

# Educational Equality for Gypsy, Roma and Traveller Children and Young People in the UK

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The UK has a strong tradition of equality in education dating back to the 1944 Education Act. Laws such as the Race Relations (Amendment) Act 2000, the Human Rights Act 1998 and the Equality Act 2010 not only provide citizens with protection against discrimination but also impose duties on public authorities to promote equality and prevent discrimination. Since the Second World War, every child in England and Wales<sup>2</sup> has been entitled to free education between the ages of five and fifteen.<sup>3</sup> In 1972, the school leaving age was raised to 16, and in 2013 and 2015, the “participation age”<sup>4</sup> will rise to 17 and 18 respectively.<sup>5</sup> Parents are not obliged to send their children to school but they have a duty to ensure that children receive an efficient, full time education which is suitable to their age, ability, aptitudes and any special educational needs they might have.<sup>6</sup>

Although there is a robust legal framework for equality in the UK, practitioners working with families and schools recognise that the UK has a long way to go before genuine equality is achieved in education for Gypsy, Roma and Traveller Communities. This article provides evidence that, in the field of education, Gypsy, Roma and Traveller communities suffer manifestly unequal outcomes. Drawing particularly on the authors’ first hand experience of working to advance educational equality for these communities in one area of London, the article explores some of the

reasons why this is the case, highlighting the day-to-day experiences of Gypsy, Roma and Traveller families. It also considers some of the efforts that have been made to improve outcomes. It concludes by considering the emerging policies of the current Coalition Government and attempts to assess their likely impact on equalities.

## 1. Background

Before embarking on an analysis of the educational experience of the Gypsy, Roma and Traveller communities in the UK, it is important to establish (i) the basis of the terminology which will be used throughout the article, not least due to the fact that such terminology has been a controversial issue in relation to this field of study; (ii) the historical background to the existence of Gypsy, Roma and Traveller communities in the UK, and (iii) the context of racism in which educational inequality for these communities occurs.

### 1.1 Terminology

The authors recognise that many Europeans regard the term “Gypsy” as racist and, indeed, there was a time when the term was avoided in the UK because it was felt to have negative connotations. Subsequently, “Traveller” was used as an umbrella term which covered a range of nomadic or nomadic her-

itage groups. This term, however, was very general (sometimes getting confused with commuters and backpackers), encompassed a very wide range of disparate groups (including Minceir and Nawkins, Circus and Fairground families, New Travellers and waterway dwellers), and fed further generalisation and stereotyping. Romanichal families sought to reclaim the term “Gypsy” and for a while “Gypsy Traveller” became the standard term used by professionals and voluntary organisations as the umbrella term for the communities they worked with. When Roma arrived from Eastern Europe in the mid-1990s, they were included in the terminology, with the use of “Gypsy Roma Traveller” and then as “Gypsy, Roma and Traveller”. For some reason, probably brevity, the term Traveller Education Service, and more recently Traveller Education Support Service (TESS) (discussed further below) have persisted, as has the term Traveller Teacher.

The use of the umbrella terminology – Gypsy, Roma and Traveller – is not intended to suggest that all these communities have common cultures and heritages, or face the same challenges. Indeed, we are aware of the significant diversity within the communities and extended family networks and would argue against generalisation, positive or negative, and focus more on addressing barriers to equality.<sup>7</sup>

## 1.2 Gypsy, Roma and Traveller Communities in the UK

English Romanichal Gypsies arrived in the British Isles in the early 16th Century, as part of the gradual eastward migration of Roma groups across Europe from the 1430s.<sup>8</sup> The first undoubted record is of “Egyptianis” receiving payment from King James IV of Scotland in 1505, but most scholars agree that the unremarkable reference suggests they

had been present in the country for some time;<sup>9</sup> Gypsies were present in force in Paris in 1427, so it is likely that the first arrival of Romanies in Britain was at some time between 1427 and 1508. Sir Thomas More referred to an “Egyptyan” witness to the death of Richard Hunne in London in 1515<sup>10</sup> and an account dated 1528 claimed that there were ten thousand Gypsies in the British Isles.<sup>11</sup> Two years later, the first anti-Gypsy act was passed, as a result of which any Gypsy entering England could have his property confiscated, and be ordered to leave within two weeks.<sup>12</sup> From 1550 to 1640, a number of laws resulted in deportations, slavery and executions of persons being, appearing to be or keeping the company of “Egyptians”.<sup>13</sup>

Despite this repressive climate, and a series of laws continuing up to the present time that effectively outlawed their way of life, Romanichal and Kale have survived as distinct cultural groups in the British Isles, with language and traditions indicative of their origins in the Roma migration from Asia. Kale living in North Wales, who came originally via France and the West Country, spoke a pure form of Romanes until the late 20th Century,<sup>14</sup> although Kale in South Wales and most Romanichals speak Anglo-Romanes, which mixes Romani and English words with an English grammatical structure.

In 1988, the ethnic status of Romanies was established when a pub landlord put up a sign saying, “Sorry, no Travellers”. It was brought to the attention of the Commission for Racial Equality, which supported a test case. The judgement, on appeal, resulted in Gypsies being recognised as a racial group on the following grounds:

“[t]he evidence was sufficient to establish that, despite their long presence in England, gipsies [sic] have not merged wholly

in the population, as have the Saxons and the Danes, and altogether lost their separate identity. They, or many of them, have retained a separateness, a self-awareness, of still being gipsies.”<sup>15</sup>

Travellers of Irish heritage are indigenous nomadic people with a heritage stretching back many centuries. There is evidence which points to the existence of nomadic groups in Ireland as early as the fifth century AD, and by the twelfth century, the name “Tynkler” or “Tynker” is said to have been given to a group of nomads who maintained a separate identity, social organisation and dialect.<sup>16</sup> Others have argued that they are the descendants of the dispossessed from the war with Cromwell in the 17th century or the “Great Famine” in Ireland in the mid-19<sup>th</sup> century, but it is likely that these events merely swelled the numbers of a pre-existing, distinct community.<sup>17</sup>

Irish Travellers sometimes are referred to as “Minceir” or “Pavees” in their own language - Cant or Gammon. They were recognised as an ethnic group in the UK in 2000 following a High Court case<sup>18</sup> and, like Romanies, are protected under the Race Relations Acts (and now the Equality Act). Their claim to recognition as an ethnic group has not been accepted in Ireland although the case has been eloquently made by Sinead Ni Shunear.<sup>19</sup> Irish Travellers do not claim Roma heritage, but they have close links with Romanichal and Kale communities throughout the UK, sharing with them many cultural traditions.<sup>20</sup>

There are two main groups of Scottish Travellers – Lowland Travellers or Romani Gypsies and Highland Travellers. Lowland Travellers share their heritage with English Romanichal Gypsies and Roma, while the Highland Travellers are believed to have their roots in

Northern Europe. They gained recognition as an ethnic group in 2008.<sup>21</sup>

### 1.3 Racism

#### Public Attitudes

Sir Trevor Phillips (as Chair of the Commission for Race Equality) described racism towards Gypsy, Roma and Traveller communities (GRT Communities) as “the last respectable form of racism”, in that there seems to be little or no social stigma attached to expressing such racist attitudes.<sup>22</sup> In making the above statement, Phillips drew on a MORI survey of 1,700 adults throughout England showing the extent of prejudice against minority groups in England.<sup>23</sup> There were four minority groups against whom respondents most frequently expressed prejudice. These were refugees and asylum seekers, Travellers and Gypsies, people from minority ethnic communities, and gay or lesbian people. Although, most interviewees had no personal contact with Travellers and Gypsies, these groups (along with asylum seekers) were found to be the subject of aggressive prejudice and open and explicit animosity, often backed with the threat of violence. Actual violence against Gypsy, Roma and Traveller communities is not uncommon. Petrol bombs have been tossed into sites, and children and their parents have been attacked on their way to and from school.<sup>24</sup>

Prejudice towards Travellers and Gypsies is expressed both through a casual attitude towards derogatory language, and through stereotypes relating to the economic role of Travellers and Gypsies. Generally in society, there is an awareness of acceptable and unacceptable ways of referring to differing groups of people. The use of the word “pikey” is particularly offensive to the GRT communities, but there is some sense that it is less offensive than other racist abuse used

against other ethnic minority groups.<sup>25</sup> Common stereotypes affecting GRT communities are that they (i) are considered not to conform to the system by paying taxes, (ii) have a reputation for unreliable business practices, and (iii) do not respect private property and cultural terms, (iv) do not belong to a community and (v) allegedly having a negative impact on the environment.

We still see “No Travellers” signs, or crudely coded equivalents, outside pubs, although the test case outlawing them took place in 1989.<sup>26</sup> The photograph below was taken of a sign in a window of The Prince of Wales Public House, Walthamstow, London E17, on 26 January 2012. The sign was reported to the police, and removed three days later.

The situation of the Roma arrivals to the UK since the later 1990’s has also been difficult. Roma from the A8 countries<sup>27</sup> sought some respite in the UK from being visible, scape-

goated and victimised in their home countries. Until 2004, they were able to become invisible within the multicultural society of many UK cities. With the accession of the A8 countries to the EU in 2004, however, there have been a range of issues of racism from non-Roma A8 migrants towards Roma from the same home countries, including racist graffiti – “Gypsy slaves go home” – sprayed on a Waltham Forest house.<sup>28</sup> Discriminatory practices were also evident in the work of local authorities, including the variable quality of interpreters used to communicate with Roma members of the community. For example, agencies would use ethnic Polish speaking interpreters to interpret for Roma who speak Polish. There is sometimes real or perceived tension in these relationships.

### **The Role of the Media**

The press in general and the “red-tops”<sup>29</sup> in particular delight in Gypsy (usually with



a small “g” and often with an “i”) scare stories and campaigns, such as *The Sun’s* headline “Meet your neighbours” with an out-of-date photo of an unauthorised camp and an encouragement to join the “Stamp on the camps campaign”.<sup>30</sup> Such copy often appears in the run-up to elections because playing the anti-Traveller racial card is seen as a risk-free strategy. The *Daily Express* ran a story about land being compulsorily purchased to provide Gypsy sites in response to the Government’s decision to set targets for site provision.<sup>31</sup> Newspaper headlines, in the main, characterise Traveller Communities as dirty, thieving, scrounging, anti-social strangers in our otherwise well-ordered communities. The lack of positive information and lack of capacity to celebrate the strengths and achievements of Traveller communities has resulted in high levels of prejudice and discrimination.

