiarity that EU interest in social policy is, broadly speaking, about setting minimum standards and proposing regulatory policies and rule making only. Again, in practice, what this means is more activity around non-binding or so-called 'soft law' declarations on social policy matters (Geyer, 2000). In other words, there are a plethora of statements or recommendations made to member states in a variety of policy areas that have little legal obligation attached to them in terms of implementation. Examples of this abound, such as agreements on parental leave and part-time work. In essence, a lot of 'social dialogue' does take place at the EU level but very rarely does it lead to legislation (Hantrais, 2000).

However, there is some limited 'binding' legislation at the EU level which must not be overlooked in this brief overview. This legislation is largely about developing institutional frameworks that will help establish decision rules (such as the European Social Fund), setting up and monitoring advisory and standing committees and, on occasion, even creating permanent organisations (such as the Foundation for the Implementation of Living and Working Conditions) (Hantrais, 2000). Also, in terms of provisions that have a direct and 'real' impact on European citizens (and citizenship),

we can see that certain equality measures (in relation to gender and pay especially), health and safety guidelines and worker protection methods as good examples of positive EU intervention (Jordan, 1998). It should also be noted that in some social areas, the EU funds programmes – such as HELIOS – which works with people with disabilities. Indeed, the operation of the European Social Fund has been a major success for the EU in many member state countries (Roberts and Springer, 2000).

So, despite some positive and meaningful interventions, the overall picture is one that suggests it is the ‘soft law’ non-binding provisions that dominate social policy areas within the EU and this means, in effect, that although there are many statements and declarations made their impact is slight and weak. In part, this is explained by the very history of the EU: it was, after all, primarily established for economic progress and monetary goals, not social ones. The many statements made at the EU level on the ‘social dimension’ tend to be overlooked when economic matters are pressing and also on the agenda; as Bonoli, George and Taylor-Gooby (2000: 156-157) have suggested:

The long-term vision of the founders of the European Union was the creation of a Europe that was united in the economic, political and social field. So far, however, progress has been made only in the economic field.

In summary, we can see that although EU social legislation is limited in its reach, it is nonetheless important for British social policy. We can also see that the attention given to ‘social dialogue’ within the EU has increased in recent years and this shows some signs of continuing into the 21st Century. For Britain specifically, 1997 was a year of great change; we saw the election of a more ‘Europe-friendly’ New Labour

government and its acceptance of the social-led Amsterdam Treaty, passed in the same year. It seems likely that Britain will be more willing to listen and contribute to ideas for inclusive European-led social justice initiatives. At the same time, however, on a wider platform, it is unlikely that the controversy surrounding the 'social dimension' will just disappear. For example, it is still the case that member states are refusing to extend qualified majority voting on social issues in the EU, this illustrating the unwillingness of some member states to cede power in this sensitive and political area (Kassim and Hine, 1998: 218).

For the purposes of this thesis, it should be noted that amongst the mixed outcomes on social matters the EU has often led the way on matters of 'race' and other social divisions, especially gender and disability. Indeed, the inclusion of issues which affect marginalised groups in the EU may lead to more encouragement being given to such groups – including Romanies, Gypsies and Travellers - to participate at the EU level in pushing for equality and social inclusion/justice. Clearly, however, this is a long-term project and needs to be sustained and monitored to ensure real progress (Council of Europe, 1996). We now move on to examine the racial dimension of the 'new Europe' and EU influence in this area.

The Racial dimension of the 'New Europe'

This brief section aims to provide an overview of the way Europe and the EU have

framed policy questions about 'race' and racial/ethnic (in)equality. In doing this, it will lead us onto examining the position of the International/European Romani movement and how Europe and the European Union has engaged (and not engaged) with groups of Romanies, Gypsies and Travellers in the area. Bearing in mind the context of this thesis, I will do all this with particular reference to Britain and with particular reference to ideas of 'citizenship'.

One of the starting points in examining 'race' in the European policy setting is to see how, in particular, the EU has had an impact of the concept of citizenship – both formally and substantively. Citizenship, within the social science literature, has a long established history with the work of T. H. Marshall being particularly important (Marshall, 1950). According to Marshall, citizenship was essentially a question of full and active membership within the *national* political structures. Thus, when Britain joined the EEC (now EU) in 1973, an interesting and wider dimension was brought to the nature and scope of this definition. It is interesting that the *rights* which accompanied citizenship, as Marshall saw it, were ones of 'gradual incorporation'. That is, the extension of citizenship rights in Britain occurred over time and was a way of accommodating the mass demands of the population and drawing in previously excluded classes into the 'body politic' (Mason, 2000:122). In this way, Marshall was essentially arguing that citizenship rights were a type of 'alternative outcome' for the class struggle – not dramatic working class revolution but instead the gradual incorporation and accommodation of all social classes within 'the system' (bourgeois parliamentary liberal democracy). These rights that Marshall discussed were of three types: civil (equality before the law), political (extension of the franchise) and social

(state support for material and social well-being) (Craig, 2001: 2).

On this basis, we can say that in the early 21st Century in Britain most sections of the community are able to identify themselves - and be identified by others – as ‘citizens’ with the rights (and responsibilities) this status brings. However, it also means that for those who cannot associate themselves with some or all of these rights then the status of ‘outsider’ might be more applicable: that is, they are seen as ‘not belonging’ and are excluded or marginal to mainstream society (Dean and Melrose, 1999). It should be noted that this can happen at both an individual and group level, depending on circumstances and context.

When examining the British experience, we can see that exclusion from citizenship rights occurs most obviously for those who are legally defined as being ‘non-citizens’; that is, there is a direct connection here with immigration and British nationality legislation. Nonetheless, this is not to say it is *just* legal ‘non-citizens’ who are excluded from citizenship rights – even though Marshall’s early account might suggest this to be the case. Today, Marshall’s original account of citizenship is recognised as being limited. It is now considered, by some commentators, as being too bound up in the British experience and concerned only with class, thus presenting a rather static and one dimensional evolutionary model of citizenship which ignores, for example, dynamics of gender, sexuality and ‘race’ (Lister, 1997; Williams, 1989).

An important distinction must be made at this point. As touched on previously, there is a crucial difference between formal and substantive citizenship rights. Whilst one may

possess the *formal* rights of citizenship on paper, this is not always matched by the *practice* of being able to exercise those rights: for example, a Gypsy family who cannot access social security benefits due to their classification as being of No Fixed Abode (NFA). This distinction becomes quite important in the next section where we look at the European dimension on citizenship much closer. With regard to Europe, it might seem that this is a stage on which citizenship rights of British people – including Gypsies and Travellers – might be enhanced. However, there is another side which warns us that ‘counter-forces’ may be of threat to the substantive citizenship rights of British people from minority ethnic backgrounds (Castles, 2000). Indeed, despite my earlier comment about the EU often leading the way on challenging social divisions, the ‘race’ dimension to this challenge has certainly not kept pace with the many gender initiatives aimed at tackling inequalities. We can see, in fact, when comparing Britain with other EU member states on the issue of race relations legislation, the island nation shows itself to be quite developed and progressive in areas of anti-discrimination law (MacEwen, 1995).

Still, there is much concern in Britain and Europe today about immigration and asylum, not least about Romani immigration and asylum (Clark and Campbell, 2000). Against this background, and for quite some time now, there has been talk of EU proposals to tighten controls on entry procedures and give rise to what was termed in the early 1990s as ‘fortress Europe’ (Kohli, 1998). What with large populations in some EU states of non-citizens, it has been apparent that ethnic minority ‘difference’ and skin colour are sometimes taken as evidence of, and equated with, illegal entry and ‘bogus’ citizenship status. This trend, often buttressed by sections of the press, has

serious implications for the EU principle of 'freedom of movement' and the human rights of such individuals falling into this widely cast net. This fact is often overlooked in commentaries on the matter, as is the impact such questioning of status and denial of substantive citizenship rights has on sections of the ethnic minority population (Council of Europe, 1996).

Another aspect to this is the migrations of the 1990s, which to a large degree were kick-started by the break-up of the former USSR, the demise of communism in central and eastern Europe and the reunification of Germany. Such migration trends did generate social strains on a number of western EU states and it was not helpful that this happened to coincide with a period of economic slowdown and rising unemployment across Europe (Mitchell and Russell, 1998). During the 1990s, perhaps as a consequence of such unstable political and economic environments, we have seen a rise in the popularity of right-wing groups who play on themes of xenophobia, racism, extreme nationalism and support policies of forced repatriation. Increased neo-fascist activity has seen outbreaks of racial violence across Europe; in turn, this has raised real fears about pan-European forms of organisation which might emerge among such racist organisations and the potential impact on the safety and future of Britain's ethnic minority population (Favell, 1998). In Britain itself, of course, it is worth noting that there has been a long history of racist violence and encouragement from Europe has rarely been needed to see it take root and develop (Virdee, 1997).

However, as Jordan (1998: 205) has noted, such neo-fascist movements have 'loomed and faded in the past decade, just as its progenitors did in the 1920s'. In other words,

the pervasiveness of racism in a 'New Europe' dominated by neo-fascist tendencies and racist political activity can be seen as a 'doomsday' like scenario for some commentators. Robert Miles (1994) has suggested that rather than seeing a qualitative increase in levels of racism in Europe during the 1980s and 1990s we have seen instead a *continuing* thread of ethnocentrism and racism in European politics more generally. Likewise, it has been noted by some people that for every racist group in Europe there is at least one, if not more, trying to counter its messages via anti-racist networks and alliances (Sivanandan, 1988). Miles (1994) also makes this point and usefully reminds us that human beings are not wholly powerless. Indeed, if we fail to appreciate this fact then we could very easily absolve the racists from responsibility for their actions and treat the marginalised and oppressed as little more than 'victims', incapable of independent thought and action. On this note - and set within this context - we should move on to focus on what impact European matters have had on the Gypsy and Traveller population in Britain. Using a historical approach, we can trace the emergence of the European Romani movement and also examine when and how Europe became interested in the Romani minority within its borders and the impact of this, in particular, in Britain.

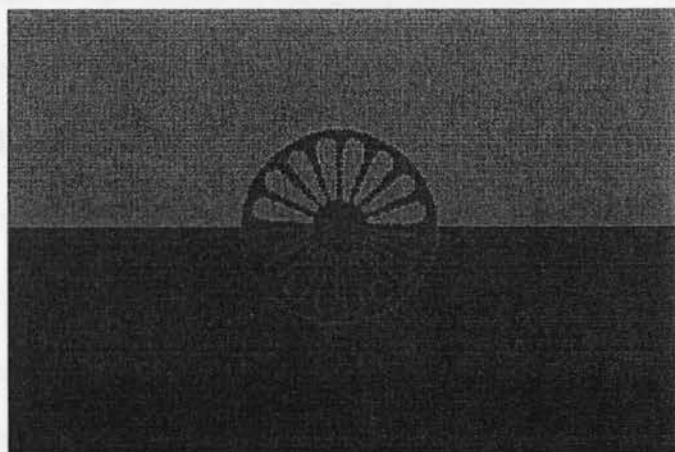
The emerging International Romani Movement

In 1959 Ionel Rotaru, a member of the *Ursari* clan and a writer, adopting the old chieftain's title *Vaida Voevod*, emerged in Paris as would-be leader of the world's Gypsies. He founded an international organisation *Communauté Mondiale Gitane* (CMG). This was banned by the French Government in 1965 but Vanko Rouda and

other ex-members of the CMG then formed a new movement, the *Comité International Tzigane* (CIT). As they never officially registered it, the French Government was not able to dissolve it. Grattan Puxon and the Dublin-based Itinerant Action Group were in contact with both the CMG and the CIT, and Vanko Rouda spoke at the foundation meeting of the Gypsy Council in Kent, 1966 (from minutes, Gypsy Council Archives).

From the beginning, members of the British Gypsy Council were to have a significant impact on the emerging European scene. For example, the Gypsy Council hosted the First World Romani Congress in 1971 which was held in the premises of a boarding school near London (Kenrick, 1971: 101-108). The CIT, now called the *Comité International Rom*, was active in mustering support for this meeting which was attended by delegates and observers from sixteen, mainly European, countries. At the Congress there emerged a flag (blue and green with a red wheel – see below), an anthem ('*Opre Roma!*', reproduced at the beginning of this thesis) and five commissions which were to meet between congresses (see Puxon, 2000: 94-113).

SOURCE: The Patrin Web Journal: < <http://www.geocities.com/Paris/5121/rromflag.gif> >



The Second Congress was held in Geneva in 1978 with 120 delegates and observers from 26 countries. The link with India was the dominant theme of this congress which opened with the presentation by W. R. Rishi from Chandigarh of a symbolic package of earth from the historical 'mother country' of the Romanies (Fraser, 1995: 318). New statutes were elaborated and a fresh organisation emerged, the International Romani Union (IRU), which was to operate between congresses and which, in the following year, gained recognition from UNESCO (Puxon, 2000).

The Third Congress was held in Göttingen, Germany, in 1981, with even larger numbers, some 300 delegates and observers mainly from Eastern Europe. Prominence was given to recalling the Nazi period and invited Jewish speakers included Simon Wiesenthal and Richard Hauser. A new demand was made for global reparations from the German government (Fraser, 1995: 318). This has not yet been met but Berlin does now support the national German *Sinti* (Gypsy) Union based in Heidelberg. An international Presidium or committee was elected with Peter Mercer MBE as the British member (Hawes and Perez, 1996).

As the frontiers of Eastern Europe began to open up, the Fourth Congress in 1990 was held near Warsaw in Poland. Over 300 persons from twenty countries attended, including delegations from Bulgaria, Czechoslovakia, Romania and the Soviet Union. It was decided to set up commissions to produce a standard Romani literary language and an encyclopaedia *for Romanies by Romanies* (Fraser, 1995: 318). These tasks are still being undertaken by working parties attached to the *Centre de Recherches Tsiganes* in Paris, largely funded by the European Commission in Brussels. The

Congress reaffirmed the Indian origin of the Romanies while recognising that they would remain citizens of the countries where they now live. Ideas about a new homeland called 'Romanestan' were not on the agenda at this meeting. The British and Irish delegations stressed the need for a good network of caravan sites, access to relevant education and the right to a nomadic way of life (minutes, Gypsy Council Archives).

Following the Fourth Congress, the International Romani Union took part in setting up a new overall international body on which all Gypsy organisations can be represented – the Standing Conference for Co-operation and Co-ordination of Romani Associations in Europe (SCCCRAE). This was founded on July 30 1994, in Strasbourg and there have been meetings at various locations where issues such as the rise of anti-Gypsyism in Europe have been discussed (Liégeois, 1994).

In July 2000 the Fifth Congress was held in Prague and delegates from 39 different countries attended the five day event, the first time in ten years. Emil Scuka, a Slovak born Romani lawyer, was elected President of the IRU and the majority of the cabinet were from Central and Eastern European countries. Peter Mercer MBE was elected as a Member of Parliament representing England and Martin Collins was elected to represent Ireland (Acton and Klímová, 2001).

Progress was made in the meetings: a new statute calling for the recognition of a Roma nation was drawn up, there was a fresh call for Germany to issue an apology for the Roma Holocaust (the *Porrajmos*), and the election of the new president.

Speaking to a reporter from *The Independent on Sunday* (30.6.00) about the 'Gypsy Nation' issue, Scuka said:

The world does not behave towards the Gypsy nation at all. The world only behaves towards Gypsy minorities. We have all the attributes of a nation: our own language, our own culture and traditions. We had to declare ourselves a nation because we are convinced no one else will do it for us.

It seems likely that the Sixth Congress will be held in four years time in another European location. At the time of writing, London or Budapest seem to be likely hosts with the Gypsy Council pushing hard for London.

European Organisations – The Council of Europe

Although the Council of Europe covers over 30 countries, it has no powers over its members and has until now had a relatively low profile in countries such as Britain. Nevertheless, it has played a part in at least raising consciousness of the Gypsy issue at international level (Liégeois, 1994: 278-284). As early as 1969 the Consultative Assembly made a recommendation that member states should try and improve the conditions of life of their Gypsy citizens (Recommendation 563, 1969 'On the situation of Gypsies and Nomads in Europe') (Danbakli, 1994).

In 1975, the Committee of Ministers of the Council, noting that little had been done by member states as a result of this recommendation, passed a strongly worded resolution. This Resolution (75-13), on the 'Carrying Recommendations on the Social Situation of Nomadic Populations of Europe' invited (Liégeois, 1994: 279):

... the governments of the Member States to inform the Secretary General of the Council of Europe in due course of measures taken to implement the recommendations contained in this resolution.

Resolution 75-13 called for an end to discrimination, the safeguarding of the culture of nomadic populations, the building of caravan sites and encouraging the education and training of children and adults. It also established a sizeable fund for promoting Romani educational work.

The Parliamentary Assembly of the Council of Europe of 1993 proposed a number of measures in its Resolution 1203 which declared that Gypsies were 'a true European minority' (Verspaget, 1993). These measures covered a range of issues from culture to civil rights. Unfortunately, the Council has no power to enforce these proposals. The Council also financed and published a useful educational survey on Gypsies in all the member states, *Roma, Gypsies and Travellers*, of which a second edition came out in 1994 (Liégeois, 1994). Meetings for teachers and others involved in education have been held in Donaueschingen and elsewhere and reports of the discussions and conclusions have been widely circulated (Fraser, 1995: 288). The Council of Europe initiated a project for the history of minorities, including Gypsies, for inclusion in history textbooks and teaching programmes of member states (what is now known as the 'Interface Project'). This has been very successful and has led to numerous publications in a range of languages (see the following website for some examples of this growing literature: < <http://www.herts.ac.uk/UHPress/interface.html> >).

In 1995, the Council established a new advisory body - the Specialist Group on Roma/Gypsies (MG-S-Rom). The seven original members of this group came from

Finland, Spain, Netherlands, Romania, Bulgaria, Italy and Poland. The latter was represented by the Romani activist Andrzej Mirga (Hawes and Perez, 1996). This group has drawn up a number of policy documents in various fields during the 1990s and in 1999 the pivotal role of this group was demonstrated when the EU adopted its document *Guiding Principles for Improving the Situation of the Roma* (van der Stoel, 2000).

