

Article 12 in Scotland

**Stakeholder Submission to the 2nd *Universal Periodic Review*: United
Kingdom of Great Britain and Northern Ireland**

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respond@article12.org
www.article12.org

Article 12 in Scotland: Stakeholder Submission to the 2nd Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland

International Convention on the Elimination of All Forms of Racial Discrimination [1965]

Article 7: *States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnic groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.*

Council of Europe Framework Convention for the Protection of National Minorities [1995]

Article 6 [1]: *The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.*

Introduction

1. *Article 12 in Scotland* believe that governments, professionals, and the wider community all have a role to play in building an environment that respects, values and validates the contributions of young people.
2. Our work is underpinned by the principle of *free participation*: the right to participate as equal citizens at all levels of society without fear or favour, and a process that facilitates the participation of all young people on their own terms and according to their own realities. A principle that, if realised, facilitates informed choice, freedom, dignity, respect and demonstrates an acceptance that young people have the same human rights entitlements as adults: that age or ability is no exception, that there is no glass ceiling that deflects those who have not come up through the ranks of established participatory structures or those who do not 'fit' the cultural norms of mainstream society: that there are no conditions attached.
3. We work to achieve this by supporting some of the most marginalised young people, such as young Gypsy/Travellers, young people looked after by the state and young people experiencing mental ill-health to, inter alia, undertake research to identify needs and concerns relating to their participation rights, and have those needs and concerns given due weight and attention by key decision makers at local, national and international level.

Context and purpose

4. The situation for Gypsies/Roma/Travellers in the United Kingdom [UK] is often not viewed to be as acute as the situation for Gypsies/Roma/Travellers in Eastern Europe. However, in consultation with young Gypsy/Travellers in Scotland, it is clear that they feel largely excluded from mainstream society. Additionally, despite Gypsy/Travellers having ethnic status in the UK, their experience of ‘authority’ is that it often favours and listens to the claims of those who enjoy full citizen rights, something which they, as a result of age and ethnicity, feel they are often denied.¹

5. The 2008 *Summary of Stakeholders’ Submissions* to the 1st *Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland* notes that inequalities continue to affect persons belonging to minority ethnic communities [...] and that [...] negative and inaccurate reporting by certain sectors of the media is contributing to hostile attitudes towards certain groups, in particular Gypsies and Travellers.²

6. This submission aims to demonstrate the lack of improvement [for Gypsy/Roma/Travellers] since the 1st *Universal Periodic Review* and argue that the significant and persistent inequalities affecting the Gypsy/Roma/Traveller communities will not reduce until systems are in place that afford Gypsy/Roma/Travellers and their advocates a legal right of redress to the growing negative and inaccurate portrayal of their community by certain sections of the mainstream media.

The role of the media

7. Negative media reporting is an issue which impacts upon the Gypsy/Roma/Traveller community not only on a Scottish/UK-wide level, but also internationally. Gypsy/Roma/Travellers experience prejudice, discrimination and harassment on a global scale, which is in part fuelled by the media – thus implementing negative stereotypes and instilling the image of Gypsy/Roma/Travellers as criminals in the mind of the wider settled community.

8. Here in the UK, Gypsy/Roma/Travellers continue to be regularly vilified by certain representatives of the British media, and, although *Article 12 in Scotland* does not claim that *all* UK publications, programmes, radio shows and so on deliberately mislead the public and strive to criminalise the Gypsy/Roma/Traveller population, we do know that some do. This deliberate misrepresentation [via leading words such as ‘siege’, ‘invasion’, ‘fear’, ‘illegal’, ‘crime’ etc. and the use of archive/stock photos] of an already marginalised community is not only unethical – it also serves to put a whole community in danger; women and children included.