There have also been two television documentaries, which have been accused of being unrepresentative and sensational – *Gypsy Child Thieves*,<sup>32</sup> broadcast in September 2009 on BBC 2, and *The Secret Lives of Britain’s Child Beggars*, a Panorama report broadcast on BBC1 in October 2011.<sup>33</sup>

### **The Role of the Police**

In 2007, John Coxhead carried out interviews with police officers, which produced statements indicative of the attitude of the police to Gypsy, Roma and Traveller communities.<sup>34</sup> Some of the responses given during these interviews are as follows:

“We all have our prejudices but we know that it is not acceptable to express them (...) but with Travellers this isn’t the case and people will express it openly.”

“A lot of people still view Gypsies and Travellers as subhuman and treating them as

such is seen as some sort of achievement that should be bragged about.”

“I would go further than that - prejudice against Travellers is not only acceptable in the force, it is expected.”

The other disturbing issue concerning (mainly) Romanian Roma has been Operation Golf, a Joint Investigation Team involving the Metropolitan and the Romanian Police with funding from the European Union, aimed at tackling child trafficking. Headlines such as “Romania child-trafficking ring operating in Britain busted by police” have appeared in the UK press.<sup>35</sup> This article described how a child-trafficking ring in Romania had been raided by police, who subsequently said that the gang had sent kidnapped children to beg, steal and sell sex in Britain. Other derogatory headlines include: “How the 21st century Artful Dodgers are making Romanian villages rich”<sup>36</sup> and “The Fagin gangs who make millions from child slavery”.<sup>37</sup> Each of these articles made clear that the families involved were Roma. The most sensational suggested that as many as 1,000 children had been trafficked from a single town in Romania by a Roma gang. This was followed by dawn raids on a number of homes in Slough. Much of the information in the articles came from press releases by Operation Golf.<sup>38</sup> The press subsequently published articles admitting that the dawn raids were a “cock-up”.<sup>39</sup>

This was a series of high profile police raids and lurid claims, but no one is to face child trafficking charges as a result. On 12 October 2010, there was another dawn raid, this time in Ilford. The press release began:

“Twenty-eight children have been safeguarded as part of a major operation carried out by the Metropolitan Police in east London this morning (Tuesday 12 October). The

operation's primary aim was to safeguard potential victims of a Romanian-based Roma gang of child traffickers. There were 103 children and 52 adults present in the 16 addresses in Ilford entered by officers under Operation Norman. Chief Inspector Colin Carswell, of Operation Golf, said: 'The aim of today's operation was to safeguard and identify victims, safeguard and identify any 'new' victims not previously identified, secure evidence, arrest suspects, and minimise any community impact that might occur.'

"The trafficking and exploitation of children for forced criminality is a gross violation of their human rights. Our primary purpose, in tandem with our expert colleagues from the Specialist Crime Directorate, local authority and health trust, is to ensure these vulnerable children get any professional help they may require to remain safe and free from abuse."<sup>40</sup>

There can be little doubt that these raids were very traumatic for the children living at these addresses. The situation has been made worse by sensational reporting, based on police press releases, by papers that are traditionally hostile to Gypsies in the UK. Roma have experienced relatively little overt prejudice because they were largely indistinguishable from other groups of Asian origin. The exaggerated claims and careless language of Operation Golf has allowed tabloid newspapers to connect Roma with child-trafficking and thus begin the process of demonisation, which continues to feed prejudice.<sup>41</sup>

Whilst there are issues of crime and criminality among the Romanian Roma community which have safeguarding implications for professionals, virtually all of these issues stem from extreme poverty.<sup>42</sup> Anecdotally, professionals or voluntary agencies generally have no evidence that any children have

been trafficked away from their families or are being exploited or abused by "handlers". All Gypsy, Roma and Traveller communities put the highest value on their children and abuse is rare.<sup>43</sup> Neglect may occur where families have difficulties accessing services or understanding the requirements of the society in which they are living but, in the experience of the authors, parents are willing to cooperate with professionals to improve their standards of care. For example, where children have come to the notice of authorities through their involvement in petty crime, families have cooperated in enrolling them in school and maintaining their attendance.

These various manifestations of racism have led Phillips to remark that, for Travellers, "Great Britain is still like the American Deep South (was) for black people in the 1950's."<sup>44</sup>

## 2. Educational Outcomes

From January 2003, the Department of Education and Skills revised the ethnic monitoring categories to include Gypsy/Roma and Traveller of Irish Heritage (the groups protected under the Race Relations Act<sup>45</sup>) among the options offered to parents on school admission, and began to compile statistical data that confirmed what practitioners and inspectors already knew.

Hard data was difficult to avoid, particularly for a government committed to a ruthlessly data-driven approach to school improvement. Currently, there is more concern about the achievement of poorer children indicated by eligibility for Free School Meals (FSM).<sup>46</sup> The priority with underachieving groups is to show evidence that the gap is narrowing. Gypsy/Roma and Travellers of Irish Heritage surpassed all other ethnic groups, "free school meals eligible" pupils and even "looked after children" in levels of absence,

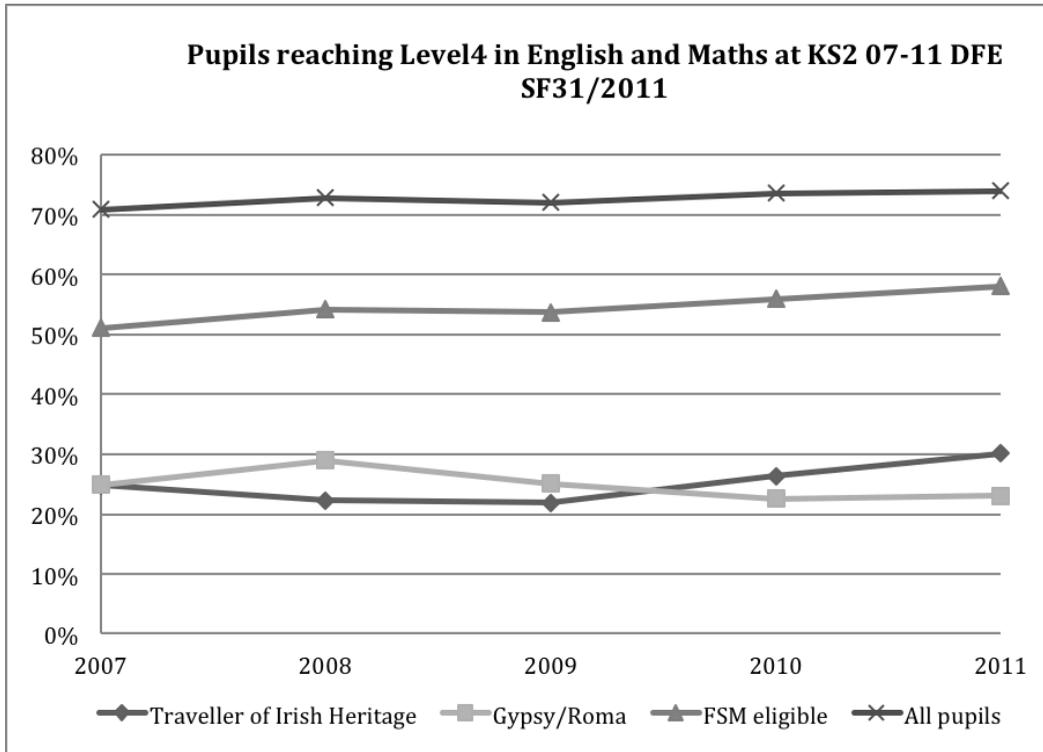


Figure 1

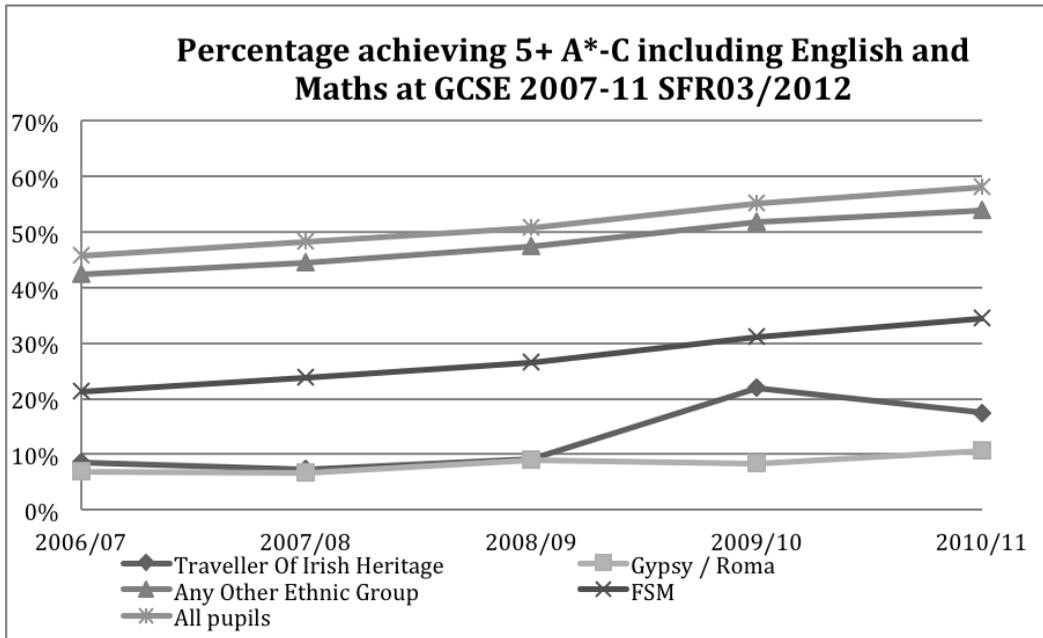


Figure 2

exclusion, “special educational needs” (SEN) and secondary school drop out; they were the lowest achieving minority ethnic groups at all key stages.<sup>47</sup>

More recent data, compiled by the authors from published statistics, indicates how little has changed in the past five years.<sup>48</sup> Na-

tional tests at the end of the Primary phase (age 11) and Secondary phase (age 16) are taken as benchmarks. Figure 1 suggests that the achievement gap between Gypsy/Roma and all pupils has widened, probably due to increasing numbers of European Roma in the cohorts. The gap between Travellers of Irish Heritage and other pupils would appear to