European Convention on Human Rights

The European Convention of Human Rights is a good example of where European policy has been of benefit to a number of Gypsy families in Britain. In particular, it has given some hope to those families who have been refused planning permission on appeal to Inspectors from the Planning Agency and then taken their cases to the European Court of Human Rights. They claimed that their 'right to a home' was denied contrary to Article 8 (the right to respect for private and family life) of the European Convention on Human Rights (Council of Europe, 1950), which states:

Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

One of the first cases of this kind was that of Mrs. June Buckley who took the UK government to court in 1996. In *Buckley v UK App.23/1995/529/616 [1996] JPL 10018*, Mrs. Buckley of Cambridgeshire alleged that the planning system effectively

made it impossible for her to pursue her way of life as a Romani Gypsy, as her only other available option was to move onto an unsuitable pitch on a public site. In January 1995 the European Commission on Human Rights concluded by 5 votes to 4 that her Article 8 rights had been breached. This was to be a hollow and short-lived victory however as in September 1996 the European Court of Human Rights took the opposite view (O’Nions, 1996). Central to the Court’s reasoning was that the state had not employed ‘disproportionate means’ to enforce planning control (as Mrs. Buckley was subject only to ‘small fines’ – these small fines still amounting to several thousand pounds however). Nonetheless, Gypsy organisations in Britain too some hope from the fact that other cases, where eviction and harassment are employed or where non-planning options and personal circumstances are more problematic, might succeed.

It is important to note that Mrs. Buckley’s legal case began before the abolition of the 1968 Caravan Sites Act in November 1994 and other cases are now working their way through the long and complicated legal procedures. For example, on 4th March 1998 the European Commission of Human Rights considered a number of cases regarding British Gypsies who owned their land. The Commission declared as admissible the applications of Mr. and Mrs. Coster of Maidstone, Mr. and Mrs. Beard and three others (Chapman, Lee and Smith). In each case there was a lack of alternative sites in the area they lived. The results of these appeals to the Court were announced on the 18th January 2001 (unfortunately, Mr and Mrs Coster had already been driven off their site by enforcement proceedings and accepted housing in November 2000).

In this latest case, the European Court of Human Rights held, by ten votes to seven,

that there had been no violation of Article 8 of the European Convention on Human Rights, in all five cases. Further, the Court held unanimously that there had been no violation of Article 14 (prohibition of discrimination), in all cases and that, again unanimously, that there had been no violation of Article 1 of Protocol No.1 (right to peaceful enjoyment of possessions), in the cases of Chapman, Coster, Jane Smith and Lee. The Court also ruled unanimously that there had been no violation of Article 6 (access to court), (Chapman and Jane Smith) and that there had been no violation of Article 2 of Protocol No. 1 (right to education), (Coster, Lee and Jane Smith) (European Court of Human Rights, 2001).

This was a disappointing outcome for the five families involved. It was noted by one observer, Hector McNeil, that of the seven judges from the European Union, four dissented the decision, i.e. a majority of EU judges did not agree with the final decision. However, the weight of their opinion was countered by the other non-EU judges in the Court (McNeil, 2001).

From October 2000, major legal changes make the process much smoother and less costly for Gypsy families in Britain taking the UK government to Court. The implementation of the Human Rights Act 1998 on October 2nd 2000 has incorporated the ECHR into British law, and people no longer have to undertake the long pilgrimage to Strasbourg to find a remedy for breaches of their rights. The Act enables anyone involved in criminal or civil proceedings, at any level from Magistrates Court to the House of Lords (including Social Security and other Tribunals) to invoke their rights where relevant. The Act makes it unlawful for any

public authority to act in a way which is, and for any other law to be, incompatible with the Convention (Drabble, 2000).

Recent cuts in legal aid mean that some people who need protection for their rights will be unable to afford to enforce them, and it has been mooted by some legal commentators that the Act will not represent a revolution until the judiciary are more 'rights minded' and less fearful of being too powerful in relation to the government (Morris and Clements, eds., 1999). Nonetheless, a more immediate and domestic remedy for the breach of rights is to be welcomed, and local authorities and the police will have to conduct a review all of their working practices and procedures to ensure that they are fair, balanced, and 'necessary in a democratic society'. If they do not undertake a review they face the prospect of losing in court. The days of police raids on Gypsy sites involving 100 officers, 50 Gypsies, and 1 resulting arrest, for example, may well be at an end.

The European Union

As early as 1981 members of the International Romani Union first approached the European Community (as it then was) to press the case for aiding Gypsies (Danbakli, 1994). There was a delay until 1984 when the European Parliament decided to study school provision (Noble, 1996). Information was collected from all member countries and published in 1989 (set out in Resolution 89/C153/02). At the end of the study there were forty-three recommendations. They are far-sighted and include:

That teaching material incorporating elements of Gypsy and Traveller culture, language and history be developed.

That Travellers be employed as paid assistants in connection with the schooling of their children.

Needs other than education were not forgotten entirely: 'Nomadism must be officially recognised and provision made for nomads' (Danbakli, 1994: 59). The study was accepted by the Education Committee and has been published in many of the European Union languages. Since then, a number of meetings of teachers and educationalists, as well as representatives of various Gypsy groups, have been held, and the study has been enlarged to cover Spain and Portugal. A new edition was published in 1998 (see Liégeois (1998)). Gypsies await further positive action in the form of pressure on governments to provide a framework within which their children can receive education, as well as finance for adult training programmes. This may come about as a result of resolutions on the general situation of the Romanies passed by the Council of Ministers in 1989 and reaffirmed by the Parliament in 1994. (NB: see Appendix 4 for various resolutions recently passed at the European level).

The EU has recently warned Bulgaria, Slovakia and the Czech Republic in particular that, under the Association Agreements for new states entering the Union, they need to make more effort to integrate their Romani populations if they are to be admitted to the Union in the future (The Guardian, 1998; Kovats, 2001).

Education: the European Union agenda

Ideologies of assimilation, individual pathology, group generalisation and stereotyping, and, some would argue, cultural annihilation have

to date informed many of the policies for and work with ethnic and minority groups throughout Europe... the time for a rethink is now upon us.

(Crickley, Crowley and O'Connell, 1992: 53)

This brief section examines European Union policies regarding the education of Gypsy and Traveller children within its borders in a critical light. I question the assumption that, by promoting *gaujo* education approaches within European Gypsy communities, social exclusion will – *as a direct result* - be reduced. To be sure, this approach is not without problems and is not necessarily the correct strategy to be followed. I argue that although instances of ‘good practice’ can be observed in some cases (such as the use of distance learning packages in some parts of Britain), the nature of education policies being pursued in most EU member states leaves some Gypsy parents being effectively left to choose one of two stark choices; social exclusion or cultural assimilation. Indeed, as Liégeois (1994: 207) has argued ‘for a long time, school has been a means for the implementation of forced assimilation... it confronts them as an entirely alien institution’.

It is only relatively recently that Gypsies within the borders of the EU, and indeed elsewhere, have agreed to the state having some limited role in the education of their children. Indeed, education within Gypsy communities, the learning of the skills that are necessary to sustain an economically viable ‘Gypsy way of life’, have always taken priority (Smith, 1997). Indeed, the question that is principally being raised here is *why should this change now?* For centuries Gypsies have adapted to the conditions and situations which the host country has offered them. During these many years, economic climates and systems have changed, but still most Gypsy communities

have survived (and many prospered) within the dominant societies in which they found themselves working. In fact, there are dangers in becoming too reliant on *gaujo* education systems, as Judith Okely (1997b: 63) has noted:

...the ambiguous status of a travelling ethnic group has implications for the state's interest in the assimilation of that group. The social reproduction of the group through the education of children becomes a crucial site of struggle.

There are many questions raised by EU interest in educating Gypsies and Travellers. For example; do the education programmes offered by the member states, facilitated by the EU, offer Gypsies new means and methods of extracting a living from *gaujos*?; can Gypsies shape and mould such educational programmes to suit their own needs or will they be directed by assimilationist demands?; lastly, if Gypsies are to stave off assimilation are they merely securing their (expected) place amongst those groups who are deemed to be 'socially excluded' as a result of the economic policies being promoted within the EU?

The European Union: Educating Gypsies

Schools are geared towards getting jobs... There's no future in Travellers getting jobs. They have their own economy and this is what should be encouraged

(Traveller man from Kerry, Ireland - quoted in KTDP, 1996: 18).

As Alan Dearling (1997) has noted, part of the role that New Travellers have created for themselves in Britain has been to challenge various norms and ideals that have been passed on from generation to generation. The same is true for Gypsies and other

Travellers in the realm of educating their children. Providing access to *gaujo* education and schooling has, I would argue, been the main issue of priority for the European Union and its various bodies in relation to Gypsies and Travellers. Even in the 'European Year Against Racism' (1997) little was heard from the mouthpieces of the EU - such as the European Commission - on the numerous racist murders, attacks and violent assaults that Gypsies have been subjected to around that time (ERRC, 1996a, 1996b, 1997; HRW, 1996). It is issues such as legal access to land and the 'freedom of movement', a secure and safe life where they are free from racist assaults and verbal abuse and being able to continue creating economic opportunities in order to make a living that are uppermost in the minds of most Gypsies presently residing in the EU - an estimated seven to eight and a half million people according to Liégeois and Gheorghe (1995:7). The same is true for those families in Britain - which, after all, is part of the EU.

So why has the education of Gypsy children been such a worthy EU cause attracting much funds and practitioner/academic involvement? To answer this we need to look at the origins of a Gypsy education agenda in the EU and how this has developed over the last few years. In reminding us of 'the most basic point of all', Jean Pierre Liégeois at an international conference stated how 'very grave' the situation of Gypsy and Traveller communities is regarding their access and use of schools in the European Union (Naylor, Waterson and Whiffin, 1993: 16). It seems only 30-40% of the 600,000 - 1 million Gypsy and Traveller children attend school with any degree of regularity and an extremely small figure progress to secondary education (EU, 1994; Kenny, 1997). Many children had never stepped inside a school. Liégeois

argues that Gypsy and Traveller parents are aware of the 'need' for a sound and basic education and demand for places in school is rising as a result of this recognition (Hawes and Perez, 1996). Indeed, with increased Gypsy participation in schools there are *potentially* some positive outcomes for non-Gypsy children, if a 'multicultural' programme is being followed (Liégeois, 1994: 228):

Gypsy culture at school also means that non-Gypsy children will be exposed to it, and this may be useful in combating prejudice. If Gypsy culture is given a role in school, it is *validated* and *reaffirmed* by the fact, and all concerned will be encouraged to view Gypsies as a cultural minority rather than as a social category. The pedagogic implications of such a shift of perspective are enormously important; so are the psychological ones. [original emphasis]

It is in this context that various European organisations are involved with Gypsies: not all of this involvement is from an educational standpoint, but certainly the majority is. For example, from around the mid-1970s, ministers of the Council of Europe started to put forward and adopt a number of resolutions and recommendations proposing immediate action to resolve the high levels of discrimination faced by Gypsies and the lack of services for those Gypsies who followed a nomadic way of life. During the 1980s, both the Council of Europe and the Council of Ministers had addressed the issue of 'intercultural education' and the need to provide educational services for the children of nomadic people (Danbakli, 1993). As a result of these discussions in the mid-1980s two Resolutions were adopted in May 1989: European Commission Resolutions 189/C 153/02 (no C153/3-4) on school provision for Gypsy and Traveller children and 89/C 153/3-4 (no. C153/1/2) on provision for the children of occupational Travellers (Hawes and Perez, 1996). These two resolutions called for professionals and educationalists in the field

to 'network' and share the experiences and information they had via a series of conferences in order to build up an idea of what 'good practice' looked like when talking about providing education for Gypsy children.

In the early 1990s, the European Commission recognised that the implementation of the May 1989 resolutions had not occurred in most member states and decided to bring ministers of education together in order to address this problem. An ad hoc group on intercultural education was formed and its main task was to ensure that these two resolutions were implemented. In 2001, work continues on this.

Something else quite important happened in the early 1990s regarding finances (Hawes and Perez, 1996). The European Parliament established new budgets that enabled more work to be done in the area of intercultural education. As a result of new money, the ad hoc group on intercultural education created two sub-groups who meet three times a year: one of deals with the children of migrant workers in the EU and the other with the children of Gypsies – both settled and nomadic. Likewise, the development of the EU SOCRATES programme (1995-99) has also had some pay-off for the children of migrants and settled/nomadic Gypsies. This is catered for under the second chapter of the SOCRATES programme which was created under the auspices of the 1993 Maastricht Treaty (articles 126/7).

It is clear that the European Union has been encouraging initiatives to reduce educational inequalities between Gypsies, Travellers, Migrants and the *gaujo* population. It is also clear that much of this has been pursued with an integrationist /

assimilationist agenda which has its own rewards and problems for those involved (Clark, 1997c). Experiences in the various EU member states are quite different, though in general it can be said that most have had, until recently, very low levels of participation by Gypsies and Travellers in the formal education systems (Morris, 1997). As mentioned earlier, attendance is low at primary level and lower still at secondary level (Kenny, 1997; Smith, 1997). Illiteracy continues to be regarded as a 'problem', especially in the Southern part of Europe (Berris, 1994).

The alternatives: a 'Gypsy education'

Lee and Warren (1991: 322) have argued:

...Romanis [Gypsies] can, with some justification, point to the success of their own educational system in providing members of their given society with independence, work satisfaction through non-alienated labour, family solidarity and cohesion, and group survival.

The alternatives to a *gaujo* state education for Gypsies may provide them with the necessary skills to avoid a 'sub-culture of poverty' (McCarthy, 1972; 1994) and get on in life and prosper. Demographic indicators illustrate that the European Gypsy population is young. With *gaujo* schooling generally on the rise, the 'site' of education as an area for assimilationists to 'capture' the young, as Okely (1997b) has noted, is a major political and social issue. What we cannot do, I would argue, is accept at face value the assumption that state education is *always* the 'correct' route for Gypsy children to go down. Such integrationist strategies may lead to exclusion on one hand or assimilation on the other. Indeed, recent talk amongst educationalists

of social integration and social inclusion is, for many critics, just a polite (and deliberately vague) way of talking about assimilation through the 'back door' (Smith, 1997). With current debates in the halls of the EU focusing once more on economic issues, social and cultural items are in danger of once more slipping down the agenda.

Conclusion

In this Part/chapter we have reviewed the wider social and legal context of Europe and the European Union (EU) and how this impacts on Britain. This review has also considered some issues that emerge when relating this context to the position of 'race' and ethnic minority groups in Europe. In particular, I have examined the specific institutions in Europe and the EU and their stance on Gypsies and 'nomad populations'. It is apparent that European and EU interest in the Gypsy/Traveller population has, over time, increased and certain institutions – such as the Council of Europe and the European Union - have certain 'Gypsy issues' on their agendas. We also noted in this chapter that the role of the European Court of Human Rights has been quite significant for British Gypsy families taking the government to court for breaches of their human rights, this usually involving planning decisions. Although no cases have been successful, and from October 2000 Gypsy families can use the Human Rights Act 1998 to pursue cases in British Courts, the ECHR has at least demonstrated the *possibility* to families that they can access justice and question the legality of what, to them, seems a very unfair system of planning. Another part of this chapter briefly examined the question of 'Gypsy education' and the ways in

which the European Union has promoted this issue above most others during the last three decades or so and some of the problems with this.

PART FIVE: THE ROAD AHEAD?

In this last Part of the thesis, I offer some concluding thoughts on the future for Gypsies and Travellers in Britain and examine recent moves to try and steady the shaky legal ground that most Gypsies and Travellers currently occupy. I also draw together the various strands of my theoretical and policy based arguments, asking whether or not those 3,000-4,000 Gypsy and Traveller families, who are literally 'on the verge' with no legal place to park their home in Britain, will find safety, comfort and shelter during the 21st Century. Crucially, I examine what impact European developments are having on British Gypsy and Traveller interests as well as outlining what the central implications and findings of this thesis are.

Chapter 12

Conclusion

We have to change our own mind... We've got to change our own minds about each other. We have to see each other with new eyes. We have to come together with warmth...

Malcolm X (in hooks, 1996: 146)

What do you see, when you look at me?
 Your idea of my identity
 Am I the Gypsy you've read books about?
 Am I the Traveller you heard talk about?
 Will you see the folki [people] not in the books?
 Will you judge my cousins just by their looks?
 Will you know the Gypsy who lives in your street?

Extract from a poem, 'Identity', by Charles Smith (Smith, 1995: 28)

The personal as political

In the general introduction to his 1974 D.Phil. thesis, Thomas Acton - currently the only (*gaujo*) Professor of Romani studies in the world - noted that he was in a tricky position (Acton, 1974b: 10-11):

I should perhaps discuss... the objection that my deep involvement in recent Gypsy politics will both prejudice my account of them and produce ideological distortions in my analysis in other areas.... I cannot pretend to be neutral. I have been involved in work for the Gypsy Council since 1967. I believe that its struggle for social justice and self-determination for the Gypsy people is a righteous one. I am attracted by the values of family solidarity, economic independence and opposition to territorial state authorities and their boundaries, which run as recurring themes through Romani culture... If I had not been so involved, I would not have been able to carry out my field-work in the way that I did... I have these values [but] I have made my best endeavour as a scholar... I consider it better to declare my

values now, so that those who wish to discount them may more easily do so.

Nearly three decades on from when these words were written, I find myself in a very similar position to Acton. In attempting to draw this thesis to a meaningful close, I am eager, like Acton, to present myself not as someone who has engaged in a polemical tirade against anti-Gypsyism in all its British forms but, rather, as a scholar – a *jinimengro* ('educated brain') - with values searching for 'truth'. In the methodology section of chapter 1, I made it quite clear that I am heavily involved in the work of the Gypsy Council and have been since 1995. Without this work the thesis would not have come about. Through this contact, and with generous access to the archives of the Council, I have managed to document various issues that are of concern to some of the British Gypsy and Traveller population today. In many ways, writing this thesis has also helped me to come to terms with my own 'identity' that I spoke of in the personal preface. This has not been easy, but has been a necessary journey of both academic and personal self-discovery.

The theoretical issues at stake

It is interesting to note that the issues Acton speaks of in the passage above - family solidarity, economic independence and opposition to territorial state authorities and their boundaries – are ones that I have also spent some time examining in this thesis. I have updated this account and have added new dimensions - theoretically and empirically - to those that Acton in 1974 was concerned with. Times have indeed changed and new battles are being faced by Gypsy and Traveller families today - such

as those concerning planning issues, education and human rights. I have also attempted to move the conceptual debate on by locating the theoretical basis of this thesis in debates around 'race', ethnicity and nomadism. I have suggested, perhaps controversially, that we should begin to take more seriously the issue of nomadism *as well as* questions regarding ethnicity and 'race'. For too long, I argued, the 'race' schism has created false divisions between different Gypsy and Traveller groups that should be forming working alliances to dismantle anti-nomadic legislation and practices, rather than tearing each other apart over who is 'genuine' and who is 'bogus'. As I have made clear throughout this thesis, the Criminal Justice and Public Order Act of 1994 has criminalised nomadism in Britain and makes little distinction in its many Sections between so-called 'Real Romanies' and '*Didikai* (rough) Travellers'. As far as the legislation is concerned, if you are nomadic and live in a caravan then you are a 'moving target' subject to surveillance and prosecution by the authorities (SCF, 2000).