¹ *Article 12 in Scotland* [May 2010], *Getting it Right for Young Gypsy/Travellers’* On line at: http://www.article12.org/pdf/Survey%20report_final.pdf

² OHCHR [2008], *Summary of Stakeholders’ Submissions, II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND, A. Implementation of international human rights obligations, 1. Equality and non-discrimination*, paragraph 9, p2, On line at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/115/86/PDF/G0811586.pdf?OpenElement>

9. A quick search of keywords such as ‘Gypsy’ and ‘Traveller’ in the on line facility of many of the more prominent UK publications will throw up a whole host of negative articles, usually followed by a barrage of racist comments, ranging from name calling and ridiculing [the recent *Channel 4* documentary *My Big Fat Gypsy Wedding* is another example of one-sided, inaccurate journalism and has contributed greatly to the negative image of Gypsy/Roma/Travellers in the UK today], to inciting violence and talk of evoking the Final Solution.

*‘Send them to Hazelhead [crematorium] where the final solution is obvious.’*³

10. In addition, anti-Gypsy/Roma/Traveller groups are prolific on social networking sites; unfortunately as soon as one of such pages is reported and removed, another springs up in its wake. It is worth noting that despite their content violating social networking sites’ terms and conditions, the removal process can take weeks or in some cases the pages are not removed at all.

*“I invented a new game, you get a group of pikeys and lock them in a cellar for a month without any food..... It’s called hungary, hungary gypos. [sic]”*⁴

*“Why isn’t it legal to shoot gypsies in the face, it should be, I mean there is no law in against shooting dirt and there less than that so it should be ok. [sic]”*⁵

11. As with any community, a minority may break the law, however, the media focus on some of the more negative aspects of the Travelling community, and a lack of engagement with the community itself fuels stereotypes and encourages tension between Gypsy/Roma/Travellers and the settled community.

*‘Power to the tax-payer, not the law breakers [...] any reasonable person must despair at the antics of the gypsies, who have given nothing back to society. [...] No-one in Britain should have to put up with nuisances such as anti-capitalists and gypsies [sic].’*⁶

*‘The REAL victims of the illegal gipsy camp [...] Following their eviction, the travellers have moved on to desecrate another neighbourhood — and continue to raise their children in feral conditions, not caring whether they can read or write, and not even making them attend school for the education which they argue is their right [sic].’*⁷

12. A seemingly innocuous article in *The Press and Journal*, a daily publication in Scotland, entitled ‘*There are all sorts of ways to give people a bad name*’⁸ is just one example of the media campaign against Gypsy/Roma/Travellers in the UK.

³ Reader’s comment, *Press and Journal* on line [July 2010]. Article and comment since removed.

⁴ *Facebook* [14th August 2011].

⁵ *Facebook* [16th September 2011].

⁶ George Tyndale [30th October 2011]: *Power to the tax-payer, not the law breakers*, *Sunday Mercury* on line.

⁷ Amanda Platell [22nd October 2011]: *The REAL victims of the illegal gipsy camp*, *The Daily Mail*.

⁸ *Press and Journal* [7th January 2011]: *There are all sorts of ways to give people a bad name*. On line at: <http://www.pressandjournal.co.uk/Article.aspx/2079711?UserKey>

13. This article leads you in with a commentary concerning a respectful silence at a Scottish football game, harmless enough, but half way through it turns into an anti-Roma diatribe; the commentary includes:

'You can't walk 10 yards without tripping over some old girl in a shawl or having your ears assailed by some swarthy bloke playing the Romanian national anthem on his accordion. [...] Within minutes, they had hobbled and wheeled themselves off in every direction in search of kind-hearted Dubliners. [...] The worry is that, with the dire collapse of the Irish economy, these gangs will set their sights on Scotland. Thanks to the diversity training that the Scottish constabulary have been undergoing of late, in which they have been taught to treat these travellers with the utmost respect, the beggars could clean up over here with impunity.[...] If anyone dares to criticise them, they will probably find themselves up on a charge of inciting racial hatred. [...] Perhaps I should start packing a bag for an extended stay at Her Majesty's pleasure [sic].'