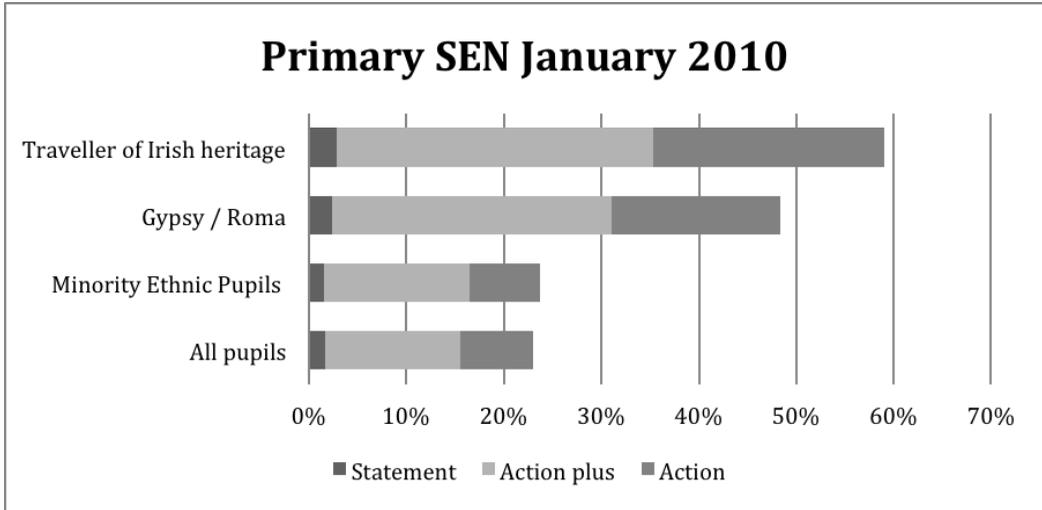


Figure 3

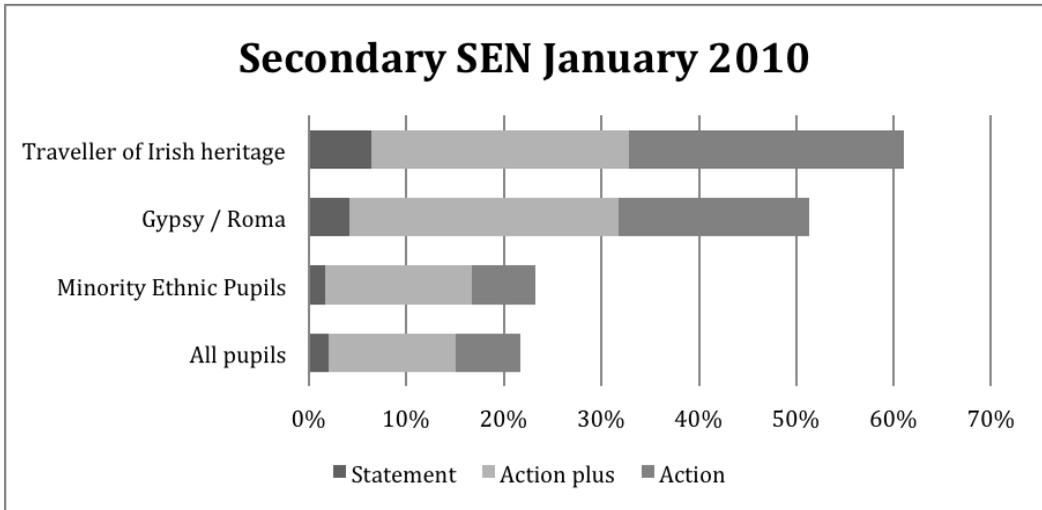


Figure 4

be beginning to close, but the gap is very wide and will take a long time to close at the present rate.

Although an increasing number of Gypsy, Roma and Traveller pupils stay on into the secondary phase (for example, in 2003, 80% of Gypsy/Roma and Traveller of Irish Heritage pupils transferred from primary to secondary school), around half drop out by the end of Key Stage 4 and only 37% were in school for all 5 years between Years 6 and 11.<sup>49</sup> Boys are more likely to drop out than girls (except Roma, where the opposite is true) and Irish Travellers are more likely to drop out than Gypsies and Roma.

The attainment gap at age 16 is also widening: while the proportion of all pupils (and those eligible for free school meals) achieving the expected level of 5 or more good (A\*-C grade) GCSEs including English and Maths is increasing, this trend is not discernible in respect to the Gypsy/Roma or Travellers of Irish Heritage (see Figure 2). The significant improvement of Irish Traveller achievement in 2010 may be due to an increasing number of students following a vocational curriculum, offering qualifications equivalent to GCSEs. These courses have been criticised by the Education Secretary, Michael Gove, and may not in future carry the same GCSE equivalences.<sup>50</sup> In practice, the authors have found that around half of Gypsy, Roma and Traveller students are likely to have become disengaged from education by the end of KS4 (16 years old).

The rates of absence, as well as Special Education Needs (SEN) and exclusion are all disproportionately high, as indicated by the graphs in Figures 3-7. High levels of SEN identification have alarming parallels with the treatment of Roma in some Eastern European countries where many children attend special schools.<sup>51</sup> “Action” means the

school provides additional support to meet SEN, “Action Plus” indicates the involvement of external agencies and “Statement” indicates that the pupil is receiving individual support from an adult for some or all of their time in school. Although the principles of support are sound, the practice is sometimes variable.

Gypsy, Roma and Traveller pupils (boys in particular) have the highest exclusion rates of all ethnic groups. The high levels of exclusion also have parallels of the experiences of African Caribbean pupils.<sup>52</sup>

There are many reasons why children from Gypsy, Roma and Traveller heritages may underachieve. These include:

- (i) disrupted educational experience;
- (ii) different educational experiences;
- (iii) educational disadvantage of their parents;
- (iv) social and economic reasons;
- (v) health reasons;
- (vi) cultural reasons;
- (vii) dispersed extended family demands;
- (viii) lack of cultural sensitivity within the education system;
- (ix) racism in employment sector;
- (x) lack of role models;
- (xi) English as an additional language (EAL) issues;
- (xii) accommodation issues; and
- (xiii) refugee and asylum seeker issues.

These factors are not unique to Gypsy, Roma, and Traveller families, but most families experience a number of them, often interacting with each other to undermine the families’ ability to reach their full potential.<sup>53</sup>

### **3. Pressures and Challenges Impacting on Gypsy, Roma and Traveller Education**

Based on the authors’ experiences, this section explores in more detail the pressures

and challenges affecting Gypsy, Roma and Traveller families in trying to ensure that every child reaches their full potential.

Primary and secondary school staff frequently recognise the factors which pull Gypsy, Roma and Traveller children towards their own community and culture and away from that of the school. These factors include:

- (i) the expectation of early financial independence, marriage and parenthood;
- (ii) concerns about community values being undermined by formal (e.g. sex education) and informal (drug culture) aspects of education;
- (iii) the emphasis on family based learning and self-employment;
- (iv) perceived irrelevance of secondary curriculum and formal qualifications; and
- (v) allowing children to remain at secondary school being seen as an indication of group disloyalty.<sup>54</sup>

Gypsy, Roma and Traveller students and the staff who teach them have also identified factors pushing Gypsy, Roma and Traveller pupils away from school. These include:

- (i) early exposure to racism and bullying;
- (ii) social and cultural isolation;
- (iii) conflict with teachers or peers;
- (iv) a perceived lack of support in accessing the curriculum; and
- (v) low teacher expectations in relation to attendance and achievement.

### 3.1 Employment and Financial Challenges

Since 2007, with the accession of Bulgaria and Romania (the “A2” countries) to the European Union, there has been an increasing number of Romanian Roma arriving in the UK. In Waltham Forest, Romanian Roma form the majority of the Gypsy, Roma and

Traveller population, with 270 children out of a total number of 601 Gypsy, Roma and Traveller children.<sup>55</sup> They are often returning to the area where they first claimed asylum pre-2004, before removal, or more often, joining other extended family in a chain of migration. Issues facing the Romanian Roma mainly centre on the unequal treatment of the A2 countries in terms of the employment restrictions placed on them by the UK government prior to EU accession.<sup>56</sup> Typically, many Roma families from the A2 countries encounter a range of difficulties that often impact detrimentally on the education (and general welfare) of their children. The restrictions placed on the employment opportunities of A2 country nationals mean that self-employment is often restricted by many Roma’s lack of formal education and skills. Self-employment is often based around practical skills gained through experience, not through formal training. Painting and decorating, collecting scrap metal, repairing, buying and selling cars and selling *The Big Issue* are all opportunities. However, the difficulties in registering as self-employed and accessing a range of benefit entitlements are becoming increasingly complex and difficult. Further, the impact of the type of employment of their parents on children’s experiences in education is seen clearly in Case Study 1.

Without access to benefits in order to supplement self-employment income, the children of such families have no entitlement to Free School Meals. School uniforms, sports equipment and footwear are expensive and often unique to a particular school. Most schools, certainly in Waltham Forest, but generally throughout the UK, require children and young people to wear a school uniform. While this may be only a sweatshirt in primary schools, it can be considerably more, especially in secondary schools. Gypsy, Roma and Traveller families are often quite large

### **Case Study 1: Ilie Family**

*There are five children in the Ilie family. Three are in primary school and two are in secondary school. The family is Romanian Roma, and like many Romanian Roma families in Waltham Forest, they collect and recycle scrap metal. The increased number of adults collecting scrap metal has led to collecting happening at all hours and on every day. At weekends, sometimes the older secondary age girls go out collecting metal in the truck too. School "friends" have seen them out and about collecting metal, and this in turn has led to some pejorative "gypsy" name calling. The children started to be more frequently absent from school because of this. In turn, this also spread to the three children at the primary school too.*

and the poorest families are often the most mobile. Insisting that children have all the equipment required before they can be enrolled can disadvantage the most vulnerable families and either disrupt their education, deter them from seeking admission or cause additional financial hardship to the family, especially where several children in one family attend school.