In writing this thesis, I have provided an insight into the lives and experiences of various groups of Gypsies and Travellers who live in Britain and what they encounter on a daily basis. I have sought to argue throughout that they constitute, in some ways, 'invisible' people. As a conceptual and theoretical argument, this may have seemed an odd route to travel. I may have given some readers the impression that hardly a day seems to pass without some local newspaper complaining about a 'visible' illegal encampment that has just arrived in the area and the accompanying 'rubbish' and extra burden this poses to Council Tax payers in the borough. But, upon further scrutiny, is it really such an odd argument? I have suggested in the previous eleven chapters that

the British vision or idea of who Gypsies and Travellers are – like Jack Straw’s – is essentially misguided and divided into two. This dichotomy includes, on one hand, the ‘proper’ or ‘deserving’ Gypsy. They live in nicely painted *vardos* (bow-topped wagons), tell fortunes, entertain us with their music, sit by the campfire and symbolise the freedom, mystery and romanticism of an earlier age where the winding lanes led you to the heart of rural Britain. The other dominant image – the ‘pretend’ or ‘undeserving’ Gypsy – is to be feared, blamed and pushed from pillar to post; for they are dirty, dishonest and might steal ‘our’ children as well as our money. Much of this process revolves around the history and legacy of the stereotypes I discussed in chapter 2.

This romanticised/demonised image, of course, does not reflect the contemporary reality of modern British Gypsy and Traveller life; it is much more complicated than this. Like their settled neighbours, most use a car, go on holiday and attempt to enjoy the benefits of modern technology. As their trailers have satellite dishes and central heating, and the men engage in self-employed modern trades, they are regarded as being somehow ‘not real’ Gypsies or Travellers. Such ‘pretend’ groups do not meet the quaint image that is buttressed by the nursery rhymes and fairy tales, operas and popular novels that popular culture has provided us with. The ‘bogus’ Gypsies and Travellers do not have problems themselves; for they *appear* to live a charmed and easy life without a mortgage or work deadlines to meet. In fact, if anything, they *deserve* such problems for engaging in such a cunning masquerade.

To be clear, it is worth repeating in this conclusion that Gypsies, since 1988, have been regarded as a minority group in the eyes of the Commission for Racial Equality and the Race Relations Act of 1976. The problem has been that *in general terms*, amongst the *majority* of the settled population and those people working for local authorities and other agencies who deal with Gypsies, this has not been recognised or the implications appreciated. Likewise, their right to live a nomadic way of life has been threatened and curtailed by legislation: the power of the state has been felt by many nomadic families. In this context, they are rendered 'invisible people' and, further, considered as not even being 'real' people or having needs. As I have shown in the thesis, this is not only the case in the policy context, but also in the academic context: with only a few exceptions, they are an 'invisible' group in the eyes of the ethnic and racial studies community.

Changing minds, changing policies

The policy context is important for the ordinary lives of Gypsies and Travellers in Britain. As was briefly touched on in chapter 1, the first three years of the Blair New Labour Government was something of a disappointment for the Gypsy and Traveller organisations and their supporters in Britain. Most worrying has been the moral panic whipped up by the government and the tabloid press about Romani asylum-seekers from central and eastern Europe. Added to this has been the remarks made by Jack Straw in August 1999 where he talked of 'bogus' and 'degenerate' Travellers pretending to be 'real' Gypsies and how they burgled, thieved and 'defecated in doorways' (Clark and Dearling, 1999: 14). On a policy level, although some bold

promises were given in 1997-1998 from the then junior education minister Estelle Morris on improving access to education (Morris, 1997; ACERT, 1998), there has been little in the way of real progress on giving nomadic Gypsies and Travellers more secure places to station their caravans (thus allowing them to engage with and more fully take-up services such as education and health). It is important to note that despite New Labour rhetoric in the 1990s on the importance of social justice and tackling social exclusion, there has been no move from the government to repeal the anti-Gypsy sections (61-80) of the 1994 Criminal Justice and Public Order Act. When this fact is put beside the stringent planning measures which prevent families from parking their caravans on land they own it is little wonder that the situation of accommodation is one of the most fundamental issues that concerns Gypsies and Travellers. For this reason, accommodation has been a central issue explored in this thesis (primarily in chapter 7 and 8).

Indeed, as we noted in chapter 7, in 1998 the DETR did produce guidance (*Managing Unauthorised Encampments*, DETR, 1998a) to try and help avoid unnecessary evictions but this has been met with only a lukewarm response from organisations such as the Gypsy Council. The emphasis of the guidance is still on viewing Gypsies and Travellers as 'the problem'. The guidance, I would argue, is aimed more at helping local authorities to move roadside encampments on quicker, and with less complications, rather than actually preventing pointless evictions and the disruption and costs they bring.

Clearly, however, the administrative discretion that this Good Practice Guide allows for is no substitute for both formal and substantive human rights. It is against this background that there has been a widespread movement, spearheaded by major charities and by lawyers dealing with Gypsy causes to bring forward a new private member's bill during 2001-2002 (see Morris and Clements, eds., 1999). Similarly, the implementation of the Human Rights Act in October 2000 may also, eventually, prove useful with Gypsies and Travellers being able to lobby and challenge the discriminatory planning system for private sites that we discussed in chapter 8. It is in the policy areas concerning land, law, and planning that much work is still to be done, as well as tackling the anti-Gypsy prejudice and discrimination that infects the policy process. These are the crucial issues that have featured heavily in much of the Gypsy and Traveller meetings and conferences I have attended since 1995 to the present day. The question that many people are asking now is what happens next?

The possibilities of Europe?

Although what happens next is not clear in Britain, it is evident that the institutions of Europe and the EU, as well as European Romani NGO forums such as the European Roma Rights Centre, offer some hope for British Gypsy and Traveller groups. However, this is not to ignore the domestic base: on one hand, as discussed above, there has been some efforts at instigating a new culture of Romani lobbying and civil rights work in Britain, not least those activities being undertaken by the Gypsy Council and by Cardiff Law School. However, the European stage is increasingly seeing activity regarding British Gypsy and Traveller issues. Although

we discussed in some detail the limitations of the European 'social dimension' in chapter 11, we also noted that some impact is being made in certain social policy areas across member state interests (such as the environment). Arguably, since the June Buckley human rights case of the mid-1990s, many British Gypsy and Traveller families and their legal representatives have seen the potential of Europe to help their cause, particularly in relation to private site development and challenging discrimination in other areas of social policy. In this regard, the European Convention on Human Rights has been very significant as has the Council of Europe and its specialist agencies on Gypsy and Traveller matters in Europe. Clearly, the European arena remains a force for progressive change in some areas which may impact on Gypsy and Traveller interests in Britain.

Past, Present, Future

I am keen that the reader leaves this study thinking about those Gypsy families who are facing a difficult and legally precarious situation as they go about their daily lives. To be sure, in the year 2001, in democratic and tolerant Britain, some three to four thousand Gypsy and Traveller families are living in a caravan – illegally - on the roadside. This roadside might be on the edge of a busy motorway or next to a sewage farm. Other families might be encamped on a local authority sports field or a disused quarry. They will probably have no water supply or rubbish collection and the children are probably not attending school. They will be evicted, sooner rather than later, and moved on to another area where the vicious circle will begin again. This is not a good state of affairs, whether viewed from a social, political or economic perspective.

Indeed, throughout the 1980s and 1990s Gypsies and Travellers have been largely 'invisible' from wider debates about social justice and inclusion. As a group, they are often overlooked as being not a 'real' nomadic/ethnic group and are regarded instead as being an 'eyesore' or a 'nuisance' to be moved on to the next town or county. The 1968 Caravan Sites Act, in England and Wales, provided the means by which these 'homeless' families could be given pitches where they could legally stop while still preserving their independent culture and way of life. In Scotland, it was supposed to be the 'Toleration policy' that provided Travellers with a sense of security, even if they couldn't find a pitch on a local authority site. In practice, as we have seen, there was little security offered to families either by Acts or Toleration Policies. Both have been shown to be lacking in this thesis.

A good site, as I hope the latter chapters of this thesis have shown, is one of the first important steps to justice and equality. For one thing, it lets you register to vote! Also, being able to live legally in a caravan, on a well planned and resourced site, can enable better access to services such as health, social security and education. Further, education is just one of the means by which some Gypsies and Travellers will be better placed to stand up for themselves against officialdom, bureaucracy and institutionalised racism and discrimination. However, in tracing this rather simplistic and linear path, we must remember that *gaujo* schools and education systems, as I have also shown, are not without their problems for Gypsies and Travellers.

With the 1968 Sites Act now repealed, voluntary and private site provision will never be able to catch up with the demand for good sites. That is, not until councillors risk

losing votes and permit sites in their area, and the residents - that is the general public - become more knowledgeable and able to distinguish the reality about Gypsies from the many myths and stereotypes that this thesis has accounted for and explained in some depth. All the Gypsies and Travellers whose cases and circumstances are mentioned in this thesis, whether on sites or in houses, have suffered from some form of discrimination and harassment. The various Race Relations and Public Order Acts should have offered them some form of legal protection against such prejudice, but, as we have seen, they often did not.

It has also been shown, I hope, that other options and roads ahead do exist; common misunderstandings about the Gypsies and Travellers of Britain can be dispelled if some time, energy and commitment is put into improving community relations between Gypsies and non-Gypsies. In promoting a more tolerant climate in Britain, where Gypsies and Travellers may 'integrate' without being assimilated, we are seeking a new kind of multicultural future. That is, not just one that respects ethnic diversity, but one that respects the rights of nomadic people to live and travel in caravans, seek employment and raise their children in a way that previous generations of Gypsies and Travellers have. This should not be at the discretion of individual local authorities and police forces: there should be a national policy on nomadic living and a proper network of sites to accommodate such families.

A future such as this is not "rocket science" - as one *Romanichal* at the Gypsy Council put it to me - and is not an impossible task. It is a vision for Britain in the new millennium that is worth struggling for and achieving.

APPENDIX 1

Addresses of organisations consulted in the course of this research and related websites.

Addresses

Advisory Council for the Education of Romani and other Travellers (ACERT)
Moot House, The Stow, Harlow, Essex CM20 3AG.

Department of the Environment, Transport and the Regions, Gypsy Sites Branch,
2/A1 Eland House, Bressenden Place, London SW1E 5DU.

East Anglian Gypsy Council
Plot 3, Travellers Site, Oxney Road, Peterborough, Cambridgeshire PE1 5NX.

European Federation for the Education of the Children of the Occupational Travellers
(EFECOT)
Grensstraat 6, B-1210 Brussels, Belgium

Enabler Publications / Alan Dearling (publishers and booksellers)
3 Russell House, Lym Close, Lyme Regis, Dorset DT7 3DE.

Friends, Families and Travellers Support Group (FFT)
Community Base, Queens Road, Brighton, East Sussex.

Gypsy Council for Education, Culture, Welfare and Civil Rights
8 Hall Road, Aveley, Essex RM15 4HD.

International Association of Gypsies in Professional Occupations (IAGPO)
c/o John Day, 7 Travellers Site, Oxney Road, Peterborough PE1 5NX.

Irish Travellers' Project, Brent Irish Advisory Services (BIAS)
90 High Street, Harrow-on-the-Hill, Middlesex HA1 3LP

Labour Campaign for Travellers' Rights
84 Bankside Street, Leeds LS8 5AD.

National Association of Gypsy and Traveller Officers
c/o Hampshire County Council, The Castle, Winchester, Hampshire SO23 9DS.

National Association of Gypsy Women
Meadowview, Goldsmith Drive, Lower Holbridge Road, Rayleigh, Essex.

National Association of Health Workers with Travellers
c/o Balsall Heath Health Centre, 43 Edward Road, Balsall Heath, Birmingham
B12 9LB.

National Association of Teachers of Travellers
c/o The Graiseley Centre, Pool Street, Wolverhampton WV2 4NE.

National Gypsy Council
Greenacres Caravan Park, Hapsford, Helsby, Warrington, Cheshire WA6 OJS.

National Romani Rights Association
8 Reid Way, King's Lynn, Norfolk PE30 2LL.

Romanestan Publications (publishers and booksellers)
22 Northend, Warley, Brentwood, Essex CM14 5LD.

Romani Studies at Greenwich University
School of Social Sciences, University of Greenwich, Avery Hill Road, London
SE1 2UG

Romany Guild
The Urban Farm, 50-52 Temple Mills Lane, London E15.

Traveller Law Research Unit
Cardiff Law School, PO Box 427, Cardiff, Wales CF1 1XD.

Traveller School Charity
PO Box 36, Grantham, Lincolnshire NG31 6EW.

Internet Resources / Web Sites consulted

NB: This list is confined to those web sites specifically related to Gypsies and other Travellers in Britain. All were consulted for this research.

Alan Lodge's Homepage ('Tash' on New Travellers)

<http://www.gn.apc.org/tash/>

Department of the Environment, Transport and Regions Homepage

<http://www.detr.gov.uk/>

Education Otherwise (home schools)

<http://www.education-otherwise.org/legal/sinc.htm>

Enabler Publications

<http://members.aol.com/adearling/enabler/>

Gypsy and Traveller Education (UK)

<http://www.jokak.demon.co.uk/artemis/homepage.html>

Romani Studies at Greenwich University

<http://www.gre.ac.uk/~at02/>

Scottish Traveller Education Project

<http://www.mhie.ac.uk/~step/>

The National Association of Health Workers with Travellers

<http://nahwt.supernews.com/>

The National Fairground Archive (UK)

<http://www.shef.ac.uk/uni/projects/nfa/newspap/wf/vtarticles/vtart2.html>

The Patrin (section on Great Britain)

<http://www.geocities.com/~patrin/countries.htm#GreatBritain>

University of Hertfordshire Press

<http://www.herts.ac.uk/UHPress/Gypsies.html>

University of Liverpool Gypsy Collections Homepage

<http://sca.lib.liv.ac.uk/collections/gypsy/intro.htm>

Web Homepage of Traveller-Net e-mail discussion list:

<http://www.jiscmail.ac.uk/lists/traveller-net.htm>

APPENDIX 2

Glossary of Terms used

Ethnicity	This concept is used in the thesis to refer to cultural awareness/identity within groups of people who share a common history/heritage. For Gypsies and Travellers, cultural/linguistic identification and family 'pedigrees' are also usually important (for example, at a first meeting the question will more likely be ' <i>who are you one of?</i> ' rather than ' <i>who are you?</i> ')
Flattie	A term used by Scottish Travellers and Showpeople for a house-dweller.
Gaujo	An Anglo-Romani term meaning an 'outsider'/someone who is not a Gypsy, Traveller or Romani.
Gypsy	An abbreviation of the word 'Egyptian', a name given to the Romani people in the Middle Ages as it was thought they came from Egypt. The word can be derogatory to some people we might think of as 'Gypsies' (such people may prefer the term Romani). However, for this thesis I use it (and Traveller) throughout as a general term for anyone of nomadic habit of life (as British law currently suggests).
Koïne	A linguistic term which means 'a language of wider communication typified by modifications in the direction of simplification of morphological and syntactic structure but which presents no such structural break as is... the case with pidgins' (Hancock, 2000: 1).
Poggerdi Jib	A term which refers to the language of <i>Romanichal</i> English Gypsies. The term translates as 'Broken Tongue/Language'. Some examples can be found in Appendix 6.
Romani	As a noun: a member of a nomadic people originating in North India, the Romanies. Also an adjective relating to the culture, customs and language of the Romanies. It is derived from the word 'Rom' (plural 'Roma').
Romanes	A more general term for the language of the Romanies.
Traveller	1. An Irish or Scottish nomad. 2. An overall term for nomads covering Romani Gypsies as well as Irish, New and Scottish Travellers.

(NB: In all quotations the forms 'gipsy' or 'gypsy' have been standardised to 'Gypsy', and 'Traveller' capitalised.

Caravan

The term caravan (as defined by the 1960 Caravan Sites Act) includes a mobile home comprising a maximum of two units which is, in spite of the name, not mobile. It is brought on to a site in two parts on a lorry and put together on site. It cannot be towed by a lorry and for practical purposes (as opposed to legal niceties) is the same as a chalet.

Mobile home site

A site consisting entirely of mobile homes, popular with retired people or for holidays. Gypsies are rarely allowed on these sites.

APPENDIX 3**Chronology: key dates during the latter half of the Twentieth Century**

- 1959 *Highways Act* (legislated against Gypsies parking-up on laybys).
- 1960 *Caravan Sites and Control of Development Act* (controlled private sites).
Commons Act (stopped camping on commons).
- 1966 Gypsy Council founded.
- 1968 *Caravan Sites Act* (see 1970 below).
Ministry of Housing Circular 49/68 explains the Act.
- 1970 Part 2 of the *Caravan Sites Act* comes into operation (Councils must provide sites for Gypsies).
- 1971 First World Romani Congress in London.
- 1972 First 'designations' under the 1968 Act.
- 1976 *Race Relations Act* (bans discrimination).
- 1977 Cripps Report.
Housing (Homeless Persons) Act (Gypsies with no legal pitch can be counted as homeless).
Department of the Environment Circular 28/77 (temporary proposals until Cripps Report has been studied).
Croydon refuses a school place to a Gypsy on an illegal site.
- 1978 Circular 57/78 (following up Cripps Report).
Second World Romani Congress (Geneva)
- 1980 Offence of 'being a Gypsy encamping on a highway' abolished.
Education Act (Gypsies on illegal sites are entitled to a school place).
- 1981 Brymbo discrimination case. (Wales)
- 1985 Rafferty and Gilhaney cases (a county cannot evict Gypsies without providing an alternative site).
New Travellers at Stonehenge.
- 1986 Statutory Instrument 1986/2289 (reduces to two days the period for giving a trespasser notice to quit).
Public Order Act (Trespass on vacant land becomes a criminal offence; reinforces law on racial harassment).

- 1987 Wibberley Review (of the 1968 Act).
CRE v. Dutton. First hearing (see below).
Trespass clauses of the *Public Order Act* come into operation.
- 1988 Greenwich v. Powell, House of Lords (Confirms Gypsies can be evicted without notice from council sites and defines 'Gypsy'.
CRE v. Dutton (Appeal court hearing), No Travellers notices are indirect discrimination.
Education Reform Act. New fund for Traveller education in England and Wales.
- 1990 Fourth World Romani Congress, Warsaw.
- 1994 *Criminal Justice and Public Order Act* (New trespass laws, repeal of Caravans Site Act of 1968).
- 1995 Buckley v UK case heard at the European Court of Human Rights (under Article 8 – the right to respect for home and family life)
- 1998 Circular on Good Practice in Evictions.
- 2000 Private Members Bill on Traveller Law Reform drafted by Cardiff University Law School.
Human Rights Act 1998 implemented (October 2nd).
Fifth World Romani Congress, Prague.
- 2001 Chapman and others (Coster, Beard, Lee and Smith)v UK case heard at the European Court of Human Rights. All Fail.