14. In their resource for the media, the *Equality and Human Rights Commission* rightly state: negative portrayal of the Gypsy/Roma/Traveller community 'serves to validate the idea that somehow Gypsy Travellers are fair game that it is not racist to stereotype or discriminate against a Gypsy Traveller [sic]'.⁹ Further, it is noteworthy that despite the resource advising that 'Gypsy/Traveller' should always be capitalised [to denote ethnic status] out of a sample study of 87 Scottish publications, covering each local authority area in Scotland, *Article 12 in Scotland* found that only 2% of those sampled used capitals. Fairer reporting, which gives due regard to ethnic status, would go a long way in improving relations between the two communities.

Young Gypsy/Travellers' views of the media

15. Unbalanced reporting encourages prejudice. Like any other ethnic group, Gypsy/Roma/Travellers are a diverse people, and a vulnerable group in the hands of the media. Consultations with Young Gypsy/Travellers have identified negative and inaccurate media reporting as a key driver of discrimination towards their community.

16. Young Gypsy/Travellers involved in *Article 12 in Scotland* research¹⁰ have identified that more often than not the media will refer to ethnicity when reporting on crime when it involves Gypsy/Roma/Travellers.

"Even the most recent documentary from Channel 4 about The Dale Farm Evictions spoke about Gypsies and crime! What's that got to do with evictions from Dale Farm?"

⁹ *Equality and Human Rights Commission* [2010 edition], *Gypsy Travellers in Scotland: A Resource for the Media*.

On line at: http://www.equalityhumanrights.com/uploaded_files/Scotland/gypsy_travellers_in_scotland_-_a_resource_for_the_media_pdf.pdf

¹⁰ *Article 12 in Scotland* [forthcoming]: *Young Gypsy Travellers' Lives: Discrimination and the media*.

17. Further, they felt that media portrayals of Gypsy/Roma/Travellers were to blame for division and segregation from the settled community, increased prejudice and discrimination and served to galvanise inaccurate, widely held social beliefs about their culture.

“The media targets us, there is never anything positive said about Travellers and they always stereotype us. It makes people who read the papers judge us. People are always scared of what they don’t know.”

“The papers always use stories about Travellers to sell their papers, but they just pick on a bad group and that makes the rest of us look bad too!”

Conclusion and recommendations

18. Comparing these findings with previous research; [...] of 109 young Gypsy/Travellers interviewed by *Save the Children* [Scotland] in 2005,¹¹ 84% reported that discrimination was the same or worse than in 2001. *‘It is always a thing that will never go away, just because we are Travellers – ask them why?’*, *‘it’s all this stuff on the TV just now’* - and commentary from others with an interest in ensuring that rights and equalities are a reality for Gypsy/Roma/Travellers in the UK - *‘In creating largely negative images of Travellers, the press may argue that they are merely reflecting standard public opinion, and that may be right. But in reflecting it they condone, encourage and confirm racist assumptions whereas, some might argue, it is part of their role to counter such bigoted simplifications’*¹² - consolidates our view that, in terms of the negative and inaccurate portrayal of the community by certain sections of the mainstream media, little has changed for the UK’s Gypsy/Roma/Traveller communities since the 1st *Universal Periodic Review*.

19. The current media code of practice,¹³ which essentially advocates the negative commentary provided it is directed at a community rather than an individual, fails the community and we are convinced that Gypsies/Roma/Travellers will continue to be portrayed negatively until government legislates to ensure that the media give due regard to the human rights and ethnic status of the Gypsy/Roma//Traveller communities in the UK.

¹¹ *Save the Children Scotland* [2005] *Having our Say*.

¹² Morris, R., [2000]: *Gypsies, Travellers and the Media: Press regulation and racism in the UK*, Communications Law, Vol 5, No. 6.

¹³ *Press Complaints Commission* [2011]: *Editor’s Code of Practice*. On line at: <http://www.pcc.org.uk/cop/practice.html>