Schools vary in their response to these financial disincentives. The best schools almost always are flexible in their response. They see solutions, not the problems; for example, schools may (i) keep a supply of second hand uniform, (ii) arrange low cost repayments, or (iii) have some kind of hard-

ship fund to help Gypsy, Roma and Traveller families financially. However, in other schools, these may be used as reasons to exclude (informally) children and families. For example, in 2005, John Lee, an English Gypsy boy, was bought a pair of black shoes, which had a thin white stripe around the edge of the sole. He was not allowed into school as the shoes were not black! This was the start of poor attendance and subsequent school refusal for John.<sup>57</sup>

The employment restrictions on A2 nationals also impact on the accommodation opportunities for Gypsy, Roma and Traveller families from these countries. Often, extended families live together in one house, as a way of sharing rental costs. These living arrangements frequently cause high mobility, which in turn makes school attendance and changing schools an increasing area of concern for local authorities.

Anecdotal evidence from a range of professionals working with the Gypsy, Roma and Traveller communities, including teachers and charities, point to an increasing number of referrals made to Children's Social Services departments concerning Romanian Roma families. Such referrals are often made by either schools or next door neighbours, for whom there is sometimes a mismatch between the cultural values and practices of Roma families and their own set of standards.

For example, on one occasion, social workers carried out a family visit/core assessment of one Roma family, during which the fridge was inspected. The lack of food was noted. This could be viewed as neglect, albeit enforced by poverty, but it is also demonstrative of the practice of Roma families who shop on a daily need basis, even down to bread being made at home rather than bought. On

another similar occasion, a social worker on an accompanied core assessment home visit inspected the children's bedrooms. Her comment was, "there is no evidence of educational board games here".<sup>58</sup>

These examples demonstrate the challenges posed by financial and employment factors on the education of Gypsy, Roma and Traveller children which contribute to the unequal educational outcomes for these children.

### **3.2 The Relationship between Gypsy, Roma and Traveller Families and Schools**

Most professionals working with the communities would recognise that in the primary phase, most schools have good and improving relationships with the Gypsy, Roma and Traveller families with children in the school, particularly if they are relatively settled and if the parents had a reasonable school experience themselves. The Gypsy, Roma and Traveller Achievement Programme (GRTAP) booklets<sup>59</sup> and a recent publication by the National Foundation for Education Research – *Improving the Outcomes for Gypsy Roma and Traveller Pupils*<sup>60</sup> – have much to offer schools by way of guidance for interacting with Gypsy, Roma and Traveller families and pupils.

Relationships between schools and parents at secondary level are more distant than at primary level for all pupils, but for Gypsy, Roma and Traveller families it is particularly the case. The argument in favour of secondary education is still to be won for most Gypsy, Roma and Traveller families. In the authors' experience of contact with Gypsy, Roma and Traveller communities, most parents were ambivalent about secondary education; schools were thought of as large, impersonal institutions where bullying was rife. Children who attended secondary schools frequently

reported racist abuse and bullying. There is concern amongst parents that their children will be discriminated against if they defend themselves against such bullying (see Case Study 2). The curriculum wasn't thought relevant to the lives they expected their children to lead. Those without a positive primary school experience struggled to access the curriculum. Parents feared their children would mix with other children during puberty, potentially undermining their strictly held beliefs about sex education and chastity. Further, if pupils achieve well, parents are afraid their children will be drawn away from their culture and family.

Schools which have, or aspire to have high standards put particular emphasis on the parental contract. Although this can be positive, emphasising the partnership between the school and the parents, the requirements of some schools may put demands on parents they cannot reasonably be expected to meet. The contract has no legal basis, but most parents will sign it rather than risk a confrontation with the school from the outset. The school may well use a parent's failure to keep to their side of the contract as a basis for suggesting that "this might not be the right school for your child."

Practicalities of the admissions processes can operate so as to exclude or disadvantage Gypsy, Roma and Traveller pupils. Firstly, there is the problem of how to apply for a school place; this can be complicated, and even more difficult if English is not one's first language. Secondly, the letter offering a school place poses the same English language issue, and it is also problematic whether or not families are still at the same address to which a letter is posted, in view of their high mobility. Offer letters not replied to within five working days may be rejected by schools, at their discretion.

### **Case Study 2: O'Driscoll Family**

*A large extended Irish Traveller family arrived in Waltham Forest in late 2000, after having bought a piece of Green Belt land. They retrospectively applied for planning permission to settle on the land (similar to the recent situation regarding the residents of the Dale Farm traveller encampment that was recently evicted in Essex).*

*Prior to 2000, the family had always been travelling and stopping on the roadside. The seven children had had various educational experiences depending often on the Local Authority area in which they had stopped and also how long they stayed in a particular place. Children from this family started attending school regularly for the first time in their lives, two started in a primary school, and one in a secondary school.*

*In 2005, Waltham Forest TESS received a call from a secondary school, to say that E.O, a 14 year old Irish Traveller, from the Traveller site, and a pupil at their school, had gone into the toilets and called the police emergency services, to say she was in fear of being beaten up. The police traced the call to the school, and asked the school to get E.O.'s parents to attend the local police station for a "reprimand". The mother was accompanied by E.O. and her adult older sister to the police station, where they were treated appallingly. The officer was rude and surly, and when the family requested a toilet, he refused to let them use one. The family were kept waiting without any explanation for an unreasonable length of time. There was no attempt to address the bullying issues and safety fears of the girl from either the school or from the police.*

A further challenge is that siblings may not be offered places at the same school, which can be problematic for communities that may have poor experiences of schooling in their home country, or no previous schooling at all. Transport can also be an issue, especially as places offered can be some distance away. This has financial (bus fares/transport) and time implications; for example, children have bus passes, but their parents accompanying them to school do not. The logistical difficulties of getting children to different schools for the same time by public transport can be significant.

### **3.3 Bullying and Racism**

The most common reason given by Gypsy, Roma and Traveller parents for their reluctance to send the children to school is "racist bullying", which can range from generalised abuse to physical attacks. Nearly 9 out of every 10 children and young people from a Gypsy, Roma or Traveller background have suffered racial abuse and nearly two thirds have also been bullied or physically attacked.<sup>61</sup> In 1996, the Office for Standards in Education (Ofsted) also found that Gypsy and Traveller children are often subject to bullying of a racist nature.<sup>62</sup>

Schools do not always tackle allegations of racist bullying effectively. Families and children can therefore lose faith in the ability of schools to deal effectively with these incidents. The impact of racism on the children and families can also be underestimated or in some ways belittled. Teachers working with Gypsy, Roma and Traveller children in Waltham Forest and Hackney have reported that recent television programmes, such as *My Big Fat Gypsy Wedding*, and high profile Traveller stories, such as the eviction of the Dale Farm Travellers, have heightened the tensions that some Gypsy Roma and Traveller children and young people feel in schools and other institutions.

Schools should have clear policies and strategies to deal with the prevention of bullying and the punishment of such behaviour. A school that fails to investigate and take action where bullying is alleged to have occurred may find itself subject to a claim for judicial review to force the school to act. Alternatively, a parent may bring a claim for negligence and/or possibly make an allegation that the school has subjected the child to degrading treatment by failing to prevent bullying behaviour by other pupils.

### 3.4 Mobility

The most vulnerable pupils are those who are highly mobile (see Case Study 3). These are not the economically nomadic children, those of fairground or circus heritage (although this group has suffered from the withdrawal of their entitlement to laptop

and internet connectivity<sup>63</sup>) but ethnic Gypsy, Roma and Traveller families who move due to social or economic difficulties. Mobile families might include Roma who have fled poverty in Eastern Europe, families who are housed but feel isolated from their extended families, families involved in neighbour disputes and families in caravans with nowhere legal to park. There are also cultural reasons for the high mobility that disrupts education. The Gypsy, Roma and Traveller culture puts a high value on the extended family and children have a duty to care for adults. If a grandparent is taken ill in Birmingham, Ireland or Romania, the family will not think twice about relocating; they would be regarded as negligent if they did not. Most families do not plan to leave at short notice, but they do and they will be gone until the crisis is over. Crises such as these could be regarded as exceptional circumstances, but, in our experience, for some families they are surprisingly frequent.

By way of example, the mobility of all Gypsy, Roma and Traveller children and young people, who both arrive in and leave from Waltham Forest, is high. The table below shows, in the third column, the increasing number of Gypsy, Roma and Traveller Children and young people at the end of each academic year. The considerable mobility among the families can also be seen through the evidence of turnover in the middle column. The high percentages in 2008-09 and 2010-11 show the increase in mobility quite clearly.<sup>64</sup>

Academic year	Turnover	Number of GRT children & young people
2008-09	37%	462
2009-10	72%	538
2010-11	62%	557

### ***Case Study 3: Dragomir Family***

*I. is an 8 year old boy and has been in the UK for some 4 years. His family has moved frequently, often between Manchester and London. This is mainly for work, accommodation and family reasons. I. has been to various schools and always likes school when he attends. But the high mobility and the lack of stability of accommodation mean that he has attended several schools, some schools twice over. Although when in one place I. does attend well, there has been a lack of general progress and compared to his peers he is falling behind.*

Schools sometimes have a lack of commitment to children and young people who they know to be highly mobile, due to concerns regarding how long they will actually stay. This can sometimes lead to children not being put onto regular literacy and numeracy intervention programmes, as the school makes the decision that mobility and poor attendance will mean an intervention place could be wasted.

Currently children from mobile families have to wait months before they are allocated a school place due to the often bureaucratic centralised admissions system. In many places across the UK, and certainly in most London local authorities, school places are allocated by a central admissions department according to published criteria. The introduction of centralised admissions has reduced the potential direct discrimination in school admissions, but has introduced a greater time-lag between application and admission which continues to affect some marginalised groups, such as Gypsy, Roma and Traveller pupils, disproportionately. Schools which are inclined to be flexible, admitting pupils at short notice and for limited periods, such as may be required by Gypsy, Roma and Traveller families, are no longer able to help in that way. Schools update local authorities on their vacancy status at regular

intervals (monthly or half-termly) which can result in applicants waiting several months for a place. With highly mobile families who repeatedly go through this process, a system that ensures they are treated fairly in one way also contributes to their disrupted education. Once schools are sourced, another change in location by the family can lead to another lengthy wait for a suitable school place – sometimes, in our experience, up to four or five months.