APPENDIX 4

Resolutions by European bodies

On the situation of Gypsies in the Community.

On 21 April 1994 a major resolution was passed by the European Parliament. The Parliament:

1. Calls on the governments of the Member States to introduce legal, administrative and social measures to improve the social situation of Gypsies and Travelling People in Europe;
2. Calls for all citizens of non-member countries legally residing in a Member State, including Gypsies, to have the same rights to travel throughout the European Union as citizens of the Union;
3. Recommends that the Governments of the Member States add an additional protocol on minorities to the European Convention of Human Rights, in which the definition of minorities explicitly includes Gypsies in the form of a reference to landless minorities;
4. Calls on the Commission and the Council of Europe to draw up a general report on the situation of Gypsies in the Member States, with particular regard to coercive measures taken by states, human rights violations, etc.;
5. Recommends that the Commission and Council adopt initiatives in the fields of culture, education, information and equal rights, in the form of proposals to the governments or the appropriate local and regional authorities of the Member States;
6. Urges that budget items be maintained, and wherever possible increased, in the Community budget for funding such social, cultural and educational action for the Gypsy community;
7. Recommends that the Commission, the Council and the governments of the Member States should do everything in their power to assist in the economic, social and political integration of Gypsies, with the objective of eliminating the deprivation and poverty in which the great majority of Europe's Gypsy population still lives at the present time;
8. Recognises that Gypsies are subject to persecution in many countries in central and eastern Europe and therefore recommends the EU Member States should take great care when examining applications for asylum by Gypsies from these countries;
9. Condemns the conclusion of repatriation agreements between the Member States of the European Union and the countries of central and eastern Europe which result in refugees being traded like goods;

10. Stresses the need for fresh measures in the educational field, if racism and xenophobia are to be combated effectively, and urges the Commission, the Council and the governments of the Member States to promote a range of measures to help remove the major obstacles to the school education of the children of Gypsies and Travelling People;
11. Calls on the Commission, the Council and the governments of the Member States to recognise the language and other aspects of Gypsy culture as forming an integral part of Europe's cultural heritage;
12. Recommends that the Commission and the Council carry out an in-depth study of the education and training problems facing Gypsies and nomads, particularly the schooling of Gypsy children who do not have an adequate knowledge of the language of the country or of the region in which they reside; also recommends setting up a specific training programme designed to enable teaching in the Romani language to be included in curricula, and, as part of its work in the field of inter-cultural education, to prepare information sheets on the subject for teachers;
13. Reminds the Commission, the Council and the governments of the Member States of the decisive role of the media and of local and regional authorities in eliminating racial prejudice and supports full co-operation with the Economic and Social Committee, the Council of Europe and the CSCE to ensure that problems linked to racism and xenophobia are tackled effectively;
14. Urges the Commission and the Member States to implement programmes which provide adequate information for the general public on genuine culture, especially by promoting information programmes carried out by Gypsies themselves;
15. Reminds the Community's Gypsy citizens of their rights to submit petitions to the European Parliament if they believe themselves to have been the victims of racist behaviour;
16. Calls on the German Government to compensate any Gypsies and their families who were victims of Nazi persecution;
17. Calls on the Member States not to expel any Gypsies who have fled Romania and the former Yugoslavia and to facilitate the entry of their family members;
18. Urges the Commission and the Council to set up a European research and information centre, through which the most representative Gypsy organisations could deal with the Community authorities on all political, social, or cultural matters involving Gypsies;
19. Encourages Gypsy organisations to amalgamate at European level, and calls on the Commission and the Member States to give financial assistance to such an amalgamation;

20. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.

Extracts are given below from other earlier important international resolutions concerning Gypsies. Fuller texts can be found in Marielle Danbakli, *On Gypsies: Texts Issued by International Institutions* (Toulouse: CRDP, 1994).

The Social Situation of Nomads in Europe

The Resolution of 22 May, 1975, of the Committee of Ministers of the Council of Europe:

All necessary measures within the framework of national legislation should be taken to stop any form of discrimination against nomads.

Camping and residence of nomads on camping sites equipped so as to promote safety, hygiene and welfare should be facilitated and encouraged.

Nomads and their children should be enabled to benefit effectively from the various existing provisions for vocational guidance, training and retraining.

Prevention of Discrimination and Protection of Minorities

The Resolution of 31 August, 1977, of the Sub-Commission (of the Economic and Social Council of the United Nations):

The Sub-Commission appeals to those countries which have Gypsies (Romanies) within their borders to accord to these people, if they have not yet done so, all the rights that are enjoyed by the rest of the population.

On Stateless Nomads and Nomads of Undetermined Nationality

Recommendation of 22 February, 1983, of the Committee of Ministers of the Council of Europe:

Each state should take appropriate steps to facilitate in relation to stateless nomads or nomads of undetermined nationality [entering or on its territory] the establishment of a link with the state concerned.

On the situation of Gypsies in the Community

Resolution of 24 May, 1984, of the European Parliament (of the European Communities):

The Parliament calls on the government of Member States to eliminate any discriminatory provisions which may still exist in their legislation, to co-ordinate their approach to the reception of Gypsies, to make it easier for nomads to attach themselves to a State, and to draw up programmes to be subsidised from Community funds aimed at improving the situation of Gypsies.

On School Provision for Gypsy and Traveller Children

Resolution of 22 May, 1989 of the Council of the European Communities:

The Council and the Ministers for Education will strive to promote support for educational establishments, experiments with distance learning, the training and employment of teachers of Romani or Traveller origin wherever possible, the encouragement of research on the culture, history and language of Gypsies and Travellers.

Resolution of 19 August, 1991, of the Sub-Commission (of the Economic and Social Council of the United Nations):

The Sub-Commission, aware of the fact that, in many countries various obstacles exist to the full realisation by persons belonging to the Romani community of their civil, political, economic, social and cultural rights, invites States which have Romani communities living within their borders to take, in consultation with those communities, all the necessary legislative, administrative, economic and social measures to ensure the de jure and de facto equality of the members of those communities and to guarantee their protection and security.

Protection of Romanies (Gypsies)

Resolution of 4 March, 1992, of the Commission on Human Rights (of the Economic and Social Council of the United Nations):

The Commission requests the Special Rapporteur of the Subcommission on the Prevention of Discrimination and Protection of Minorities to accord special attention to and to provide information on the specific conditions in which the Romanies (Gypsies) live.

It invites States to adopt all appropriate measures in order to eliminate any form of discrimination against Romanies (Gypsies).

On Gypsies in Europe.

Recommendation of 2 February, 1993, of the Parliamentary Assembly of the Council of Europe:

The Assembly recommends that the Committee of Ministers initiate the following measures:

Introduce the teaching and study of Gypsy music at several schools of music in Europe.

Special attention should be paid to the education of women and mothers with their younger children.

Member states should ratify the 4th Protocol to the European Convention on Human Rights which guarantees freedom of movement and is, as such, essential for travellers.

A mediator for Gypsies should be appointed by the Council of Europe.

APPENDIX 5

Travellers, Gypsies and the Media: a good practice guide from the Commission for Racial Equality (in association with Cardiff Law School/Traveller Law Reform Unit, 1999)

“Coverage of race and ethnic issues across the media has significantly improved over the past twenty years. There has been a wider and more constructive exploration of many questions and a reduction in the use of language that is offensive to members of different ethnic groups. However many problems remain. These recommendations are designed to help in dealing with one of them: the way parts of the media report on Traveller and/or Gypsy issues.

Poor quality reporting which exploits or panders to stereotypes can cause much hurt to those about whom the stories are written. By repeating false and negative stereotypes the media can encourage bad practice on the part of those with whom Travellers and Gypsies deal and can validate the expression of language and attitudes which in any other circumstances would be seen as totally unacceptable.

The Commission for Racial Equality has handled cases under the Race Relations Act for Travellers and Gypsies for over twenty years. The number of such cases continues to run at several dozen each year. The majority of these cases involve clear breaches of the Act.

These guidelines are not intended to make the media shy away from covering issues and stories to do with Travellers and Gypsies. Quite the contrary. The CRE and those organisations representing Travellers and Gypsies want to see more coverage in the media but are keen to help the media develop a coverage that is honest and fair, open and inclusive.

Steer clear of exploiting prejudice

The public wants a media that is campaigning, but those campaigns should be built on matters of genuine public concern, not simply prejudices against particular groups.

Check the facts

Go to the experts who can help to set the context. With these recommendations we include a list of contacts of individuals and organisations which can help you with various aspects of your story. Make sure that wherever possible you check the details with a relevant source and don't just rely on expressions of local or popular prejudice. Many allegations are made about Travellers, Gypsies and now Roma asylum seekers from Eastern Europe, but can those making the allegations actually substantiate them?

Don't let your new agenda be driven by the way others are handling the issue

Certain story lines easily dominate media discussion of Travellers or Gypsies while issues of great importance to the communities involved are downplayed or ignored altogether. Don't write about Travellers and Gypsies only in the context of disputes over stopping places, look also at the problems Travellers face.

Look behind the story line

Don't assume there is only one point of view. Always seek the views of Traveller and Gypsy organisations to see whether or not there is an alternative interpretation or a different and more significant story line to be presented.

Listen to the people you are writing about

This is particularly important when it comes to the terms and language you use. Terms like 'tinker', 'itinerant' or 'gypo' are all highly offensive to those about whom they are used and should be avoided. The terms Traveller(s), Gypsy or Irish Traveller should be used with initial capital letters. Offensive stereotypes (for example 'scroungers', 'dole dodgers', 'bogus asylum seeker') should only be used when they are accurate descriptions of particular individuals and should not be employed to negatively stereotype whole groups.

Don't label people if it is not relevant

Reference to the fact that an individual is a Traveller, Gypsy or Irish Traveller should only be made when it is relevant and appropriate."

APPENDIX 6

Some Examples of the Gypsy and Traveller Languages of Britain

(NB: please also see Acton and Kenrick, eds., 1984, for some good examples of the languages used by the different groups of Gypsies and Travellers in Britain)

Each of the groups of traditional Gypsies or Travellers has its own language. The Romanies and some of the *Kalé* still speak the Romani (*Romanes*) language, using its traditional grammar.

Romani died out among the *Romanichals* early in the 20th century and has been replaced by a variety of English (known as *poggerdi jib*) using many Romani words (some of the most common *Romanichal* words have made their way into the English language – such as *Kushti* (good), *Wonga* (money) and *Chavvies* (children). If you have watched the television programmes ‘*Only Fools and Horses*’ and ‘*Minder*’ you will probably know a few of these words below.

E.g.

The *rakli jelled* to the *gav* to *kin* some *pobbels*.

[The girl went to the village to buy some apples]

The Irish Travellers used to speak a variety of Irish using many words from vocabularies known as Gammon or Shelta. They now speak a variety of English known as cant, but incorporating the same words. Sometimes a whole sentence will be in the cant.

E.g.

Bug muilsha gather skai.

[Give me a drink of water].

Most Scottish Travellers speak English but again with many words that are not used by the general population. Some of these words are of Romani origin, bearing out the theory that the Scottish Travellers have intermarried with *Romanichals* over the years.

An example of Lowland Scottish Travellers’ Cant:

E.g.

Bing avree, gheddie, and get some peeve.

[Go out, lad, and get some beer]

The dialect of the Borders is closer to that of the English *Romanichals* while some of the Highland and Islands Scottish Travellers who travel in the Highlands and to the Western Isles speak a Cant based on Scottish Gaelic. For example:

S’deis sium a’ meartsacha air a charan.

[We are going on the sea].

The Romani language

The following sketch of European Romani is intended to illustrate the connections with north Indian languages, and to show that it is *not* just slang or a pidgin but has a grammar. Inflected (grammatical) Romani died out in England late in the nineteenth century and in Wales sometime in the middle of the twentieth century.

These examples of Romani words are taken from W.R. Rishi's *Multilingual Romani Dictionary*. Prakrit is a later form of Sanskrit. People who speak Hindi, Punjabi or Gujerati will recognise many common Romani words. Bengali or Sylheti speakers may know a few.

<i>Romani</i>	<i>Sanskrit/Prakrit</i>	<i>English</i>
byav	vivaha	wedding
kako	kakka	uncle
kalo	kala	black
nakh	nakka	nose
puch	pracch	ask
thuv	dhuma	smoke

kako, kalo, nakh and puch are used in English Romani while 'thuv' survives in the word 'thuvalo' – cigarette.

Romani has a case system not unlike Latin and Classical Greek and, of course, Sanskrit, to which it is related. To give one example, the word for 'boy' changes its endings where English would use a preposition.

raklesa	with a boy
rakleske	to a boy
raklengo	of boys

The verbs change their endings to show the person doing the action and also the time (past, present, future). The verb dikh- (see) takes 32 different endings e.g.

dikhav	I see
dikhlias	he (she) saw

There were three genders (like Latin and German) when the speakers left India, but the neuter disappeared in the Middle East, probably under the influence of Persian. The definite article and adjectives have to change depending on whether they accompany a masculine or feminine noun.

O parno bakro	the white sheep (masculine)
I parmi bakri	the white ewe (feminine)
E parne bakre	the white sheep (plural)

NB: It should also be noted that amongst some groups of New Travellers in Britain there is a form of 'slang' language/terminology used. See Earle et al, 1994: 41-42 for examples of this. Some appear below:

<i>Bender</i>	a dome shaped shelter made out of flexible poles and covered in tarpaulin
<i>Blim</i>	small (as in a blim trailer/caravan)
<i>Blag</i>	to gain something through articulate persuasion/argument
<i>Burner</i>	wood burning stove
<i>Decker</i>	someone who lives in a double-decker bus (i.e. 'Decker John')
<i>Flat-bed</i>	the flat bed of a truck behind the cab (used for scrap work)
<i>Nylon nightmare</i>	a tent
<i>Tarp</i>	abbreviation for tarpaulin (used for making a bender tent)
<i>Tat</i>	possessions
<i>Wood run</i>	going to collect wood for the burner

APPENDIX 7

Guidance Notes for Travellers in Essex (Issued by Essex County Council, 2000)
(NB: reproduced *verbatim* from original A4 poster distributed on 'unauthorised' sites throughout Essex in summer 2000)

Guidance Notes For Travellers In Essex

THE CODE FOR TRAVELLERS IN ESSEX

- 1, The basic message of this code is that if Gypsies in Essex stay in small groups and cause no problems (i.e. comply with the Code) then they may be allowed to remain on land for a period of up to 28 days.
- 2, A large encampment will need to split up into small groups. If this does not happen or if any of the factors listed in the Code are not met then action to move on the Gypsies is likely to be taken either by the Police or the Local Authority.
- 3, The Code applies to all land in local authority ownership, although private landowners may well investigate their own eviction action.
- 4, Action to remove Travellers, especially in large groups or where trespassing on private land, may well be taken by the Police.

(over page)

THE CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

The Police have very strong powers to enforce the removal of unauthorised encampments and the possible penalties for not moving on when directed to can be severe, ranging from vehicles being impounded, to fines of up to £2,500 or even arrest. If vehicles are towed away, the Police can charge the owner with the cost of removing them, and storing or disposing of them.

Evictions can also be undertaken by landowners obtaining a Possession Order from the County Court. The Essex Code is effectively a charter or agreement offered to Gypsies in Essex whereby they may be allowed to stay on land providing they keep to small groups and cause no problems.

WHAT THE CODE MEANS

1, The Code only applies to genuine Gypsies i.e. Travellers who are moving around the country looking for work.

2, The stay on land will depend on your co-operation:

- Keep groups small. Three caravans will normally be acceptable. Slightly larger groups may be O.K. away from built up areas.
- Space yourselves out, park away from other groups.
- Look after the land you park on and don't cause problems for nearby residents.
- Don't dump or burn rubbish.
- Ask the local Council for black plastic bags for rubbish which they will collect from you on a weekly basis.
- Park vehicles safely and keep all animals under control.
- Only park on land not needed for another purpose.

3, Follow the above advice and in most cases, Essex authorities will not pursue an immediate order for the eviction of a small groups of Gypsies providing you follow the Code. There could be an agreed stay of up to 28 days.

COUNCIL SITES

The County Council has 12 Gypsy Caravan Sites throughout the county. Should you wish to be considered for a pitch on such a site now or in the future please complete an application form which can be obtained from any site office.

BIBLIOGRAPHY

- ACERT (Advisory Council for the Education of Romanies and Travellers). (1977). *Newsletter*, September.
- ACERT. (1993). *The Education of Gypsy and Traveller Children*, Hatfield: University of Hertfordshire Press.
- ACERT. (1998). *Beyond Reading and Writing - Access to Secondary Education for Travellers* (Report of a Conference at Oxford Brookes University), September. Harlow: ACERT.
- Action Group for Irish Youth. (1993). *Identity Crisis: access to benefits and ID checks*, London: AGIY.
- Acton, T. (1974a). *Gypsy Politics and Social Change: the development of ethnic ideology and pressure politics among British Gypsies from Victorian reformism to Romani nationalism*. London: Routledge, Kegan Paul.
- Acton, T. (1974b). *A Sociological Analysis of the Development of Attitudes towards the Changing Place of Gypsies in the Social and Cultural Structure in England and Wales from the Moveable Dwellings Act Agitation to the Romanestan Controversy*. D.Phil. Thesis, Oxford: Oxford University.
- Acton, T. (1991). 'Defining the Limits of Tolerance: UK Government Policy on Gypsies', *Roma*, 35: 1-12.
- Acton, T. (1996). *Romani Refugees from Bosnia and Serbia in the UK*. Unpublished paper. London: University of Greenwich. 1-5.
- Acton, T. (ed.) (1997). *Gypsy Politics and Traveller Identity*. Hatfield: University of Hertfordshire Press.
- Acton, T. (1998a). *Authenticity, Expertise, Scholarship and Politics: conflicting goals in Romani Studies*, Inaugural Lecture at the University of Greenwich, 11 June, Greenwich: University of Greenwich Press.
- Acton, T. (1998b). 'A response to Hawes', (an online review of the book by Hawes (1997)), posted at: <http://www.mailbase.ac.uk/mailling-lists/traveller-net.htm>. (now on the Jiscmail archives for the list, Dec 2000).
- Acton, T. (ed.). (2000). *Scholarship and the Gypsy Struggle: commitment in Romani Studies*, Hatfield: University of Hertfordshire Press.
- Acton, T. A., Caffrey, S., Dunn, S. and Vinson, P. (1997). 'Gender issues in accounts of Gypsy health and hygiene as discourses of social control'. In T. Acton and G. Mundy (eds.). *Romani Culture and Gypsy Identity*, Hatfield: University of Hertfordshire Press.