### **3.5 Attendance**

Although families and children are frequently held responsible by schools for poor attendance, it can be influenced by other aspects of the Every Child Matters agenda - health, safety, enjoyment of education, economic well-being and social inclusion.<sup>65</sup> Chris Derrington has identified several “pull and push” factors that affect engagement and retention in secondary school.<sup>66</sup> Of these, cultural dissonance (a result of conflicting expectations between home and school) and social exclusion featured strongly. Of a sample of 44 pupils, only 13 remained in school to the age of 16, and they displayed more adaptive strategies such as cognitive re-framing (finding positive interpretations or responses to potentially negative experiences), develop-

ing social support networks and adopting a bicultural identity. Those who dropped-out of school adopted “maladaptive” strategies referred to as fight (physical and verbal retaliation and non-compliance), flight (self-imposed exclusion and non-attendance) and playing white (passing identity by concealing or denying their heritage).

A 2007 report published by The Children’s Society, based on interviews with pupils about their experiences, identified more factors pushing pupils away from school than ones pulling them back to their communities. Pupils gave the following reasons why they did not attend school regularly: (i) travelling (pull); (ii) non-relevant curriculum (push); (iii) bullying (push); (iv) failure to deal with bullying (push); (v) other children’s behaviour inhibited learning (push); (vi) difficulty understanding the work (push); and (vii)

parents wanting girls to stay at home after puberty (pull).<sup>67</sup>

Poor attendance has become a major concern for schools and a feature of Ofsted school inspections. Poor attendance can trigger an inspection, and very recently two Waltham Forest schools have alluded to the fact that the increasing number of Gypsy, Roma and Traveller children joining the school and subsequent “poor attendance” will cause the school to be inspected before its due date. Obviously there are concerns that schools may be increasingly reluctant to admit children from groups known to have a poor attendance profile.

### 3.6 Exclusions

The graphs in Figures 5-7 demonstrate the disproportionate impact of the exclusions regime on Gypsy, Roma and Traveller pupils.

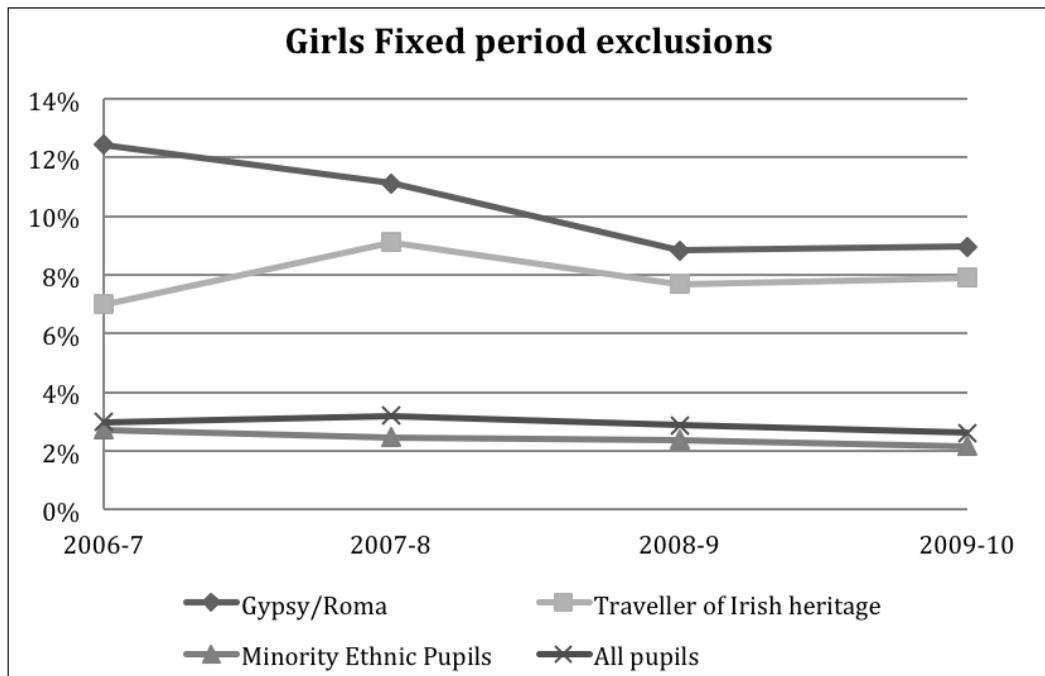


Figure 5

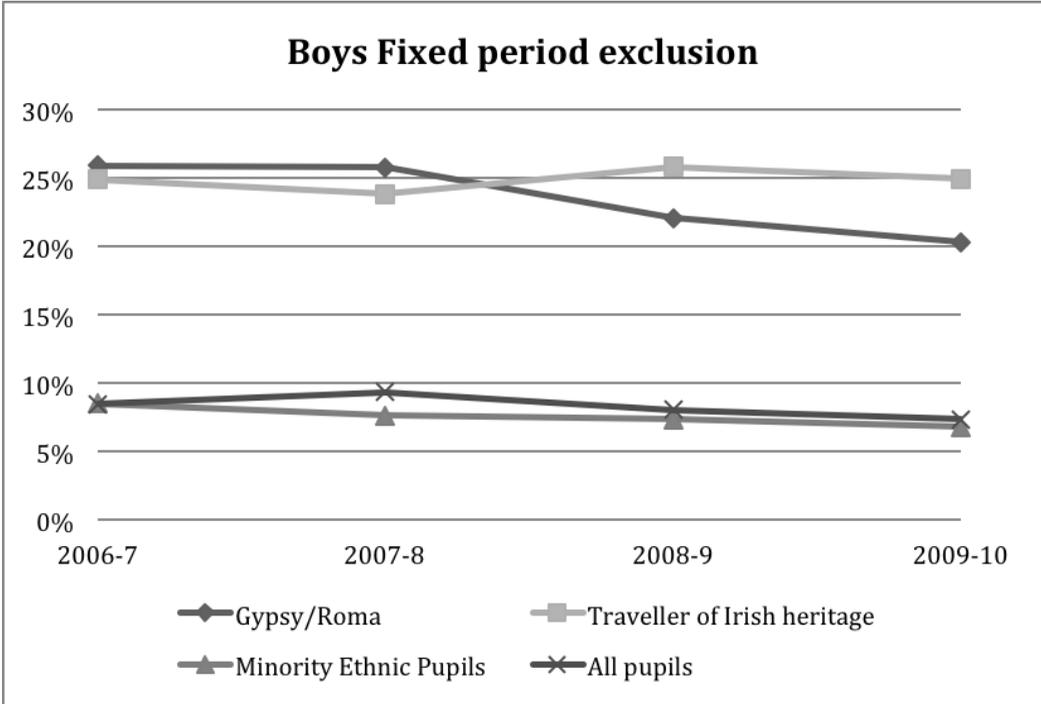


Figure 6

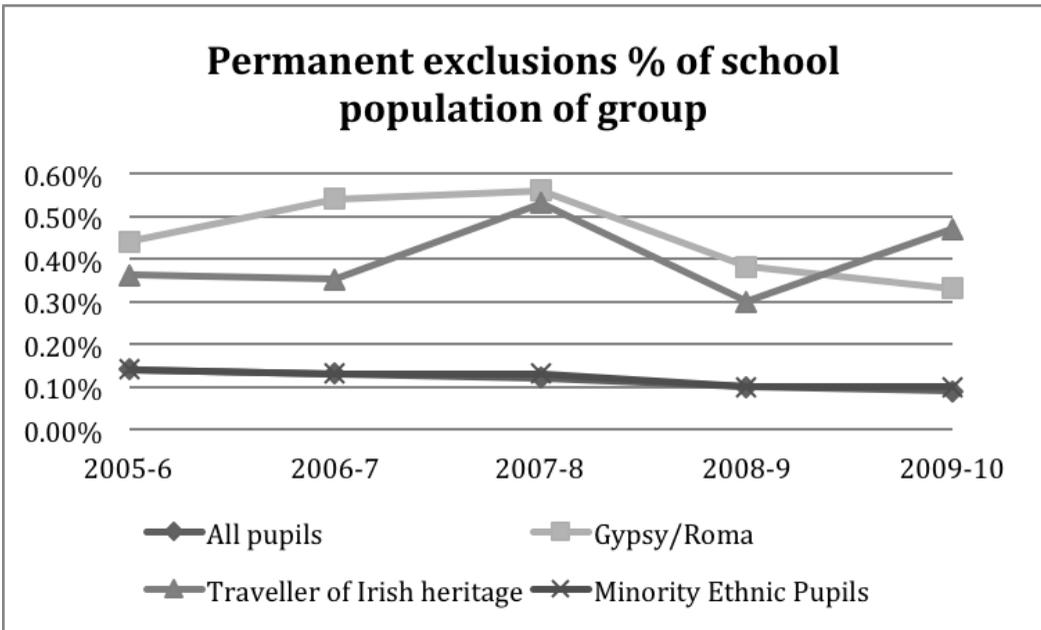


Figure 7

The reasons for such exclusions are complex, but include issues such as:

- (i) the way some students talk to teachers (without due deference);
- (ii) pupils responding to racial harassment (sometimes not effectively addressed by the school) in an aggressive way;
- (iii) some students seek to self-exclude because their attendance has been enforced;
- (iv) failure to complete homework or attend detentions leads to a slippery slope of non-compliance culminating in exclusion; and
- (v) lack of parental cooperation resulting in the school running out of alternatives.

### 3.7 Culture and Values

Ethnicity, culture and religion are closely linked. They can all influence the experience of Gypsies, Roma and Travellers in the education system. Further, a lack of understanding in schools can mean that cultural differences are not appropriately dealt with.

Most Gypsies, Roma and Travellers are opposed to sex education and dissemination of information about contraception. It is not unusual for Roma students to “marry” in the eyes of their community soon after they reach puberty. There can be complex child protection issues. It is not always clear whether the issue is religious, cultural or patriarchal, and whether the rights of the child are protected by the deeply held views of the parents. All the Gypsy, Roma and Traveller communities oppose premarital relationships and expect their children to marry and start a family whilst they are in their teens; by that stage, young women are expected to have the knowledge and skills to keep a home and start a family, and young men are

expected to be able to earn a living and keep them. If school cannot equip their children for this future, most families will be sceptical of the value of secondary education and if their children lose their resolve to attend school, they will receive support in pursuing other alternatives from their parents. The strict gender roles among Gypsy, Roma and Traveller communities can mean that girls do not trust boys to do things which they regard as their domain, such as cooking. Schools should not accept these attitudes uncritically, but should also understand that they are based on a recognition and respect for the skills of women, especially with respect to cleanliness taboos.

In view of the value system of some Gypsy, Roma and Traveller families it is possible that boys (and in some cases girls) will act and speak in ways which constitute sexual harassment, and which could and should not be tolerated. It remains important, however, not just to punish such actions, but ensure that the full learning potential is derived from the incident. It may be appropriate to choose some form of reparation which acknowledges the inappropriateness of the action.

## 4. Promoting Educational Equality

### 4.1 The Development of Traveller Education Support

In 1967, Bridget Plowden, the Chairman of the Central Advisory Council for Education (England), presented a report, entitled *Children and their Primary Schools*, to the Department of Education and Science (the Plowden Report).<sup>68</sup> The Plowden Report identified Gypsies as “probably the most severely deprived children in the country” and argued that committed teams of professionals would be needed to successfully “arrest

the cycle” of educational disadvantage they experienced.<sup>69</sup> As a result, TESS developed from the mid-1970s in order to support the educational access, inclusion and opportunities of a range of different “Traveller” groups, including Romanichal Gypsies, Roma, Travellers of Irish heritage, fairground families or show people, circus families, New Travellers and bargees or canal-boat families. The term “Traveller” was thought to be neutral and inclusive, but members of the communities it embraced argued that it denied their unique identities and shared heritages. “Travellers” became “Gypsy Travellers”, then “Gypsy Roma Travellers” and finally “Gypsies, Roma and Travellers”. Probably for reasons of brevity and familiarity, Traveller Education Services and more recently, TESS, did not change their name.

For the next two decades, Traveller Education Services were funded centrally, and theory and practice were developed by teachers working closely with Gypsy, Roma and Traveller families and the Department of Education, with Her Majesty’s Inspectorate (the Inspectorate) monitoring and supporting their work. The role of TESS is to build the capacity of families, schools and other agencies, including the Local Authority, to address these issues. In some cases, a watching brief may be sufficient, while in others, complex inter-agency interventions may be required. There are many parallels with the situation of “Looked After Children”, where the need for a virtual head-teacher has been recognised to pull together a range of professionals who might be working with a child.<sup>70</sup>

As discussed above, day-to-day TESS practice in one London borough with a high number of Roma families illustrates how practitioners are required to mediate a range of intractable issues. TESS emphasised the relationship of trust they had with parents,

the importance of networking and the development of policy and practice as a partnership between professionals, officials and the Inspectorate. There was much common ground; the families, in general, wanted their children to learn to read and write, and were eager for them to attend primary schools, so TESS gave priority to ensuring every child had a positive “early years” and “primary” experience. While an effective TESS cannot prevent education being disrupted owing to the challenges described above, its staff would have contacts with other members of the extended family of the Gypsy, Roma and Traveller pupils and may be in a position to facilitate communication between the school and the family.

By way of example of the impact TESS can have, one outcome of the engagement of TESS with Gypsy, Roma and Traveller communities has been the emergence of a small but significant number of community activists who are taking an increasingly important role in voluntary organisations fighting for the rights of their communities.<sup>71</sup> Most, but not all, are young women who are taking difficult decisions relating to their future; they are giving the campaign for rights priority over the expectation that they marry and start a family. All have a level of education and confidence to be effective, but their communities expect them to fail, and the press and public have no intention of letting them succeed. In areas without TESS support, schools will need to develop these future role models, and either create employment opportunities for them or create pathways for them to move into positions where they can have an impact.

Although TESS practitioners were generally respected by mainstream colleagues, TESS tended to become marginalised along with the communities with whom they worked.

All this began to change with the election of the Labour government in 1997, with Tony Blair's commitments to "Education, education, and education"<sup>72</sup> and joined-up solutions. Then Education Minister Estelle Morris pledged to address "this complex and difficult issue".<sup>73</sup> Her successor, Charles Clarke, called on teachers of Travellers to achieve a step-change in progress towards the inclusion of children from these communities.<sup>74</sup> Ofsted subsequently undertook a thematic review of the minority ethnic groups whose achievement was giving cause for concern and found Gypsies and Travellers to be the group most at risk of under-achievement in the education system.<sup>75</sup> The Department of Education and Skills responded to the Ofsted report by issuing guidance to all schools, distilled from TESS best practice, advocating whole school approach with senior leadership promoting an ethos of inclusion and respect.<sup>76</sup>

Blair's Labour Government was determined to "narrow the gap" between under-achieving groups and other children. It attempted to do this through the National Strategies, which focused on literacy and numeracy, behaviour and attendance, mid-term admissions, new arrivals, minority ethnic achievement, social and emotional aspects of learning, and assessment for learning.<sup>77</sup> Most of these initiatives had a positive impact on Gypsy, Roma and Traveller children in school, but the Gypsy, Roma and Traveller Achievement Programme (GRTAP) specifically targeted these communities by encouraging schools to develop innovative practice to raise achievement and support transition. Through GRTAP, in November 2009 the National Strategies publicised guidance materials to support schools to raise the achievement of Gypsy, Roma and Traveller pupils. Regional advisers, TESS and school staff worked hard to make a difference. The documentation produced recognised the contri-

bution of racism to educational disadvantage, and devoted one booklet to relationships with parents.<sup>78</sup> However, the GRTAP coincided, around 2008-10 with the process that led to fall from grace of the National Strategies in 2011, with teachers complaining of initiative fatigue, and the government recognising that the huge expenditure had failed to reach the white, urban poor.

Although TESS had been brought into the mainstream, they were also in decline. The funding, which was ring-fenced until 2006, was incorporated into the Children's Services Grant which was launched in April 2006 and subsequently, from April 2008, into the Area Based Grant which covered a very wide range of services and could be used as the local authority saw fit. With Traveller education services funding coming from a local pot, local authorities sought ways to cut back on this expenditure and, at the same time, sought to integrate TESS into mainstream services.

Traveller education practitioners tended to focus on the whole family, across the whole age range, addressing issues across the Every Child Matters (ECM) agenda.<sup>79</sup> The ECM aim of a "framework of universal services which support every child to develop their full potential and which aim to prevent negative outcomes"<sup>80</sup> accurately describes the aspiration of most TESS. The National Strategies approach, however, focused on groups of pupils who had the potential to influence statistics. Schools are judged by their Key Stage results that are published at the end of Key Stage 2. The benchmark is the number of children achieving level 4 and above. Many schools have concentrated on "boosting" the borderline cohort to enable children to move from level 3 to level 4. This school improvement approach often overlooked

children who were not in school, as judgements became more results focused.

Then in 2010, in a climate defined by the economic downturn, came the victory of the conservative party, the policy of deep cuts of spending, and the end of the National Strategies. The Department for Children, Schools and Families became the Department for Education, signalling a withdrawal from the interagency approach and the narrowing of Ofsted's remit. The single crumb in the Education White Paper was that local authorities should be "champions of vulnerable families", although what that might mean in practice is open to speculation.<sup>81</sup>

#### **4.2 Gypsy, Roma and Traveller History Month**

There have also been important initiatives to changes societal attitudes and address the culture of intolerance. In June 2007, Lord Adonis, the then Schools minister, endorsed the first Gypsy, Roma and Traveller History Month (GRTHM) to celebrate the cultures and combat ignorance. The event has run successfully each year since, with significant participation by Gypsy, Roma and Traveller communities, schools, libraries and other institutions.

The GRTHM has been a great success, modestly funded by the (then) Department for Children, Schools and Families for its first three years, but continuing in 2011 without financial support. It has provided a wonderful opportunity for a range of Gypsy, Roma and Travellers to celebrate their histories and identities with a confidence that reflects the strength and resilience of these cultures. The fact that they are regarded as vulnerable within the education system may reflect more on the unresponsiveness of that system, than on the frailties of the Gypsy, Roma

and Traveller cultures. As the GRTHM undermines stereotypes and builds self-esteem, it helps children to reach their full potential.

The GRTHM is of potentially greater importance in the schools with no identified Gypsy Roma Traveller pupils and who do not reflect on their history from one year to the next, than it is in those schools which engage with the communities on a daily basis. In a multicultural society, in which everyone has a vested interest in developing an awareness and understanding of a range of different cultures and faiths, those schools and settings whose communities are not enriched in a multicultural dimension require extra input, through programmes such as GRTHM, to foster understanding and raise awareness.

Jake Bowers, a Romani journalist, described the impact of the invisibility of these communities as follows:

"Go to most museums, libraries and schools and nothing about our history and culture is kept or taught. The result is a widespread ignorance about who we are, which sometimes turns to hatred, fear and misunderstanding. In schools, children learn more about the Romans, Vikings or even fairies than they do about our cultures and what we have contributed to this world."<sup>82</sup>

This initiative, initially planned and implemented by community members and TESS professionals at national and local levels, seemed to elicit a matching response from schools, libraries, council departments and the voluntary sector. If the press sniped, no-one paid attention. Children in schools, apprehensive about having the spotlight turned on them, were surprised and pleased to find that other children showed real interest in aspects of their culture. They told stories and made films, shared photos and made art-

work. GRTHM is showing, in its fourth year, the potential to change the way society and the communities think about and celebrate culture and history.<sup>83</sup>

### 4.3 The Equality Act 2010

The Equality Act 2010 provides the opportunity to challenge directly the most blatant forms of discrimination affecting Gypsies, Roma and Travellers in schools. In the authors' experience, schools have discriminated against members of these groups by: (i) telling Gypsy, Roma and Traveller parents they had no vacancies when they did have some; (ii) expecting prospective parents to phone or visit the school regularly to check for vacancies; (iii) suggesting another school may be more appropriate to their needs; and (iv) imposing inappropriate conditions, such as a permanent address.

The Equality Act 2010 simplified, strengthened and harmonised over 116 separate pieces of legislation to provide Britain with a new discrimination law, which aims to protect individuals from unfair treatment and promote a fair and more equal society. It covers discrimination because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.<sup>84</sup> It makes it unlawful for a school to discriminate against a pupil in relation to (i) admissions; (ii) the provision of education; (iii) access to any benefit, facility or service; and (iv) exclusions. It is also unlawful for a school to harass or victimise an applicant or pupil.<sup>85</sup> Under the equality duty in section 149 of the Act, schools must take active steps to ensure that discrimination is not occurring in the education or services that they provide.

Gypsy, Roma and Traveller pupils in secondary schools are more likely to identify

themselves by the “non-Traveller” ethnic codes, but even pupils who have not identified themselves as Gypsies, Roma or Travellers have the right to the protection of the Equality Act as members of an ethnic group. While the school may claim it did not know their ethnicity, the question would arise whether they could reasonably have been expected to. Furthermore, the ethnic code is not the only source of information a school should use when deciding which equalities to protect.