- Acton, T. A. and Gallant, D. (1997). *Romanichal Gypsies*, London: Wayland Press (Threatened Cultures Series).
- Acton, T. and Kenrick, D. (eds.) (1984). *Romani Rokkeripen To-Divvus: the English Romani Dialect and its Contemporary, Social, Educational and Linguistic Standing*, London: Romanestan Publications.
- Acton, T. and Kenrick, D. (1991). 'From Summer Voluntary Schemes to European Community Bureaucracy: the development of special provision for Traveller Education in the UK since 1967', *European Journal of Intercultural Studies*, 1(3): 47-62.
- Acton, T. and Klímová, I. (2001). 'The International Romani Union: an east European answer to west European questions?', in Guy, W. (ed.). *Between Past and Future: the Roma of Central and Eastern Europe*, Hatfield: University of Hertfordshire Press.
- Acton, T. and Mundy, G. (eds.) (1997). *Romani Culture and Gypsy Identity*. Hatfield: University of Hertfordshire Press.
- Acton, T., Samblas, C, and Coke, P. (1998). *Land People and Freedom* (Report of a Conference in Peterborough, June 1997), London: National Council for Voluntary Organisations (NCVO).
- Adams, B. et al. (1975). *Gypsies and Government Policy in England*. London: Heinemann.
- Adamson, J. (1996 ed.). *Topsy and Tim's Friday Book*, London: Penguin Books.
- Adler, M. and Sainsbury, R. (1991). 'The social shaping of information technology: computerisation and the administration of social security'. In M. Adler, C. Bell, J. Clasen, A. Sinfield (eds.). *The Sociology of Social Security*, Edinburgh: Edinburgh University Press.
- Adorno, T. W. (1950). *The Authoritarian Personality*, New York: Harper.
- Ahmad, W. and Craig, G. (1997). 'Race' and Social Welfare'. In P. Alcock, A. Erskine and M. May (eds.) *The Student's Companion to Social Policy*, Oxford: Blackwell.
- Airtours. (1994). *Spain*, brochure for UK holidaymakers. March 1994.
- Allen, D. (2000). 'Gypsies and Planning Policy'. In Acton, T. (ed.) *Scholarship and the Gypsy Struggle: commitment in Romani Studies*, Hatfield: University of Hertfordshire Press.
- Alt, B. and Folts, S. (1996). *Weeping Violins: The Gypsy Tragedy in Europe*, Kirksville: Thomas Jefferson University Press.

- Arcade. (2000). *Pokémon Stadium 2*, review. Issue 15. January.
- Armstrong, H. (1997). Letter to the *Bristol Evening Post*, 18 November 1997.
- Audit Commission. (2000). *Another Country: implementing dispersal under the Immigration and Asylum Act, 1999*. Abingdon: The Audit Commission.
- Avebury, E. (1999). 'Foreword'. In R. Morris and L. Clements (eds). (1999). *Gaining Ground: law reform for Gypsies and Travellers*. Hatfield: University of Hertfordshire Press.
- Bagilhole, B. (1997). *Equal Opportunities and Social Policy*, Harlow: Longman.
- Ballinger, P. (1998a). 'Travel News', *Community Nursing*, 71(10): 345.
- Ballinger, P. (1998b). 'Forced to Settle', *Nursing Times*, 94(37): 27-28.
- Bancroft, A. (1999a). personal communication by e-mail and also posted to the discussion list <Traveller-Net> on 7 October 1999.
< <http://www.jiscmail.ac.uk/lists/traveller-net/htm> >
- Bancroft, A. (1999b). Gypsies to the Camps!: Exclusion and Marginalisation of Roma in the Czech Republic. *Sociological Research Online* 4 (3).
< <http://www.socresonline.org.uk/4/3/bancroft.html> >
- Bancroft, A. (2000). 'No Interest in Land': legal and spatial enclosure of Gypsy-Travellers in Britain', *Space and Polity*, 4: 41-56.
- Banton, M. (1997). *Ethnic and Racial Consciousness*, London: Longman.
- Banton, M. (1998 2nd ed.). *Racial Theories*, Cambridge: Cambridge University Press.
- Barber, M. (1995). *The Making of the 1944 Education Act*, London: Continuum.
- Barnes, B. (1975). 'Irish Travelling People'. In F. Rehfisch (ed.) *Gypsies, Tinkers and Other Travellers*, London: Academic Press.
- Barth, F. (1986 ed.). *Nomads of South Persia: the Basseri Tribe of the Khamseh Confederacy*, Prospect Heights: Waveland Press.
- BBC TV. (1993). *Roaming Free?*, 'Heart of the Matter' BBC 1 Film Transcript, Transmitted 20 June and presented by Joan Bakewell. (made by Rodger Bolton Productions).
- Beale, A. and Geary, R. (1994). 'New Age Gypsies?', *Solicitors Journal*, 11 February.

- Beckett, J. and Bogie, M. (1998). 'Travellers and the Law in Scotland', *The Judicial Review*, 1998: 5(1): 21-36.
- Bedfordshire on Sunday, The.* (1999). 'Gypsies' rents down – others pick up tab', 6th June.
- Behlmer, G. K. (1985). 'The Gypsy Problem in Victorian England', *Victorian Studies*, 28(2): 231-253.
- Beier, A. L. (1985). *Masterless Men: the vagrancy problem in England 1560-1640*, London: Methuen.
- Bell, E. J. (1983). 'Susceptibility of Itinerants ('Travelling People') in Scotland to Poliomyelitis', *Bulletin of the World Health Organisation*, 61(5): 839-843.
- Bell, J. (1987). *Doing Your Research Project*, Milton Keynes: Open University Press.
- Benefits. (1994). Special issue of the Journal *Benefits* on 'Race' and Social Security. 9.
- Benefits Agency. (1993). *New Age Travellers*, Circular, Income Support Bulletin 24/93.
- Benefits Agency – 'C' Office. (1993). *Race Relations Act 1976*. Letter from JS of the BA office concerned to VP of the Leeds office of the CRE. 7 October.
- Beveridge, W. (1942). *Social Insurance and Allied Services*, Cmd 6406, London: HMSO.
- Bhopal, K (with J. Gundara, C. Jones and C. Owen). 2000. *Working Towards Inclusive Education: aspects of good practice for Gypsy Traveller pupils*, London: Department for Education and Employment.
- Binns, D. (1984). *Children's Literature and the Role of the Gypsy*, Manchester: self-published.
- Binns, D. (1990). 'History and Growth of Traveller Education', *British Journal of Educational Studies*, Vol. XXXVIII (3): 251-258.
- Birkett, D. (1996). 'The Show on the Road', *The Guardian Weekend Magazine*, December 14, p12-20.
- Bizet, G. (1991). *Carmen in Full Score*, London: Dover Publications.
- Bloch, A. (1993). *Access to Benefits: the information needs of minority ethnic groups*, London: Policy Studies Institute.

- Bonoli, G., George, V. and Taylor-Gooby, P. (2000). *European Welfare Futures: towards a theory of retrenchment*, Cambridge: Polity Press.
- Bonnett, A. (2000). *White Identities: Historical and International Perspectives*, Harlow: Prentice Hall.
- Borrow, G. (1843; 1991 ed.) *Lavengro*, London: Constable.
- Braid, D. (1997). 'The Construction of Identity through Narrative: Folklore and the Travelling People of Scotland'. In T. Acton and G. Mundy (eds.) *Romani Culture and Gypsy Identity*, Hatfield: University of Hertfordshire Press.
- Brearily, M. (1996). *The Roma / Gypsies of Europe: A Persecuted People*. Policy Paper Number 3. London: Institute for Jewish Policy Research.
- Brockway, F. (1980). *Britain's First Socialists: the Levellers, Agitators, and Diggers of the English Revolution*, London: Quartet Books.
- Bronte, E. (1994 ed.). *Wuthering Heights*, London: Penguin.
- Brown, L. (ed.) (1993). *The New Shorter Oxford English Dictionary*, Oxford: Clarendon Press.
- Bucke, T. and James, Z. (1998). *Trespass and Protest: Policing under the Criminal Justice and Public Order Act 1994*, Home Office Research Study 190, London: The Home Office.
- Burleigh, M. and Wippermann, W. (1991). *The Racial State: Germany 1933-1945*, Cambridge: Cambridge University Press.
- Burrows, N. and Mair, J. (1996). *European Social Law*, Chichester: J. Wiley and Sons.
- Butler, J. (1983). *Gypsies and the Personal Social Services*, University of East Anglia Social Work Monographs, number 17, Norwich: UEA/Social Work Today.
- Campbell, S. (1995). 'Gypsies: the criminalisation of a way of life', *Criminal Law Review*, 18(3): 28-37.
- Cardiff Gypsy Sites Group. (1999). *Annual Report for 1997-1998*, Cardiff: CGSG.
- Cardiff Gypsy Sites Group, (2000). Personal communication with Chair of CGSG, 2nd March.
- Cardiff University School of Education / Save the Children Fund Wales. (1998). *Traveller Children and Educational Need in Wales*. Cardiff: CUSE/SCF.

- Castle-Kan rová, M. (2001). 'Romani refugees: the EU dimension', in Guy, W. (ed.). *Between Past and Future: the Roma of central and eastern Europe*, Hatfield: University of Hertfordshire Press.
- Castles, S. (2000). *Ethnicity and Globalisation*, London: Sage.
- Castles, S. and Davidson, A. (2000). *Citizenship and Migration: globalization and the politics of belonging*, Basingstoke: Macmillan.
- Cemlyn, S. and Morris, R. (1999). 'Inter-Agency Working', in Morris, R. and Clements, L. (eds). (1999). *Gaining Ground: law reform for Gypsies and Travellers*. Hatfield: University of Hertfordshire Press.
- Central Advisory Council for Education (England). (1967). *Children and their Primary Schools* (The Plowden Report), London: HMSO.
- Centre for Gypsy Research. (1993). *The Education of Gypsy and Traveller Children: action research and co-ordination*. Hatfield: University of Hertfordshire Press.
- Cervantes, de. M. (1992 ed.). *The Exemplary Novels Volume 1: The Little Gypsy Girl and other Stories*, London: Aris and Phillips.
- Chaliand, G and Rageau, J-P. (1997). *The Penguin Atlas of Diasporas*, London: Penguin.
- Channel Four Television. (1991). *Operation Solstice*, 'Critical Eye' Film Broadcast, 14 February.
- Child Poverty Action Group. (1991). 'The Benefits Agency – a better deal for claimants?', *Welfare Rights Bulletin*, October, pp. 104-111.
- Clark, C. Lloyd, M. and Morran R. (1995). *Travellers in Scotland*, Edinburgh: Save The Children Fund, pp.1-15.
- Clark, C. (1997a). 'No Sanctuary for Romanies', *The Newcastle Journal*, 30 October, p8, (guest column).
- Clark C. (1997b). 'New Age Travellers: Identity, Sedentarism and Social Security'. In T. Acton (ed.) *Gypsy Politics and Traveller Identity*, Hatfield: University of Hertfordshire Press.
- Clark C. (1997c). 'Educational Space' in the European Union: Social Exclusion or Assimilation of Gypsy/Traveller Children', *Social Work in Europe*, 4 (3): 27-33.
- Clark, C. (1998). 'Counting Backwards': the Roma 'Numbers Game' In Central and Eastern Europe, *Radical Statistics*, Autumn, 69: 35-46.

- Clark, C. (1999a). 'Why I believe... Jack Straw's Comments About Gypsies are 'Stereotypical Tripe'', *The Times Higher Educational Supplement*, 27 August, p14.
- Clark C. (1999b). 'Race', Ethnicity and Social Security: The Experience of Gypsies and Travellers in Britain', *Journal of Social Security Law*, 6 (4): 186-202.
- Clark, C. (1999c). 'Gypsies, Travellers and Social Security in Britain'. In R. Morris and L. Clements (eds.) *Gaining Ground: Law Reform for Gypsies and Travellers*, Hatfield: University of Hertfordshire Press.
- Clark, C. (2000a). Book review of Wim Willems 'In Search of the True Gypsy: from Enlightenment to Final Solution', *Romani Studies (continuing Journal of the Gypsy Lore Society)*, 10(1): 81-84.
- Clark, C. (2000b). 'Truth Behind those 'Bogus Beggar' Tales', *The Newcastle Journal*, 22 March, p8, (guest column).
- Clark, C. and Dearling, A. (1999). 'Romanies, Gypsies, Travellers or nomads – what's in a name?' *Criminal Justice Matters*, 38, Winter/Spring, pp14-15.
- Clark, C. and Ó'hAodha. (2000). 'We were the First Greens': Irish Travellers, Recycling and the State', *Radical Statistics*, 73: 3-14.
- Clark, C. and Campbell E. (2000). "Gypsy Invasion": a critical analysis of newspaper reaction to Czech and Slovak Romani Asylum-Seekers in Britain, 1997, *Romani Studies (continuing Journal of the Gypsy Lore Society)*, 10(1): 23-47.
- Clark, C. (2001, forthcoming). 'More than just lucky white heather and clothes pegs: putting European Gypsy and Traveller economic niches in context'. In S. Fenton and H. Bradley (eds.) *Economy and Culture: rethinking ethnicity and class*, London: Macmillan.
- Clarke, J. (1994). 'Capturing the Customer: consumerism and social welfare', unpublished conference paper given at the ESRC seminar on *Conceptualising Consumption Issues*, University of Lancaster, December.
- Clay, S. (1997). 'Opening our eyes: some observations on the attendance of primary aged Traveller pupils registered at schools in a county area of South Wales'. In T. Acton (ed.) *Romani Culture and Gypsy Identity*, Hatfield: University of Hertfordshire Press.
- Clébert, J. P. (1961). *The Gypsies*, Harmondsworth: Penguin.
- Clements, L. (1992). 'Gypsy Bashing', *Legal Action*, November 1992: p10.
- Clements, L. and Campbell, S. (1997). 'The Criminal Justice and Public Order Act and its Implications for Travellers'. In T. Acton (ed.) *Gypsy Politics and Traveller Identity*, Hatfield: University of Hertfordshire Press.

- Coffey, A. (1999). *The Ethnographic Self: fieldwork and the representation of identity*, London: Sage.
- Cohen, N. (1996). 'Gypsies have become the Jews of Europe', *The Observer*, December 1.
- Cohen, S. (1972). *Folk Devils and Moral Panics*, Oxford: Blackwell.
- Coles, B. and Craig, G. (1999). 'Young people and the growth of begging'. In H. Dean (ed.) *Begging Questions*, Bristol: The Policy Press.
- Commission for Racial Equality. (1981). *Report of Four Formal Investigations: Brymbo, near Wrexham, Wales*. (September). London: Commission for Racial Equality.
- Commission for Racial Equality. (1985). *Submission in Reponse to the Green Paper on the Reform of Social Security*, London: Commission for Racial Equality.
- Commission for Racial Equality. (1993). *Race Relations Act 1976 – 'C' Office Benefits Agency*, A letter from VP of the Leeds office of the CRE to the District Manager of the Office concerned. 25th August.
- Commission for Racial Equality. (1999). Personal communication with HB, London Office, 19.5.1999.
- Commissioner for Local Government Administration. (1988). Complaint Number 87/A/950 and 87/A/29, Sevenoaks, 4th July.
- Commissioner for Local Government Administration. (1995). Complaint Number 93/B/1442, Hackney, December.
- Commissioner for Local Government Administration. (1996). Complaint Number 95/B/1009, Leicestershire, March.
- Commissioner for Local Government Administration. (1998). Complaint Number 96/A/2767, Hackney and Tower Hamlets, 30th March.
- Cooper, S. (1985). *Observations in a Supplementary Benefit Offices: the reform of Supplementary Benefit (Working Paper C)*, London: Policy Studies Institute.
- Council of Europe. (1950). *Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5)*. Rome, 4.11.1950. (Ratified 1953). Council of Europe.
- Council of Europe. (1996). *Human Rights and Minorities in the New European Democracies*, Strasburg: Council of Europe.

- Cozannet, F. (1976). 'The Gypsies and the Problem of their Acculturation', *Diogenes*, 95: 68-92.
- Craig, G. (1990). 'Watching the Fund'. In C. Ungerson and N. Manning (eds.) *Social Policy Review 1989-1990*, Harlow: Longman.
- Craig, G. and Rai, D. (1996). 'Community care, social security and 'race': the marginal dimension'. In W. Ahmad and K. Atkin (eds.) *'Race' and Community Care*, Milton Keynes: Open University Press.
- Craig, G. (1999). 'Social security, poverty and 'race''. In J. Ditch (ed.) *Poverty and Social Security*, London: Routledge.
- Craig, G. (2001). *'Race' and Welfare: social justice and Britain's ethnic minority groups*, Inaugural lecture, March 19, University of Hull.
- Cram, L., Dinon, D. and Nugent, N. (eds.). (1999). *Developments in the European Union*, London: Palgrave.
- Crickley, A., Crowley, N., and O'Connell, J. (1992). 'Community work and Travellers in Ireland: new analysis and new directions'. In P.P.P. *Irish Travellers: new analysis and new initiatives*, Dublin: Pavee Point Publications.
- Cripps, J. (1977). *Accommodation for Gypsies: a report on the working of the Caravan Sites Act 1968*, London: HMSO.
- Crofton, H. T. (1888). 'Early annals of the Gypsies in England', *The Journal of the Gypsy Lore Society*, 1(1): 1-16.
- Crowe, D. (1995). *A History of the Gypsies of Eastern Europe and Russia*. New York: I. B. Tauris.
- Daily Star, The.* (1992). 'Sponging Scum', 27th July.
- Daily Star, The.* (1992). 'Giro-Gypsies', 2nd August.
- Daily Mirror, The.* (1998). 'A Dream Come True', 15th July.
- Daley, I. and Hederson, J. (1998). *Static: Life on Site*. Yorkshire Art Circus.
- Danbakli, M. (1994). *On Gypsies: Texts Issued by International Institutions*, Toulouse: CRDP.
- Davies, E. (1987). *Gypsies and Housing*, London: Department of Environment.
- Davis, J., Grant, R. and Locke, A. (1994). *Out of Site, Out of Mind: New Age Travellers and the Criminal Justice and Public Order Bill*, London: The Children's Society.