The Equality Act may be particularly helpful in tackling discrimination on grounds of sexual orientation affecting Gypsies, Roma and Travellers. Only in recent years has there been an acknowledgement of homosexuality among Gypsies, Roma and Travellers and the culture remains largely homophobic, including justifying physical attacks. Catholic attitudes to homosexuality tend to reinforce cultural values. Hostile homophobic attitudes tend to flourish on sites where there tends to be a consensus about what is acceptable, and most “out” Gypsies, Roma and Travellers often separate themselves from the culture. There are gay Traveller chat-rooms on the internet, and there may be a gradual change happening in attitudes of the communities towards homosexual Gypsies, Roma and Travellers, over time.

The impact of the Equality Act on the educational experience of Gypsies, Roma and Travellers will depend largely on the extent to which they are able to assert the rights the Act provides. There are several barriers to effective access to justice affecting Gypsies, Roma and Travellers. Gypsies, Roma and Travellers do not easily resort to using complaints procedures. They frequently require:

- knowledge of their entitlement,
- knowledge of how to complain,
- confidence that complaining will make a difference,
- the skills and tenacity to see the process through.

Most Gypsy, Roma and Traveller families assume the system is loaded against them and they are frequently surprised if they do receive their entitlement. In some cases, Gypsies, Roma and Travellers suffer abuse specifically because it is anticipated that they will not complain. Most complaints require some support from Citizens Advice Bureaus, a law centre or a voluntary organisation.

Parents are generally reluctant to come into school, and if they do come to complain they may not necessarily do so in the most tactful way. They are likely to be angry and upset, and this may come over as threatening or abusive to staff. Schools not only need to develop strategies to deal with angry parents but also to ensure that children do not become implicated. In practice, family loyalty will make it highly likely that the child will follow parental instructions and it is not difficult to see how the situation could escalate.

Older children in Gypsy, Roma and Traveller families have a duty of care towards their younger siblings, which can result in them becoming involved in disputes on their behalf. Each case must be resolved on its merits and the school may find it difficult to separate the actions of one member of a family from those of another. Victimisation of a pupil can occur where a school holds a pupil responsible for what their parent, carer or sibling might have done or has done. This is not a problem specific to Gypsies, Roma and Travellers, but may arise with any group which is tight-knit, has experiences of prejudice and misunderstanding, is unfamiliar with the working of

the education system, and has no confidence in systems for resolving disputes.

The positive action provisions of the Equality Act permit schools to take proportionate steps to help particular groups of pupils to overcome disadvantages which are linked to a protected characteristic. Where this results in more favourable treatment of pupils with a particular protected characteristic, this is lawful provided the requirements of the positive action provisions are met. The Equality Act provides that the circumstances in which a school may take positive action are where it acts to overcome disadvantage, to meet different needs or to increase participation of people in a particular equality group.<sup>86</sup>

Positive action has proved a significant benefit in Eastern European countries where schemes to increase the number of Roma in universities (by financial support and accepting non-conventional qualifications) has resulted in a developing elite who work in NGOs and in government to promote equal opportunities for Roma. Roma tend to be the main “black” minority in most of Eastern Europe and suffer huge social and economic disadvantage. In the UK, positive action is more difficult because of the differing circumstances of individual families, the size of the communities and the wide diversity within the population. In general, it should be appropriate for schools to seek positive interventions for groups of children or families, from which Gypsy, Roma and Traveller pupils can benefit. It is important that schools monitor whether or not these pupils benefit from such interventions and to be prepared to rethink if they are not.

It may be necessary to ensure that everyone understands that specific policies apply to Gypsy, Roma and Traveller pupils and families. Senior management need to take a deci-

sion about whether or not they can assume that the relevance of such policies to these communities can be taken for granted, or whether it might need to be made explicit. This is not to make a special case, nor is it to insult the intelligence of the school community, but experience has shown that there is widespread ignorance and misunderstanding across public services and it is probably better to tactfully spell out the relevance of the Equality Act to these communities rather than allow their situation to be overlooked.

### **5. The Future of Educational Equality for Gypsies, Roma and Travellers**

With the increasing deletion and scaling down of TESS, many families will no longer have a TESS to turn to when education gets rocky, but they may have the opportunity to stand back and decide whether or not education is something they really want and need. The seeds have been sown, and many, though not all, will decide that education can support their fight for rights and economic well-being. Research carried out by the Department for Children, Schools and Families suggests that schools deliver best where they feel they have been granted “ownership” of the children by their communities, i.e. that Gypsy, Roma and Traveller children are the school’s responsibility, and most guidance issued over the past ten years has encouraged them to do so; with the reduction of TESS there will now be less alternatives. Local authorities have tended to see Traveller Education Services as a marginal concern, a distraction from the core business of school

improvement, but now, if the White Paper proposals are enacted, they will have to develop their role as “champions of vulnerable children and families”.<sup>87</sup> Let’s hope they take the task seriously.

The financial cutbacks have thrown Gypsy, Roma and Traveller families and schools in at the deep end with cavalier confidence that all will be well. It is difficult to share that conviction, and those of us who campaigned to preserve TESS will be monitoring closely the impact of these changes.

Although the government has invested in a raft of education strategies over the last ten to fifteen years, and a range of equality initiatives and legislation has been enacted, the question of how to address the day-to-day challenges that many Gypsy, Roma and Traveller children and young people face and that lead to outcomes so much lower than those of their peers. It still remains for schools, institutions and society to deal with racism and inequality in a way that can be tangible for these communities. Flexibility is so often the key to moving things forward in a gradualist approach. It is timely to remember how the late Vaclav Havel described treatment of Roma as a “litmus test for a civil society”.<sup>88</sup>

However, Gypsies, Roma and Travellers are resilient, schools are resourceful, a committed voluntary sector is advocating for change with politicians fighting our corner, and TESS have not yet disappeared completely. Maybe there is light at the end of the tunnel, a stopping place at the end of the road.

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- 1 Brian Foster has been a teacher, educationalist, coordinator of seven Local Authority Traveller Education Services, and is currently a consultant working with the Gypsy, Roma and Traveller communities, a Trustee of the Irish Traveller Movement in Great Britain and also chairperson of ACERT (Advisory Council for the Education of Romany and Other Travellers). Peter Norton has coordinated the London Borough of Waltham Forest Traveller Education Service since 1999 and is a Trustee of the UK's longest established charity working with the Roma community, the Roma Support Group.
  - 2 Scotland and Northern Ireland have similar laws.
  - 3 Education Act 1944.
  - 4 This term recognises that older students may be in school, college or engaged in training.
  - 5 Education and Skills Act 2008.
  - 6 Education Act 1996, Section 7.
  - 7 Both authors have extensive experience of working with Traveller Education Support Services, which work in partnership with parents to help schools understand and respect the identity and culture of the family, setting it in a broader context through events such as the Gypsy, Roma and Traveller History Month. Effective practice in schools is based on general principles of inclusive education, identified by the National Foundation for Educational Research as safety and trust, mutual respect, partnership with parents, high expectations, flexibility and support for access and inclusion. (See Wilkin, A. et al, *Improving the Outcomes for Gypsy, Roma and Traveller Pupils: Final Report*, Department for Education, 2010, pp. 84-87, available at: <https://www.education.gov.uk/publications/eOrderingDownload/DFE-RR043.pdf>.) Distinct identities, cultures and values are recognised through the application of these principles in the day-to-day work of schools.
  - 8 Fraser, A., *The Gypsies*, Blackwell, 1992, p. 84.
  - 9 Personal communication between the authors and Professor Thomas Acton on 28 February 2012.
  - 10 See above, note 8, p. 111.
  - 11 Hancock, I. F., *Pariah Syndrome: An Account of Gypsy Slavery and Persecution*, 1999, Karoma, Chapter 11.
  - 12 *Ibid.*
  - 13 See above, note 8, p. 130.
  - 14 For further information on the Welsh Romany community, see the website of the Romany Wales Project, available at: <http://www.valleystream.co.uk/romany-welsh%20.htm>.
  - 15 *Commission for Racial Equality v Dutton* [1989] IRLR 8, Para 30.
  - 16 O'Riain, S., *Solidarity with Travellers: A Story of Settled People Making a Stand for Travellers*, Roadside Books, 2000.
  - 17 Helleiner, J., *Irish Travellers: Racism and the Politics of Culture*, University of Toronto Press, 2003.
  - 18 *P. O'Leary and others v Allied Domecq and others* (unreported), 29 August 2000 (Case No CL 950275-79), Central London County Court, Goldstein HHJ.
  - 19 Ni Shunear, S., "Irish Travellers: Ethnicity and the Origins Question", in McCann, M., O'Siochain, S. and Ruane, J. (eds.), *Irish Travellers: Culture and Ethnicity*, Institute of Irish Studies, 1994, pp. 54-77.
  - 20 Kenrick, D., "Irish Travellers - A Unique Phenomenon in Europe?", in McCann, M., O'Siochain, S. and Ruane, J. (eds.), *Irish Travellers: Culture and Ethnicity*, Institute of Irish Studies, 1994, pp. 20-33.
  - 21 *MacLennan v Gypsy Traveller Education and Information Project*, S/13272/07 f599/132; see also "Scottish gipsies are distinct ethnic group rules judge", *Herald Scotland*, 25 October 2008, available at: <http://www.heraldscotland.com/scottish-gipsies-are-distinct-ethnic-group-rules-judge-1.892997>.
  - 22 "CRE examines treatment of gypsies", *BBC News*, 17 October 2004, available at: <http://news.bbc.co.uk/1/hi/england/3751214.stm>.
  - 23 Ipsos MORI, *Citizenship 21: Briefing Notes on Profiles of Prejudice*, 2001, available at: <http://www.ipsos-mori.com/researchpublications/researcharchive/1401/Citizenship-21-Briefing-Notes-On-Profiles-Of-Prejudice.aspx>.
  - 24 For example, on numerous occasions between 2001 and 2004, a private site in the London Borough of Waltham Forest was subjected to bricks being thrown over the fence and caravan doors and windows being vandalised.
  - 25 Geoghegan, T., "How offensive is the word 'Pikey'?", *BBC News*, 11 June 2008.
  - 26 See above, note 15.