- De Marly, D. (1986). *Working Dress: a history of occupational clothing*, London: Batsford.
- Dean, H. and Melrose, M. (1999). *Poverty, Riches and Social Citizenship*, Routledge: London.
- Dearling, A. (1997). *Almost everything you need to know about the Travellers' School Charity*, Lyme Regis: Enabler Publications.
- Dearling, A. (1998) (ed.). *No Boundaries: New Travellers on the Road Outside of England*. Lyme Regis: Enabler Publications.
- Dearling, A. (1999). 'Get a life' or 'Got a life': New Travellers as a problem or a solution?', *Qual-Net*, 1(1): 4-7.
- Department for Education and Employment. (2000). *Funding for 1999-2000 (press release)*, London: DEE.
- Department of Education and Science. (1981). *Gypsy and Traveller Children at School (Circular 1/81)*, London: DES.
- Department of the Environment. (1977). *Planning Applications from Gypsies*, Circular 28/77. London: DoE.
- Department of the Environment. (1986). *A Report on the Analysis of Responses to Consultation on the Operation of the Caravan Sites Act 1968* (by G. Wibberley), London: DoE
- Department of the Environment. (1994a). *Gypsy Sites Policy and Unauthorised Camping (Circular 18/94)*, London: DoE.
- Department of the Environment. (1994b). *Gypsy Sites and Planning (Circular 1/94)*, London: DoE.
- Department of the Environment, Transport and the Regions and Home Office. (1998a). *Managing Unauthorised Camping: A good practice guide*. London: DETR.
- Department of the Environment, Transport and the Regions (1998b). 'Raynsford launches new guidance on unauthorised camping', *News Release*, 29 October, London: DETR.
- Department of the Environment/Home Office. (1992). *News Release*, London: DoE/Home Office.
- Department of Health and Social Security. (1985). *Verification of Identity – Preventing Fraud*, Circular S50, London: DHSS.

- Department of Health and Social Security. (1986). *Nomadic Claimants Working Party: final report*, RD9, March, London: DHSS.
- Department of Social Security. (1998a). Press release on the Verification Framework and Crackdown on Fraud, (<http://www.dss.gov.uk/hq/press/press498/099.htm>).
- Department of Social Security. (1998b). Written communication between AE of the DSS to a Scottish MP, 29 December. (passed direct to CC by the MP).
- Department of Social Security. (1998c). *New Ambitions for our Country: a new contract for welfare*, Cm 3805. London: DSS.
- Department of Social Security. (1998d). *Beating Fraud is Everyone's Business: securing the future*, Cm 4012. London: DSS.
- Department of Social Security. (1998e). *The Case for Welfare Reform*, London: DSS.
- Dodds, N. (1966). *Gypsies, Didikois and Other Travellers*, London: Johnson Publications.
- Douglas, A. (1997). *Local Authority Sites for Travellers*, Edinburgh: The Scottish Office Central Research Unit.
- Dovkants, K. (2000). 'Town that Lives off London's Beggars', *The Evening Standard*, 14th March. pp.1-2.
- Drabble, R. (2000). *Local Authorities and the Human Rights Act 1998*, London: Blackstone Press.
- Dublin Travellers Education and Development Group. (1993). *Recycling and the Traveller Economy: Income, Jobs and Wealth Creation*, Dublin: DTEDG.
- Duncan, T. (1996). *Neighbour's Views of Official Sites for Travelling People: a survey based on three case studies in Scotland*, Glasgow: The Planning Exchange/The Joseph Rowntree Foundation.
- Earle, F. et al. (1994). *A Time to Travel: An introduction to Britain's Newer Travellers*. Lyme Regis: Enabler Publications.
- Edward, M. (1983). *A Passport to Poverty? Social Security in a Multi-Cultural Society*, London: Commission for Racial Equality.
- Elkins, S. M. (1976) (third edition). *Slavery: a problem in American institutional and intellectual life*, Chicago: University of Chicago.
- Employment Services. (1992). *Advising Clients: dealing with bulk claims from transitory clients*, Circular 83/6, September, London: Employment Services.

- European Court of Human Rights. (2001). *Press Release Issued by the Registrar: Results of Recent Cases*, Strasbourg: ECHR.
- European Roma Rights Centre. (1996a). *Divide and Deport: Roma and Sinti in Austria*, Budapest: ERRC.
- European Roma Rights Centre. (1996b). *Sudden Rage at Dawn: Violence against Roma in Romania*, Budapest: ERRC.
- European Roma Rights Centre. (1997). *Time of the Skinheads: Denial and Exclusion of Roma in Slovakia*. Budapest: ERRC.
- European Union. (1993). *Green Paper on European Social Policy: options for the Union*, (COM(94) 333, 27 July 1993).
- European Union. (1994). *White Paper on European Social Policy: a way forward for the Union*, (COM(94) 333, 27 July 1994).
- European Union. (1994). *Community of learning: intercultural education in Europe*, Brussels: OPEC.
- Favell, A. (ed.). (1998). 'The European Union: Immigration, Asylum and Citizenship', *Journal of Ethnic and Migration Studies* (special issue), 24(4).
- Feder, G. (1993). 'The Politics of Traveller Health Research', *Critical Public Health*, 3: 135-137.
- Fermor, T. (1995). 'Fears over Gypsy Law Crackdown', *News in Focus*, February 21 and 22: 1.
- Fife Racial Equality Council. (1998). Written personal communication. 24th March.
- Finn, D. (1992). 'A Short Sharp Shock: 'actively seeking work' regulations', *Unemployment Unit Working Brief*, October.
- Forrester, B. (1985). *The Travellers' Handbook*. London: Interchange Books.
- Foucault, M. (1991 ed.) *Discipline and Punish*, London: Penguin.
- Fraser, A. (1953). "'The Gypsy Problem': a survey of post-War developments", *Journal of the Gypsy Lore Society*, 3-4.
- Fraser, A. (1967). 'A Government survey of Travellers in England and Wales', *Journal of the Gypsy Lore Society*, 1-2.
- Fraser, A. (1993). 'Authors' Gypsies', *Antiquarian Book Monthly*, February, 20(2):10-17.

- Fraser, A. (1995) (2nd ed.). *The Gypsies*. Oxford: Blackwell.
- Fraser, A. (2000). 'The Present and Future of the Gypsy Past', *Cambridge Review of International Affairs*, XIII(2): 17-31.
- Friends, Families and Travellers. (1996a). *A Traveller's Guide*, Glastonbury: FFT.
- Friends, Families and Travellers. (1996b). *Planning for Gypsies and Travellers – a step by step guide to getting planning permission*, Glastonbury: FFT.
- Friends, Families and Travellers. (1998). *Planning Appeals and Gypsies and Travellers*. Glastonbury: FFT.
- Gay Y Blasco, P. (1999). *Gypsies in Madrid*, Oxford: Berg.
- Gentleman, H. and Swift, S. (1971). *Scotland's Travelling People – Problems and Solutions*, Edinburgh: Scottish Development Department/HMSO.
- Geyer, R. (2000). *Exploring European Social Policy*, Cambridge: Polity Press.
- Gheorghe, N. (1997). 'The Social Construction of Romani Identity'. In Acton, T (ed), *Gypsy Politics and Traveller Identity*, University of Hertfordshire Press.
- Giddens, A. (1997). (third edition). *Sociology*, Cambridge: Polity Press.
- Gillian, L. (2000). *Trailer Flash*, The Observer, 16 April.
- Gloucestershire Echo, The*. (1997). 'Gypsy Row Over Wedding Plans', 12th July.
- Gloucestershire Echo, The*. (1997). 'Big Day Axed in Gypsy Row: wedding guests are not our sort', 16th July.
- Gmelch, G. (1977). 'Economic Strategies and Migrant Adaptation: The case of Irish Tinkers', *Ethnos*, 42: 22-37.
- Gmelch, G. (1985) (2nd ed.). *The Irish Tinkers: the Urbanization of an Itinerant People*, Prospect Heights, Illinois: Waveland Press, Inc.
- Gmelch, G. and Gmelch, S. B. (1985). 'The Cross-Channel Migration of Irish Travellers', *The Economic and Social Review*, 16 (4): 287-296.
- Gmelch G. and Gmelch, S. B. (1987). 'Commercial Nomadism: occupation and mobility among Travellers in England and Wales'. In A. Rao (ed.). *The Other Nomads: Peripatetic minorities in cross-cultural perspective*, Bohlau Verlag: Koln Wien.

Goulet, D. and Walshok, M. (1971). 'Values among Underdeveloped Marginals: The Case of Spanish Gypsies' in *Comparative Studies in Society and History*, 13(4): 451-472.

Government Advisory Committee on Travellers (Northern Ireland). (1998). *Interim Findings on a Survey of Travellers in Northern Ireland*, Belfast: Department of the Environment for Northern Ireland.

Grampian Regional Council Social Strategy Unit. (1994). *Movin' On: a staff development awareness training pack on Scotland's Travelling People*, Aberdeen: Grampian Regional Council.

Graves, K. (1997). 'Medieval Brigands', BA (Sociology) Thesis, Colchester Institute.

Green, H. (1991). *Counting Gypsies*, London: HMSO.

Grellmann, H. (1783). [trans. M. Raper, 1787 and also E. Wilson, 1807] *Die Zigeuner (Dissertation on the Gypsies)*, Dessau and Leipzig/London.

Griffin, C. C. M. (1993). *Space: The Final frontier: New Age Travellers in Gypsy and Commune Contexts*, unpublished conference paper, The Anthropology Society of Western Australia, Edith Cowan University, Perth, May, 1-36.

Gropper, R. (1967). 'Urban Nomads: The Gypsies of New York City', *Transactions: New York Academy of Sciences*, 29:1050-1056.

Gropper, R. (1975). *Gypsies in the City*, Princeton: Darwin Press.

Guardian, The. (1994). 'Police Act to Halt Raves', 25th February.

Guardian, The. (1998). 'Refugees Hope for Appeals Lifeline', 14th March.

Guardian, The. (1999). 'Concrete and Steel to Wall in Gypsies', 16th October.

Guardian, The. (2000). 'Gypsies Attack 'Racist' Straw Over Ban on Fair', 7th September.

Guy, W. (1975). 'Ways of looking at Rom: The case of Czechoslovakia'. In F. Rehfisch, (ed.), *Gypsies, Tinkers and Other Travellers*, London: Academic Press.

Gypsy Council Archives. (1966 – present). *The Archives of the Gypsy Council*, Essex.

Gypsy Council. (1972). *Circular on Transit Sites*.

Halfacree, K. (1996a). 'Out of Place in the Country: Travellers and the 'Rural Idyll'', *Antipode*, 28(1): 42-72.

- Halfacree, K. (1996b). 'The Distribution of Gypsy Caravans in England, 1979-1994', *Geography*, 81(1): 37-46.
- Hall, S. (1992). 'New Ethnicities'. In J. Donals and A. Rattansi (eds.), *Race, Culture and Difference*, London: Sage/Open University Press.
- Hancock, I. (1985). 'Non-Gypsy Attitudes towards Rom: The Gypsy Stereotype', *Roma: The Journal of the Indian Institute of Romani Studies*, 9(1): 50-65.
- Hancock, I. (1986). *Land of Pain*, Buda.
- Hancock, I. (1987). *The Pariah Syndrome: An Account of Gypsy Slavery and Persecution*. Ann Arbor: Karoma Publishers Inc.
- Hancock, I. (1993). 'Anti-Gypsyism in the New Europe', *Roma: The Journal of the Indian Institute of Romani Studies*, 38(1/2): 5-29.
- Hancock, I. (1995). *A Handbook of Vlax Romani*, Columbus: Slavica Publishers, Inc.
- Hancock, I. (ed.). (1998). *The Roads of the Roma*. A PEN anthology of Gypsy writers. Hatfield: University of Hertfordshire Press.
- Hancock, I. (2000). 'The emergence of Romani as a Kóine outside of India'. In T. Acton (ed.). *Scholarship and the Gypsy Struggle: Commitment in Romani Studies*, Hatfield: University of Hertfordshire Press.
- Hansard. (1950). Debate in the House of Commons, Official Report (Dodds/Bevan), November 1950, vol 485, cols.2280.
- Hansard. (1986). Debate in the House of Commons, Official Report (Kaufman/Hogg), September 1986, vol 354, cols.879-885.
- Hansard. (1987). Debate in the House of Commons, Official Report (Lilley/Rossi), March 1987, vol 402, cols 970-976.
- Hansard. (1997). Debate in the House of Lords, Official Report, for 1 April, vol 564, cols 278-280.
- Hansen, R. (2000). *Citizenship and Immigration in Post-War Britain: the institutional origins of a multicultural nation*, Oxford: Oxford University Press.
- Hantrais, L. (2000) (2nd ed.). *Social Policy in the European Union*, London: Palgrave.
- Harris, J. (1972). *Unemployment and Politics: a study in English Social Policy*, Oxford: Clarendon Press.
- Harrogate Borough Council. (1994). *Guidance for Gypsy Sites*, February 1994.

- Hawes, D. (1987). 'Gypsy Site Policy: a failure of both carrot and stick', *Policy and Politics*, 15(1): 49-54.
- Hawes, D. (1997). *Gypsies, Travellers and the Health Service*. Bristol: Policy Press.
- Hawes, D. and Perez, B. (1996) (2nd ed.) *The Gypsy and the State: the Ethnic Cleansing of British Society*. Bristol: Policy Press.
- Helleiner, J. (1995). 'Gypsies, Celts and Tinkers: colonial antecedents of anti-Traveller racism in Ireland', *Ethnic and Racial Studies*, 18(3): 532-554.
- Helleiner, J. (1998). 'Contested Childhood: the discourse and politics of Traveller childhood in Ireland', *Childhood*, 5(3): 303-324.
- Hennink, M., Cooper, P. and Diamond, R. (1993). *Primary Healthcare Needs of Travelling People in Wessex*, Working Paper 95/01, Southampton: Department of Social Statistics, University of Southampton.
- H. M. I. (Her Majesty's Inspectorate of Education). (1983). *The Education of Travellers' Children*, (HMI Discussion Paper), London: DES.
- Hester, R. (1998). *The Media Exposure of 'New Age Travellers'*, Unpublished paper given at a Romani studies seminar at the University of Greenwich, 12-14 June 1998.
- Hetherington, K. (1994a). *Lifestyle and Non-Identity: the case of New Age Travellers*, Unpublished paper presented to the 'Politics of Cultural Change' conference at Lancaster University, July 8-10th.
- Hetherington, K. (1994b). *New Age Travellers: Heterotopic Places and Heteroclitic Identities*, Unpublished paper presented to the 'Alternative Political Imaginations' Conference at Goldsmith's College, University of London, April 8-9th.
- Hetherington, K. (1996). 'Identity formation, Space and Social Centrality', *Theory, Culture and Society*, 13(4): 33-52.
- Hetherington, K. (1998). 'Vanloads of Uproarious Humanity: New Age Travellers and the Utopics of the Countryside'. In T. Skelton and G. Valentine (eds.) *Cool Places: Geographies of Youth Culture*, London: Routledge.
- Hetherington, K. (2000). *New Age Travellers: Vanloads of Uproarious Humanity*, London: Cassell.
- Hobsbawm, E. (1987 ed.). *The Age of Revolution*, London: Penguin.
- Hodder, E. (1896). *George Smith of Coalville: the story of an enthusiast*, London.
- Holmes, C. (1988). *John Bull's Island: Immigration and British Society 1871-1971*, London: Macmillan.

- Homan, R. (1991). *The Ethics of Social Research*, Harlow: Longman.
- Home Office. (1976). *Racial Discrimination: a guide to the Race Relations Act 1976*, London: Home Office.
- Home Office. (1994). *Guidance on Evictions* (circular 45/1994).
- Home, R. (1982). 'Planning Problems of Self-Help Gypsy Sites', *Journal of Planning and Environmental Law*, April: pp.5-12.
- Home, R. (1987). 'Gypsies and the Caravan Sites Act: the Designation Numbers Game', *Local Government Policymaking*, 14(3): 49-53.
- hooks, b. (1996). *Killing Rage: ending racism*, London: Penguin.
- Hornsey Journal, The.* (1998) 23rd April.
- Howe, L. E. A. (1985). 'The 'Deserving' and 'Undeserving': Practice in an Urban Local Social Security Office', *Journal of Social Policy*, 14 (1): 49-72.
- Hübschmannová, M. (1972). 'What can Sociology Suggest about the Origin of Roms?', *Archiv Orientalni*, 40(1): 51-64.
- Hugo, V. (1996 ed.). *The Hunchback of Notre Dame*, London: Penguin Books.
- Human Rights Watch. (1996). *Rights Denied: The Roma of Hungary*, New York: HRW.
- Hussey, R. M. (1988). 'Travellers and Preventive Healthcare: what are Health Authorities doing?', *British Medical Journal*, 16 April, no. 296, p1098.
- Hutchinson, J. and Smith, A. D. (eds.) (1996). *Ethnicity*, Oxford: Oxford University Press.
- Huttenbach, H. R. (1991). 'The Romani Pořajmos: the Nazi genocide of Gypsies in Germany and Eastern Europe'. In D. Crowe and J. Kolsti (eds.) *The Gypsies of Eastern Europe*, New York: M.E.Sharpe Inc.
- Hutson, S. and Liddiard, M. (1994). *Youth Homelessness: The Construction of a Social Issue*, Basingstoke: Macmillan.
- Hyman, M. (1989). *Sites for Travellers*, London: London Race and Housing Unit.
- Independent, The.* (1993). *Police Keep Tabs On the Travellers*, 16th May.
- Independent, The.* (2000). *Irish Travellers Gain Legal Status of Ethnic Minority*, 30th August.

- Independent on Sunday, The.* (2000). *Gypsy Leader Demands EU Help*, 30th July.
- Ingleton, R. D. (1978). 'The Gypsy and the Bobby: a Study of Police Relationships with an Indigenous Ethnic Minority', *The Police Journal*, 51(2): 181-190.
- Irish Commission on Itinerancy. (1963). *The Report of the Commission on Itinerancy* Dublin: Dublin Government Publications.
- Jarman, A. and Jarman, E. (1991). *The Welsh Gypsies, Children of Abram Wood*, Cardiff: University of Wales Press.
- Jenkins, R. (1987). 'Doing research into discrimination: problems of method, interpretation and ethics', in G. Clare-Wenger (ed.) *The Research Relationship: practice and politics in social policy research*. London: Allen and Unwin.
- Johnson, C. (1999). 'Evictions from Unauthorised Encampments'. In R. Morris and L. Clements (eds.) *Gaining Ground: law reform for Gypsies and Travellers*. Hatfield: University of Hertfordshire Press.
- Jones, A. (ed.) (1977). *Shakespeare... Antony and Cleopatra*, London: Penguin.
- Jordan, B. (1998). *The New Politics of Welfare*, London: Sage.
- Kalvoda, J. (1991). 'The Gypsies of Czechoslovakia'. *Nationalities Papers*. XIX(3):269-296.
- Kassim, H. and Hine, D. (1998). 'Conclusion: the European union, member states and social policy', in Hine, D. and Kassim, H. (eds.). *Beyond the Market: The EU and national social policy*, London: Routledge.
- Kawczynski, R. (1997). 'The Politics of Romani Politics: wrestling the Romani future from the majority', *Transitions* 4(4): 24-29.
- Kelman, J. (1989). *Not not while the Giro*, London: Minerva.
- Kendall, S. (1997). 'Sites of resistance: places on the margin (the Traveller 'homeplace')'. In T. Acton (ed.) *Gypsy Politics and Traveller Identity*. Hatfield: University of Hertfordshire Press.
- Kenny, M. (1997). *The Routes of Resistance: Travellers and Second-Level Schooling*, Aldershot: Ashgate.
- Kenrick, D. (1971). 'The World Romany Congress – April 1971', *Journal of the Gypsy Lore Society*, Vol.10, (3-4): 101-108.
- Kenrick, D. (1993). *Gypsies: From India to the Mediterranean*. The Interface Collection. Toulouse: CRDP.

- Kenrick, D. (1997). 'Foreign Gypsies and British Immigration Law After 1945'. In T. Acton (ed.) *Gypsy Politics and Traveller Identity*. Hatfield: University of Hertfordshire Press.
- Kenrick, D. (1998). *Historical Dictionary of the Gypsies (Romanies)*, Lanham, Md: Scarecrow Press.
- Kenrick, D. (1999) (ed.). *In the Shadow of the Swastika: the Gypsies during the Second World War*, Hatfield: University of Hertfordshire Press.
- Kenrick, D. (1999). 'What is a Gypsy?'. In R. Morris and L. Clements (eds.) *Gaining Ground: law reform for Gypsies and Travellers*. Hatfield: University of Hertfordshire Press.
- Kenrick, D. and Bakewell, S. (1st ed.) (1990). *On the Verge: the Gypsies of England*, London: Runnymede Trust.
- Kenrick, D. and Bakewell, S. (2nd ed.) (1995). *On the Verge: the Gypsies of England*, Hatfield: University of Hertfordshire Press.
- Kenrick, D. and Clark, C. (1999). *Moving On: The Gypsies and Travellers of Britain*, Hatfield: University of Hertfordshire Press.
- Kenrick, D. and Puxon, G. (1972). *The Destiny of Europe's Gypsies*, London: Heinemann.
- Kenrick, D. and Puxon, G. (1995). *Gypsies under the Swastika*. Interface Collection, Volume 8. Hatfield: University of Hertfordshire Press.
- Kenrick, D. and Taylor, G. (1984). 'The Portayal of the Gypsy in English Schoolbooks', *Internationale Schulbuchforschung*, No 1, January: 38-48.
- Kephart, W. M. (1982). *Extraordinary Groups: the Sociology of Unconventional Lifestyles*, New York: St. Martin's Press.
- Kerry Travellers Development Project. (1996). *Towards Inclusion*, Kerry: KTDP.
- Kiddle, C. (1981). 'Gypsy Women and the Land', *Heresies*, 4(1): 26-30.
- Kimmel, A. J. (1988). *Ethics and Values in Applied Social Research*, London: Sage.
- Kirk, J. and Miller, M. L. (1986). *Reliability and Validity in Qualitative Research*, (qualitative research methods volume 1) London: Sage.
- Kohli, J. (1998). "'Race': an emergent policy issue in the European Union", in Sykes, R. and Alcock, P. (eds.). *Developments in European Social Policy: convergence and diversity*, Bristol: The Policy Press.

- Kohn, M. (1996). *The Race Gallery: the Return of Racial Science*, London: Vintage.
- Kornblum, W. and Lichter, P. (1972). 'Urban Gypsies and the Culture of Poverty', *Urban Life and Culture*, 1(3): 239-253.
- Kostelancik, D. (1989). 'The Gypsies of Czechoslovakia: Political and Ideological Implications in the Development of Policy'. *Studies in Comparative Communism*. XXII(4):307-321.
- Kovats, M. (2001). 'The emergence of European Roma policy', in Guy, W. (ed.). *Between Past and Future: the Roma of Central and Eastern Europe*, Hatfield: University of Hertfordshire Press.
- Laing, E. (ed.). *Moving Stories: Traveller Women Write*, London: Traveller Education Team.
- Law, I. et al. (1994). *Racial Equality and Social Security Delivery: summary report to the Joseph Rowntree Foundation*, Sociology and Social Policy Working Paper 10, Leeds: Department of Sociology and Social Policy, University of Leeds.
- Law, I. (1996). *Racism, Ethnicity and Social Policy*, Hemel Hempstead: Prentice Hall / Harvester Wheatsheaf.
- Lawrence, D. H. (1931). *The Virgin and the Gypsy*, London: Secker.
- Lawson, T. and Garrod, J. (1996). *The Complete A-Z Sociology Handbook*, London: Hodder and Stoughton.
- Leblon, B. (1995). *Gypsies and Flamenco*, The Interface Collection, Volume 6. Hatfield: University of Hertfordshire Press.
- Lee, R. (1971). *Goddam Gypsy: the autobiographical novel of a Canadian Gypsy*, Montreal: Tundra Books.
- Lee, K. and Warren, W. G. (1991). 'Alternative education: lessons from Gypsy thought and practice', *British Journal of Educational Studies*, XXXIX (3): 311-324.
- Leibfried, S. (1993). 'Towards a European welfare state?', in Jones, C. (ed.). *New Perspectives on the Welfare State in Europe*, London: Routledge.
- Leeson, R. (1980). *Travelling Brothers*, St. Albans: Granada.
- Legal Action. (1988). 'Case note: local authority's duty to provide sites for Travellers', *Legal Action*, January, p11.
- Leicestershire Traveller Education Service. (1998). *A Visit to Stow-on-the-Wold Fair*, Leicester: Leicestershire County Council.

- Lemon, A. (2000). *Between Two Fires: Gypsy Performance and Romani Memory from Pushkin to Post-Socialism*, Durham, North Carolina: Duke University Press.
- Levellers, The. (1991). 'Battle of the Beanfield', *Levelling the Land*, China Records: London (WOLCD 1022).
- Lewis, O. (1998). 'Boy, six, dies after eviction tragedy', *The Enfield Independent*, May 13: 3.
- Liégeois, J-P. (1986). *Gypsies: an illustrated history*, London: Al-Saaqi.
- Liégeois, J-P. (1994). *Roma, Gypsies, Travellers*, The Council of Europe.
- Liégeois, J-P. (1998). *School Provision for Ethnic Minorities: the Gypsy Paradigm*, The Interface Collection, Volume 11. Hatfield: University of Hertfordshire Press.
- Liégeois, J-P. and Gheorghe, N. (1995). *Roma/Gypsies: A European Minority*, London: Minority Rights Group.
- Lipsky, M. (1980). *Street-Level Bureaucracy: dilemmas of the individual in public services*, New York: Russell Sage Foundation.
- Lister, R. (1997). *Citizenship: feminist perspectives*, Basingstoke: Macmillan.
- Lloyd, L. (1993). 'Proposed reform of the 1968 Caravan Sites Act', *Critical Social Policy*, 38: 77-84.
- Local Government Ombudsman. (1995). Complaints 93/B/3650 – 93/B/3776. Cornwall, 28th June.
- Lockwood, W. G. (1986). 'East European Gypsies in Western Europe: The Social and Cultural Adaptation of the Xoraxane', In J. C. Berland and M. T. Salo (eds.) 'Peripatetic peoples', A Special Issue of the *Journal Nomadic Peoples*, 21/22: 63-70.
- Lofland, J. and Lofland, L. H. (1984). (2nd ed.) *Analyzing Social Settings: a guide to qualitative observation and analysis*, Belmont, California: Wadsworth.
- Lowe, R. and Shaw, W. (1993). *Travellers, Voices of the New Age Nomads*, London: Fourth Estate.
- Lucassen, L. (1993). 'Under the Cloak of Begging? Gypsy Occupations in Western-Europe in the 19th and 20th Century', *Ethnologia Europea: Journal of European Ethnology*, 23: 75-94.
- Lucassen, L. (1998). 'The Clink of the Hammer was Heard from Daybreak till Dawn: Gypsy Occupations in Western Europe (Nineteenth – Twentieth Centuries). In L. Lucassen, W. Willems and A. Cottaar, *Gypsies and Other Itinerant Groups: a Socio-Historical Approach*, London: Macmillan.

- Lucassen, L., Willems, W., and Cottaar, A. (1998). *Gypsies and Other Itinerant Groups: A Socio-Historical Approach*, London: Macmillan.
- Lund, B. (1996). *Housing Problems and Housing Policy*, Harlow: Longman.
- MacAuley, D. (1992). 'Care of the Travelling Community', *Journal of the Irish College of General Practice*, 8(5): 58-60.
- MacEwen, M. (1995). *Tackling Racism in Europe: an examination of anti-discrimination law in practice*, Oxford: Berg.
- MacFie, R. A. Scott. (1943). 'Gypsy Persecutions: a survey of a black chapter in European History', *Journal of the Gypsy Lore Society*, (third series), nos. 3-4 Vol XXII, July-Oct: 65-78.
- MacLaughlin, J. (1995). *Travellers and Ireland*, Cork: Cork University Press.
- MacLaughlin, J. (1996). 'The Evolution of Anti-Traveller Racism in Ireland', *Race and Class*, 37(3): 47-63.
- MacLaughlin, J. (1999). 'Nation-Building, Social Closure and Anti-Traveller Racism in Ireland', *Sociology*, 33(1): 129-151.
- MacPherson, W. (1999). *The Stephen Lawrence Inquiry: report of an inquiry by Sir William MacPherson of Cluny*, Cmd. 4262-1, London: The Stationery Office.
- MacRitchie, D. (1894). *Scottish Gypsies under the Stewarts*, Edinburgh: D. Douglas.
- McCarthy, P. (1972). *Itinerancy and Poverty: a study in the sub-culture of poverty*, Unpublished M.Soc.Sc. Thesis. Dublin: University College.
- McCarthy, P. (1994). 'The sub-culture of poverty reconsidered'. In M. McCann, S. Ó Síocháin, J Ruane (eds.) *Irish Travellers: Culture and Ethnicity*, Belfast: The Institute of Irish Studies, The Queen's University of Belfast/The Anthropological Association of Ireland.
- McCarthy, D. and McCarthy, P. (1998). *Market Economies: Trading in the Traveller Economy*, Dublin: Pavee Point Publications.
- McDonagh, M. and McVeigh, R. (1996). *Minceir Neeja in the Thome Munkra (Irish Travellers in the United States)*, Belfast: Belfast Travellers Education and Development Group.
- McKay, G. (1997). *Senseless Acts of Beauty: Cultures of Resistance since the Sixties*, London: Verso.
- McKay, S. and Rowlingson, K. (1999). *Social Security in Britain*, Basingstoke: Macmillan.

- McKee, M. (1997). 'The Health of Gypsies', *British Medical Journal*, 315 (8 November): 1172-1173.
- McKinney, R. (2001). *Different Lessons: Scottish Gypsy/Travellers and the Future of Education*, Edinburgh: Scottish Travellers Consortium.
- McNeil, H. (2001). E-mail contribution to the electronic discussion list *Patrin*. Posted 18.1.01.
- McVeigh, R. (1997). 'Theorising Sedentarism: the roots of anti-nomadism'. In T. Acton (ed.), *Gypsy Politics and Traveller Identity*, Hatfield: University of Hertfordshire Press.
- Malpass, P. and Murie, A. (1994). *Housing Policy and Practice*, Basingstoke, Macmillan.
- Martin, G. (1997). *New Age Travellers: A Study in Sceptical Sociology*, Ph.D. Thesis, Exeter: University of Exeter.
- Martin, G. (1998). 'Generational differences amongst New Age Travellers', *Sociological Review*, 46 (4): 734-756.
- Martin, G. (2000). 'New Age Travellers', *Sociology Review*, 9(4): 2-5.
- Martin, G. (2001 - forthcoming). 'New Age Travellers: 'Vanloads of Uproarious Humanity'?', manuscript submitted to *Sociology*.
- Marwick, A. (1970). *The Nature of History*, London: Macmillan.
- Mason, D. (2000) (2nd ed.). *Race and Ethnicity in Modern Britain*, Oxford: Oxford University Press.
- Massey, D. (1987). 'It's a stick-up for the law', *News on Sunday*, May 3: 15.
- Matras, Y. (1996). *Problems Arising in Connection with the International Mobility of the Roma in Europe*. CDMG (98) 14. Pp. 1-25. Strasburg: European Committee on Migration/Council of Europe.
- Matras, Y. (1998). *The Recent Emigration of Roma from the Czech and Slovak Republics*. MG-S-ROM (98) 9. Pp. 1-11. Strasburg: Council of Europe Population and Migration Division.
- Marshall, T. H. (1950). *Citizenship and Social Class and other Essays*, Cambridge: Cambridge University Press.
- May, T. (1993). *Social Research: issues, method and process*. Buckingham: Open University Press.

- Mayall, D. (1988). *Gypsy-Travellers in Nineteenth Century Society*, Cambridge: Cambridge University Press.
- Mayall, D. (1995). *English Gypsies and State Policies*. The Interface Collection, Volume 7. Hatfield: University of Hertfordshire Press.
- Mercer, P. (1992). *The Education of Traveller Children*, Seminar Report to the Department for Education and Science, December 1992). London: DES.
- Mike, J. M. (1996). *The Bird Maiden: A Serbian Legend*, Troll Communications.
- Miles, R. (1989). *Racism*, London: Routledge.
- Miles, R. (1994). 'A rise of racism and fascism in contemporary Europe? Some sceptical reflections on its nature and extent', *New Community*, 20(4): 547-62.
- Milne, S. (1996). 'Job centres check up on Travellers', *The Guardian*, 19 July, p9.
- Ministry of Housing and Local Government/Welsh Office. (1967). *Gypsies and Other Travellers*, London: HMSO.
- Ministry of Housing and Local Government/Welsh Office. (1970). *Guidance on Travelling Families and Planning*, Circular 38/70, London: HMSO.
- Mitchell, M. and Russell, D. (1998). 'Immigration, citizenship and social exclusion in the new Europe', in Sykes, R. and Alcock, P. (eds.). *Developments in European Social Policy: convergence and diversity*, Bristol: The Policy Press.
- Modood T, Berthoud R, Lakey J, Nazroo J, Smith P et al. (1997). *Ethnic Minorities in Britain: Diversity and Disadvantage*, London: Policy Studies Institute.
- Molloy, S. (1998). *Accommodating Nomadism*, Dublin: Travellers' Movement (Northern Ireland).
- Moreton, J. (1987). 'Immunisation of Travellers in Oxfordshire', *Nursing*, 19(3): 723-726.
- Morris, L. (1994). *Dangerous Classes: the underclass and social citizenship*, London: Routledge.
- Morris, E. (1997). *Beyond Reading and Writing: Access to Secondary Education for Travellers*, A speech made by Estelle Morris, Parliamentary Under Secretary for School Standards, to a conference hosted by the Advisory Council for the Education of Romany and other Travellers (ACERT), Oxford, 11 September 1997.
- Morris, R. (1998). 'Gypsies and the Planning System', *Journal of Planning and Environment Law*, July, 635-43.

- Morris, R. and Clements, L. (eds). (1999). *Gaining Ground: law reform for Gypsies and Travellers*. Hatfield: University of Hertfordshire Press.
- Morris, R. (2000). 'The invisibility of Gypsies and other Travellers', *Journal of Social Welfare and Family Law*, 21(4): 397-404.
- Moore, P. (1980). 'Counter-culture in a social security office', *New Society*, July 10, p68.
- Mulcahy, F. D. (1988). 'Material and Non-Material Resources, or Why the Gypsies Have no Vises', *Technology in Society*, 10: 457-467.
- Murdoch, A. (1999). *The Impact of the Criminal Justice and Public Order Act 1994 on Britain's Travellers*, Ph.D. Thesis, Bristol: University of Bristol.
- Murray, J., Bradley, H., Craigie, W. A. and Onions, C. T. (1933). *The Oxford English Dictionary*, Vol IV, F-G, Oxford: Clarendon Press.
- National Association of Citizens Advice Bureaux (NACAB). (1991). *Barriers to Benefit*, London: NACAB.
- Naylor, S., Waterson, M. and Whiffin, M. (eds.). (1993). *The Education of Gypsy and Traveller Children: Action-Research and Co-ordination*, Hatfield: University of Hertfordshire Press.
- Naylor, S. and Wild-Smith, K. (1997). *Broadening Horizons – Education and Travelling Children*. Essex: Essex County Council.
- Neat, T. (1998). *The Summer Walkers: Travelling People and Pearl-Fishers in the Highlands of Scotland*, Edinburgh: Canongate Books.
- Nelligan, D. (1993). *Report of the Specialist Health Visitor for Travelling Families – May 1990-November 1992*, Bristol: United Bristol Healthcare Trust.
- Ní Shúinéar, S. (1994). 'Irish Travellers, Ethnicity and the Origins Question'. In M. McCann, S. Ó Siocháin, J Ruane (eds.) *Irish Travellers: Culture and Ethnicity*, Belfast: The Institute of Irish Studies, The Queen's University of Belfast/The Anthropological Association of Ireland.
- Ní Shúinéar, S. (1997). 'Why do Gaujos hate Gypsies so much anyway?'. In T. Acton (ed.) *Gypsy Politics and Traveller Identity*, Hatfield: University of Hertfordshire Press.
- Niner, Pat et al. (1998). *Local Authority Powers for Managing Unauthorised Camping. Research Report*. London: Department of the Environment.
- Noble, A. (1996). *From Rome to Maastricht: the essential guide to the European Union*, London: Warner Books.

Nuneaton and Bedworth Council. (1997). *Griff Gypsy Site: Information Package for Site Administration*, January 1997.

O'Donovan, R. (1989). 'Travellers, Settlers and Policy', *Local Government Studies*, Jan/Feb 1989, pp: 83-89.

O'Hagan, A. (1997). 'Afterword', in D. Wylie, *Losing Ground*, London: Fourth Estate.

O'Nions, H. (1995). 'The Marginalisation of Gypsies', *Web Journal of Current Legal Issues*. Issue 3.

< <http://webjcli.ncl.ac.uk/articles3/onions3.html> >

O'Nions, H. (1996). 'The Right to Respect for Home and Family Life: the first in a series of 'Gypsy cases' to challenge UK legislation', *Web Journal of Current Legal Issues*. Issue 5.

< <http://webjcli.ncl.ac.uk/1996/issue5/o'nions5.html> >

O'Nions, H. (1999). 'Bonafide or Bogus?: Roma Asylum Seekers from the Czech Republic'. *Web Journal of Current Legal Issues*. 5 (3).

< <http://webjcli.ncl.ac.uk/1999/issue3/onions3.html> >

Ó Riain, G. (1997) (ed.) *Travellers: Nomads of Ireland*, Dublin: Pavee Point Publications.

Observer, The. (1995). 'In with the New Order, Out with the New Age', 4th June.

Office for Standards in Education (OFSTED). (1996). *The Education of Travelling Children* (HMR/12/96/NS), London: OFSTED.