- 27 A8 countries were eight of the ten countries that joined the European Union in 2004, namely, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia. Workers from these countries had to register with the Worker's Registration Scheme, as a way of controlling the UK labour market.
- 28 The London Borough of Waltham Forest is one of 32 London boroughs. It is situated in North East London. It comprises built-up urban districts in the south with inner-city characteristics, and more affluent residential development in the north. Waltham Forest is one of the five London boroughs that are hosting the 2012 Summer Olympics. Waltham Forest has had a Traveller Education Service since September 1999, and is coordinated (Peter Norton) and supervised (Brian Foster) by the authors. The information relating to the treatment of the Gypsy, Roma and Traveller community in Waltham Forest is based on the direct experiences of the authors.
- 29 "Red-tops" or "tabloid" newspapers are those which target mass readerships, often with sensational and populist content. This is to contrast with the "broadsheets" which adopt a more thoughtful and reasoned approach.
- 30 Front page of *The Sun*, 9 March 2005.
- 31 Brown, M., "7,500 Sites for Gypsies on the Way", *Express.co.uk*, 21 November 2008, available at: <http://www.express.co.uk/posts/view/72245>.
- 32 Sutcliffe, T., "Last Night's Television: This World – Gypsy Child Thieves, BBC2", *The Independent*, 3 September 2009, available at: <http://www.independent.co.uk/arts-entertainment/tv/reviews/last-nights-television-this-world-ndash-gypsy-child-thieves-bbc2-1780881.html>.
- 33 Irish Traveller Movement of Great Britain, *News Release: ITMB press release ITMB lodge complaint with BBC regarding the public lynching of the Travelling Communities*, 1 February 2012, available at: <http://www.irishinbritain.org/demo/files/files/statement%20travellers.pdf>.
- 34 Coxhead, J., *The Last Bastion of Racism: Gypsies, Travellers and Policing*, Trentham Books, 2007, pp. 48,58.
- 35 *Metro Reporter*, 9 April 2010, available at: [www.metro.co.uk/news/821054-romania-child-trafficking-ring-operating-in-britain-busted-by-police](http://www.metro.co.uk/news/821054-romania-child-trafficking-ring-operating-in-britain-busted-by-police).
- 36 Reid, S., "SPECIAL REPORT: How the 21st century Artful Dodgers are making Romanian villages rich", *The Daily Mail*, 25 January 2008.
- 37 Fresco, A., "The Fagin gangs who make millions from child slavery", *The Times*, 25 January 2008.
- 38 Metropolitan Police, *Freedom of Information Disclosure*, available at: [http://www.met.police.uk/foi/pdfs/disclosure\\_2010/december/2010110004069.pdf](http://www.met.police.uk/foi/pdfs/disclosure_2010/december/2010110004069.pdf).
- 39 Pidd, H. and Dodd, V., "From brilliant coup to cock-up. How the story of Fagin's urchins fell apart", *The Guardian*, 2 February 2008.
- 40 "Children safeguarded in major operation", *Metropolitan Police*, 12 October 2010, available at: <http://content.met.police.uk/News/Children-safeguarded-in-major-operation/1260267437629/1257246745756>.
- 41 In a presentation at the East European Roma Conference in Nottingham on 1 February 2012, Chief Superintendent Colin Carswell stated that in 2007, 1107 children were "moved" (trafficked) out of Tandarei in South East Romania. He also stated that at the conclusion of Operation Golf in 2011, a total of 40 children had been "safeguarded", with one in the care of a Local Authority.
- 42 Romanian Roma are A2 nationals and as such have employment restrictions placed on them in the UK. The authors' experience of many Romanian families is one of poverty. They often have no access to benefits of any kind, they are in multiple residential occupancy, and they have no access to "Free School Meals". Employment opportunities are limited often to low paid work, cleaning, repairing cars, collecting scrap metal and selling *The Big Issue* (a magazine sold by homeless people).
- 43 Hancock, I., *We Are the Romani People*, UHP, 2002, Chapter 11.
- 44 See above, note 22.
- 45 Race Relations (Amendment) Act 2000.
- 46 Meals at lunch time in schools are free to families in receipt of certain means tested benefits, and they cost around £1.90 a day.
- 47 Department for Education and Skills, *Ethnicity and Education: The Evidence on Minority Ethnic Pupils aged 5-16*, 2005, available at: <http://dera.ioe.ac.uk/6306/1/0208-2006dom-en.pdf>.
- 48 Department for Education, *Permanent and Fixed Period Exclusions from Schools in England 2009/10*, 2011, <http://www.education.gov.uk/rsgateway/DB/SFR/s001016/index.shtml>; Department for Education, *Permanent and Fixed Period Exclusions from Schools in England 2008/9*, 2010, <http://www.education.gov.uk/rsgateway/DB/SFR/s000942/index.shtml>; Department for Children, Schools and Families, *Permanent and Fixed Period Exclusions from Schools in England 2007/8*, 2009, <http://www.education.gov.uk/rsgateway/DB/SFR/s000860/index.shtml>; Department for Children, Schools and Families, *Permanent and Fixed Period Exclusions from Schools in England*

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49 See Wilkin et al., above note 7, pp. 58-59. The National Curriculum is divided into four Key Stages that children are taken through during their school life. The four Key Stages are:

Key Stage 1	Ages 5-7	Years: Reception, 1 and 2
Key Stage 2	Ages 7-11	Years: 3, 4, 5 and 6
Key Stage 3	Ages 11-14	Years: 7, 8 and 9
Key Stage 4	Ages 14-16	Years: 10 and 11

50 Gove, M., *It's not simply an academic question – why we need radical reform of vocational education*, Speech to the Edge Foundation, September 2010, available at: <http://www.education.gov.uk/inthenews/speeches/a0064364/michael-gove-to-the-edge-foundation>.

51 European Roma Rights Centre and Roma Education Fund, *Persistent Segregation of Roma in the Czech Education System*, 2011, available at: [http://www.errc.org/en-research-and-advocacy-reports-intro-details.php?article\\_id=3049](http://www.errc.org/en-research-and-advocacy-reports-intro-details.php?article_id=3049).

52 Osler, A. and Hill, J., “Exclusion from School and Racial Equality: an examination of government proposals in the light of recent research evidence”, *Cambridge Journal of Education*, Vol. 29(1), 1999, pp. 33-62.

53 Foster, B. and Walker A., *Traveller Education in the Mainstream: The Litmus Test*, Hopscotch Publishing, 2010, pp. 51-52.

54 This list is based on the authors’ experience over many years of working in Traveller Education Services.

55 Figures from Waltham Forest Traveller Education Service database.

56 HM Revenue and Customs, *HiPGTM03280 - Entitlement: Residency rules: Right to reside - A2 nationals*, available at: <http://www.hmrc.gov.uk/manuals/hipgtmanual/hipgtm03280.htm>.

57 Taken from the case files of the Waltham Forest Traveller Education Services. The child’s name has been changed in order to protect his identity.

58 *Ibid.*

59 Department for Children, Schools and Families, *Moving forward together: Raising Gypsy, Roma and Traveller achievement*, 2009, available at: <http://webarchive.nationalarchives.gov.uk/20110809101133/nsonline.org.uk/node/248709>.

60 See Wilkin et al., above note 7.

61 Ureche, H. and Franks, M., *This is Who We Are: A study of the views and identities of Roma, Gypsy and Traveller young people in England*, The Children’s Society, 2007.

62 Office for Standards in Education (Ofsted), *The Education of Travelling Children*, Ofsted, 1996.

63 Laptops and internet connectivity were provided by the E-Learning and Mobility Project (e-lamp) which began in 2003 and ended in July 2010. Further information about the project is available at: <http://www.natt.org.uk/elamp-initiatives>.

64 Taken from the Waltham Forest Traveller Education Services database.

65 Chief Secretary to the Treasury, *Every Child Matters*, 2003, pp. 29-34, available at: <http://www.education.gov.uk/consultations/downloadableDocs/EveryChildMatters.pdf>.

66 Derrington, C., “Fight, Flight and Playing White: An Examination of Coping Strategies Adopted by Gypsy Traveller Adolescents in English Secondary Schools”, *International Journal of Educational Research*, Vol. 46(6), pp. 357-367.

67 See above, note 61.

68 Department of Education and Science, *Children and their Primary Schools*, Her Majesty’s Stationery Office, 1967, available at: <http://www.educationengland.org.uk/documents/plowden/>.

69 *Ibid.*, pp. 595-600.

70 The “Virtual School Head-teacher” (VSH) acts as a local authority co-ordinator and champion to bring about improvements in the education of “Looked After Children” (or “children in care”). “Looked After Children” attend a range of local schools but the role of the VSH is to improve educational standards as if they were attending a single school. Further information is available at: <https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-RR144>.

71 For example, the Roma Support Group, the London Gypsy and Traveller Unit and the Irish Traveller Movement of Great Britain.

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77 The National Strategies were first introduced in 1998 and since then were a key national delivery vehicle for many new and existing government learning priorities. The programmes provided a mix of resources and services that support improvements in the quality of learning and teaching in schools, colleges and “early years” settings. A key aim of the National Strategies was to help these educational settings raise children’s standards of attainment and improve their life chances. The National Strategies programme concluded in 2011.

78 See above, note 59.

79 “Every Child Matters” was a UK government initiative for England and Wales launched in 2003, at least partly in response to the death of 8-year-old Victoria Climbié, tortured and murdered by her guardians in London in 2000. It is one of the most important policy initiatives and development programmes in relation to children and children’s services of the last decade. Its main aims were for every child, whatever their background or circumstances, to have the support they need to “be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being”.

80 Chief Secretary to the Treasury, *Every Child Matters*, 2003, available at: <http://www.education.gov.uk/consultations/downloadableDocs/EveryChildMatters.pdf>.

81 Department for Education, *The Importance of Teaching*, 2010, p. 61, Para 5.28.

82 Bowers, J., “What is GRTHM?”, *Gypsy Roma Traveller History Month*, available at: <http://www.grthm.co.uk/whatis.php>.

83 For further information about the impact of Gypsy Roma Traveller History Month (GRTHM), see the GRTHM website, available at: <http://www.grthm.co.uk/>.

84 Equality Act 2010, section 4.

85 *Ibid.*, section 85.

86 *Ibid.*, sections 158-159.

87 See above, note 81.

88 Crowe, A., “The Czech Roma: Foreigners in their Own Land”, *Patrin Web Journal*, available at: <http://www.star-backs.ca/Paris/5121/foreigners.htm>.