Office for Standards in Education (OFSTED). (1999). *Raising the Achievement of Minority Ethnic Pupils*. London: OFSTED.

Ogus, A., Barendt, E. and Wikeley, N. (1995) (fourth edition), *The Law of Social Security*, London: Butterworths.

Okely, J. (1975a). 'Gypsy Women: Models in Conflict'. In S. Ardener (ed.), *Perceiving Women*, London: J. M. Dent and Sons Ltd.

Okely, J. (1975b). 'Work and Travel'. In B. Adams, J. Okely, D. Morgan and D. Smith, *Gypsies and Government Policy in England*, London: Heinemann.

Okely, J. (1979). 'Trading Stereotypes: the case of English Gypsies'. In S. Wallman (ed.) *Ethnicity at Work*, London: Macmillan.

Okely, J. (1983a). *The Traveller-Gypsies*. Cambridge: Cambridge University Press.

- Okely J. (1983b), 'Why Gypsies hate cats but love horses' in *New Society*, 17 February, 63 (1057): 251-253.
- Okely, J. (1997a). 'Cultural Ingenuity and Travelling Autonomy: not copying, just choosing'. In Acton, T., and Mundy, G. (eds.) *Romani Culture and Gypsy Identity*, Hatfield, University of Hertfordshire Press.
- Okely, J. (1997b). 'Non-territorial culture as the rationale for the assimilation of Gypsy children', *Childhood: A Global Journal of Child Research*, 4 (1): 63-80.
- Okely, J. (1997c). 'Some Political Consequences of Theories of Gypsy Ethnicity: the place of the intellectual'. In A. James, J. Hockney and A. Dawson (eds.) *After Writing Culture: Epistemology and Praxis in Contemporary Anthropology*, London: Routledge.
- Opotow, S. (1990). 'Moral Exclusion and Injustice: an introduction', *Journal of Social Issues*, 46(1): 1-20.
- Pahl, J. and Vaile, M. (1986). *Health and Health Care Among Travellers: A Report*. Health Services Research Unit: University of Canterbury at Kent.
- Pahl, J. and Vaile, M. (1988). 'Health and Health Care among Travellers', *Journal of Social Policy*, 17(2): 195-213.
- Parekh, B. (Chair/Editor). (2000). *The Future of Multi-Ethnic Britain*, The Parekh Report. Report of the Commission on the future of multi-ethnic Britain. London: Profile Books.
- Patrin Web Journal. (1999). *A Brief history of the Roma*
< <http://www.geocities.com/Paris/5121/history.htm> >
- Patrin Web Journal. (2001). *The Romani Flag*
< <http://www.geocities.com/Paris/5121/rromflag.gif> >
- Patterson, T. (1994). 'Irish Lessons: Irish claimants in Britain in context', *Benefits*, 9: 12-15.
- Peck, B. (1983). 'Gypsies: a Sheffield Experience', *Health Visitor*, 56: 583.
- Piasere, L. (1987). 'In Search of New Niches: the productive organization of the Peripatetic Xoraxané in Italy'. In A. Rao (Ed.), *The Other Nomads*, Köln: Böhlau.
- Police Review, The*. (1993). 'Tracking The Travellers', 4th June.
- Potter, B. (1797). *A New Dictionary of all the Cant and Flash Languages... Used by Gipsies, Beggars, Swindlers... and Every Class of Offenders...* London: Publisher Unknown.

Powell, C. (1994). 'Time for Another Immoral Panic? The case of the Czechoslovak Gypsies'. *International Journal of the Sociology of Law*. 22:105-121.

Puxon, G. (1968). 'Gypsies', *Help*, No. 3: 6-8.

Puxon, G. (1969). *On the Road*, London: National Council for Civil Liberties.

Puxon, G. (2000). 'The Romani Movement: rebirth and the first World Romani Congress in retrospect'. In T. Acton (ed.). *Scholarship and the Gypsy Struggle: Commitment in Romani Studies*, Hatfield: University of Hertfordshire Press.

Radio 4. (1998). *Women's Hour* Programme, 23 August.

Radio Free Europe. (1999a). *Slovak Authorities Suspect 'Plot' Behind Romani Exodus to Finland*. (Jolyon Naegele). 14 July. Posted to Romnet on 14.7.97 by Erika Schlager.

Radio Free Europe. (1999b). *Finland Rejects First 150 Slovak Roma*. 14 July. Posted to Romnet on 14.7.99 by Wally Keeler.

Randhawa, T. S. (1997). *The Last Wanderers*, New York: Book Collectors' Club.

Rehfish, A., and Rehfish, F. (1975). 'Scottish Travellers or Tinkers'. In Rehfish (ed.) *Gypsies, Tinkers and other Travellers*, London: Academic Press.

Reid, W. (1997). 'Scottish Gypsies/Travellers and the folklorists'. In T. Acton and G. Mundy (eds.). *Romani Culture and Gypsy Identity*, Hatfield: University of Hertfordshire Press.

Reiss, C. (1975). *Education of Gypsy Children*. London: Macmillan.

Reyniers, A. (1995). *Gypsy Populations and their Movements within Central and Eastern Europe and Towards Some OECD Countries*. Paris: International Migration and Labour Market Policies Occasional Papers.1.

Ringold, D. (2000). *Roma and the Transition in Central and Eastern Europe: Trends and Challenges*, Washington: The World Bank.

Rishi, W. R. (undated) *Multilingual Romani Dictionary*, Self-published: India.

Roberts, S. and Bolderson, H. (1999). 'Inside Out: Migrants' disentanglement to social security benefits in the EU', in Clasen, J. (ed.) *Comparative Social Policy: concepts, theories and methods*, Oxford: Blackwell.

Roberts, I. and Springer, B. (2000). *Social Policy in the European Union: between harmonisation and national autonomy*, London: Lynne Rienner Publishers.

- Robson, C. (1993). *Real World Research: a resource for social scientists and practitioner researchers*, Oxford: Blackwell.
- Rooker, M. (1995). Gypsies Breaking the Law because of Czech Citizenship Law. Unpublished conference paper. *The Criminalisation and Victimization of Gypsies in the New Europe: the Gypsy as Lawbreaker*. Onati. Spain.1-7.
- Rorty, R. (1980). *Philosophy and the Mirror of Nature*, Oxford: Blackwell.
- Rose, V. (1993). *Traditional Gypsy Attitudes towards Health, Hygiene and Healing*, Ferndown: Dorset Health Commission.
- Rowlingson, K. and Whyley, C. (1998). 'The Right Amount to the Right People? Reducing Fraud, Error and Non-Take-up of Benefit', *Benefits*, 21: 7-10.
- Rutherford, J. (1990). 'A Place Called Home: identity and the cultural politics of difference'. In J. Rutherford (ed.) *Identity: Community, Culture, Difference*, London: Routledge.
- Salo, M. T. (1981). 'Kalderas Economic Organization'. In M. T. Salo. (ed.) *The American Kalderas: Gypsies in the New World*, Hackettstown, N.J.: Gypsy Lore Society North American Chapter, Publications Number 1.
- Salo, M. T. and Salo, S. (1982). 'Romnichel Economic and Social Organization in Urban New England, 1850-1930', *Urban Anthropology*, 11(3-4): 273-313.
- Sampson, E. E. (1993). *Celebrating the Other: A Dialogic Account of Human Nature*, Hemel Hempstead: Harvester Wheatsheaf.
- Sampson, J. (1926). *The Dialect of the Gypsies of Wales*, Oxford: Clarendon Press.
- Sandford, J. (1973). *Gypsies*. London: Sphere.
- Saunders, N. (1995). *Ecstasy and the Dance Culture*, London: Nicholas Saunders Inc.
- Sandland, R. (1996). 'The Real, the Simulacrum, and the Construction of 'Gypsy' in Law', *Journal of Law and Society*, 23(3): 383-405.
- Save the Children Fund (Scotland). (1996). *The Right to Roam*, Edinburgh: Save the Children, Scotland.
- Save the Children Fund (Scotland). (1998a). *Failing the Test*, Edinburgh: Save the Children, Scotland.
- Save the Children Fund (Scotland). (1998b). *Poverty Briefing, Number 12*. Edinburgh: Save the Children, Scotland.

- Save the Children Fund (Scotland). (2000). *Moving Targets*. Edinburgh: Save the Children, Scotland.
- Scheffel, D. (1999). *New Slovak Policy*, posting on the Traveller-Net. < <http://www.jiscmail.ac.uk/lists/traveller-net/htm> >, 24.11.99.
- Standing Conference of Local and Regional Authorities of Europe. (1993). *Gypsies in Europe: the Role of Local and Regional Authorities*, Strasbourg: Council of Europe.
- Scottish Association of Health Councils. (1992). *Health Care and Travelling People: A Charter for Health and Travelling People*. Edinburgh: SAHC.
- Scottish Executive. (2000). *The Ninth Term Report 1998-99*, Edinburgh: The Scottish Office/HMSO.
- Scottish Office Central Research Unit. (1993). *Counting Travellers in Scotland: the 1992 Picture*, Edinburgh: SOCRU.
- Scottish Office. (1982). *The Third Term Report 1979-1981*, Edinburgh: The Scottish Office/HMSO.
- Scottish Office. (1992). *The Sixth Term Report 1989-1991*, Edinburgh: The Scottish Office/HMSO.
- Scottish Office. (1995). *The Seventh Term Report 1992-1994*, Edinburgh: The Scottish Office/HMSO.
- Scottish Office. (1998). *The Eighth Term Report 1995-1997*, Edinburgh: The Scottish Office/HMSO.
- Scottish Office. (1998). *Travelling People in Scotland: Report on Seasonal Count July 1998*, Edinburgh: The Scottish Office/HMSO.
- Searchlight*. (1988). 'Gypsy Boxer Targeted by Fascists', April 1988.
- Sibley, D. (1981). *Outsiders in Urban Society*, Oxford: Blackwell.
- Sibley, D. (1987). 'Racism and Settlement Policy: the state's response to a semi-nomadic minority'. In P. Jackson (ed.) *Race and Racism*, London: Allen and Unwin.
- Sibley, D. (1990). 'Urban Change and the Exclusion of Minority Groups in British Cities', *Geoforum*, 21 (4): 483-488.
- Sibley, D. (1997). 'Endangering the Sacred: Nomads, Youth Cultures and the English Countryside'. In P. Cloke and J. Little (eds.) *Contested Countryside Cultures: otherness, marginalisation and rurality*, London: Routledge.

- Sinclair, P. (1993). 'Casting out the Outcasts', *Geographical Magazine*, March, pp: 14-18.
- Silverman, C. (1991). 'Strategies of Ethnic Adaptation: the case of Gypsies in the United States'. In S. Stern and J. A. Cicala, (eds.), *Creative Ethnicity: Symbols and Strategies of Contemporary Ethnic Life*, Logan, Utah: Utah State University Press.
- Simmel, G. (1950). 'The Stranger'. In K. Wolff (ed.) *The Sociology of Georg Simmel*, New York: Free Press.
- Sivanandan, A. (1988). 'The New Racism', *New Statesman and Society*, 1 (24): 8-9.
- Skellington, R. (1996) (2nd ed.). *'Race' in Britain Today*, London: Sage/Open University Press.
- Smith, C. (1995). *Not all Wagons and Lanes*, Essex: Essex County Council/Traveller Education Services.
- Smith, M. (1975). *Gypsies: Where Now?*, London: The Young Fabians.
- Smith, T. (1997). 'Recognising Difference: the Romani 'Gypsy' child socialisation and education process', *British Journal of the Sociology of Education*, 18(2): 243-256.
- Smith, D., Gmelch, S. and Gmelch, G. (1982). *The Special Accommodation needs of Irish and other Long Distance Travellers*, Leicester: Leicester University Polytechnic. (DoE commissioned study)
- Snell, J. (1998). 'Outside Chance', *The Guardian (Society)*, September 30 1998: 21.
- Solly, R. (1998). *Gypsies, Travellers and the Church Churches Commission for Racial Justice*, London: CCCRJ.
- Spicker, P. (1991). 'The principle of subsidiarity and the social policy of the European Community', *Journal of European Social Policy*, 1(1): 3-14.
- Stangroome, V. (1993). *New Nomadic Groups: an information pack on the New Age Traveller phenomenon*. Self-published.
- Stewart, M. (1992). 'Gypsies at the horse-fair: a non-market model of trade'. In R. Dilley (ed.) *Contesting Markets*, Edinburgh: Edinburgh University Press.
- Stewart, M. (1997). *The Time of the Gypsies*, Oxford: Westview Press.
- Stone, C. J. (1996). *Fierce Dancing: Adventures in the Underground*, London: Faber and Faber.
- Stonehenge Campaign Group. (1993). Personal Communication, 27 March.

Sun, The. (1992). 'Hippy Scroungers Must Get Jobs Or Starve', 1 August.

Sun, The. (1998). 'Little Boy Lost... and Found?', 13 November.

Sunday Times, The. (1992). 'How defiant giro hippies milk system for cash on the hoof', 2 August.

Solomos, J and Back, L. (1996). *Racism and Society*, London: Macmillan.

Swann, M (1985). *Education for All: the Report of the Committee of Inquiry into the Education of Children from Ethnic Minority Groups*. London: HMSO (Cmnd 9453).

Takman, J. (1976). *The Gypsies in Sweden*, Stockholm: LiberFörlag.

Thomas, P. A. and Campbell, S. (1992). *Housing Gypsies*, Cardiff: Cardiff Law School.

Thompson, T. W. (1923). 'Consorting with and counterfeiting Egyptians', *Journal of the Gypsy Lore Society*, (3)2: 81-93.

Thompson, T. W. (1924). 'English Gypsy Death and Burial Customs', *Journal of the Gypsy Lore Society*, 3(1-2): 5-38; 60-93.

Thomsons. (1995). *Paris Guide Book*.

Tillhagen, C. H. (1967). 'Welfare Benefits from the Government for the Gypsies in Sweden', *Journal of the Gypsy Lore Society*, 46(1-2): 23-34.

Times, The (1816) 19th July.

Times, The (1826) 6th May.

Times, The (1842) 5th October.

Times, The (1842) 12th October.

Times, The (1842) 14th November.

Times, The (1842) 30th December.

Times, The (1951) 15th July.

Times, The (1984) 15th August.

Times, The (1994) 8th June.

Times, The (1998) 15th January.

Times, The (1998) 20th January.

The Times (1999) 20th October.

Todd, D. and Clark, G. (1991). *Gypsy Site Provision and Policy*, London: HMSO.

Toulmin, V. (1997) *World's Fair*, Sheffield: National Fairground Archives (Sheffield University).

(<http://www.shef.ac.uk/uni/projects/nfa/newspap/wf/vtarticles/vtart2.html>)

Travellers Advice Team. (1998). (Spring) *TAT News*, No.3, Birmingham: McGrath & Co., Solicitors.

Traveller Law Research Unit. (1998). (April) *Travellers' Times*, No.5, Cardiff: University of Cardiff Law School.

Travis, A. (1998). 'Howard's protest crackdown a flop', *The Guardian*, 8 December: 11.

Turner, R. (2000). 'Gypsies and Politics in Britain', *The Political Quarterly*, 71(1): 68-77.

Ulc, O. (1991). 'Integration of the Gypsies in Czechoslovakia'. *Ethnic Groups*. 9: 107-117.

United Nations High Commissioner for Human Rights. (1954). *Convention Relating to the Status of Stateless Persons*, (Resolution 526(A) (XVII), 26th April.

< http://www.unhchr.ch/html/menu3/b/o_c_sp.htm >

Universe, The. (1987). 'Trained Thieves cash in on Underground Passengers', (10th February).

van der Stoele, M. (2000). *Report on the situation of Roma and Sinti in the OSCE area*, Organisation for Security and Co-operation in Europe, Office of the High Commissioner on National Minorities, The Hague: OSCE.

Vail, J., Wheelock, J. and Hill, M., (eds.). (1999). *Insecure Times: Living with Insecurity in Contemporary Society*, London: Routledge.

Verspaget, G. (1993). *On Gypsies in Europe*, Council of Europe Parliamentary Assembly, ADOC6733, 1403-7/1/93-4-E, Strasburg: Council of Europe, 7 January.

Vesey-Fitzgerald, B. (1973). *The Gypsies of Britain*, (1st edition 1944), Newton Abbot: David and Charles.

Vincent-Jones, P. (1986). 'Private Property and Public Order: the 'Hippy Convoy' and Criminal Trespass', *Journal of Law and Society*, 13(3): 343-361.

- Virdee, S. (1997). 'Racial Harassment', in Modood, T. et al. *Ethnic Minorities in Britain: diversity and disadvantage*, London: Policy Studies Institute.
- Walt Disney. (1997). *The Hunchback of Notre Dame*. (VHS Video).
- Waterson, M. (1997). 'I want more than Green Leaves for my Children': some developments in Gypsy/Traveller education 1970-1996'. In T. Acton and G. Mundy (eds.) *Romani Culture and Gypsy Identity*, Hatfield: University of Hertfordshire Press.
- Watkinson, D. (1987). 'Recent cases affecting Travellers', *Legal Action*, July 1987: 9
- Wellman, D. (1977). *Portraits of White Racism*, Cambridge: Cambridge University Press
- Welfare Rights Bulletin. (1991). 'DSS settles race discrimination case', *Welfare Rights Bulletin*, No. 105, December, pp.11.
- Welsh Office. (1997). *Gypsy Count Survey, 1997*, Cardiff: The Welsh Office.
- West Sussex Gazette, The*. (1986). 'Clearing up our act: end of the Gypsy nuisance', 12 August.
- Wheeler, P. M. (1998). *Gypsy Travellers in England and Wales: Access to Justice and Primary Services*, M.Phil. Thesis, Cardiff: University of Wales Cardiff Law School.
- Whiteside, N. (1991). *Bad Times: Unemployment in British Social and Political History*, London: Faber.
- Widdecombe, A. (1999). *Today*, BBC Radio 4, 19.8.99.
- Willems, W. (1997). *In Search of the True Gypsy: from enlightenment to final solution*, London: Frank Cass.
- Williams, F. (1989). *Social Policy: a critical introduction*, Oxford: Blackwell.
- Williams, T. (1999). *Private Gypsy Site Provision*, London: ACERT.
- Williamson, D. (1994). *The Horsie man: memories of a Traveller 1928-1958*, Edinburgh: Canongate Press.
- Wilson, M. (1998). *A Directory of Planning Policies for Gypsy Site Provision in England*. Bristol: Policy Press.
- Wurzel, R. (2001). *Environmental Policy-Making in Britain, Germany and the European Union*, Manchester: Manchester University Press.
- Yoors, J., (1967). *The Gypsies*, London: George Allen and Unwin.

Young, M. (1999). *Unwanted Journey. Why Central European Roma are fleeing to the UK*. London: Refugee Council.