**Questionnaire of Special Rapporteur on Minority issues to NHRIs**

***1)Does your National Institution work specifically relating to the promotion and protection of the rights of the Roma? What particular activities relating to the Roma is your National Institution involved in? Does your Institution have any strategic or action plan to deal with Roma issues?***

*NB: In the context of the UK, the term Roma will relate mostly to Gypsies and Irish Travellers.*

The Equality and Human Rights Commission (the Commission) was established under the Equality Act 2006. It is an Equality Body and an A status National Human Rights Institute It is working to eliminate discrimination on the grounds of age, disability, race, religion and belief, gender, gender reassignment and sexual orientation. It also has a mandate to promote understanding of the Human Rights Act.

Our work with Gypsy, Travellers and Roma involves 3 different kinds of activities:

1)Pre-enforcement work – this involves for example, writing letters outlining the law to those who we believe have breached it or other contact such as meeting with the parties to see if we can come to an agreement on necessary action, if there is no response or offer of constructive action, we then consider litigation as a next step.

Examples of this kind of work include:

* The Metropolitan Police had emailed various bodies and residents in the London borough of Ealing warning about the use of chalked symbols left outside burgled houses by Gypsy and Traveller burglars. Wrote to Association of Police Officers highlighting the issue and requesting information or evidence to confirm if this was accurate. The Association Of Chief Police Officers replied to confirm that there was ‘absolutely no evidence’ of this happening. A police intelligence group also confirmed this as ‘an urban myth’ ACPO have circulated this information about the symbols across all police forces.
* A Government ‘Warm Home Scheme’ which was created to reduce electricity bills for poorest and most vulnerable - this excluded G&Ts who could not access the scheme as they were not named on the electricity account Wrote to the department requesting a meeting with them, the Commission and representatives from the Traveller Movement, a GTR stakeholder group. Following a constructive meeting, the department are now reviewing the operation of the policy and are considering ways to include G&Ts and Park homes in the scheme – possibly by providing cash vouchers
* Warwick Councillors made offensive remarks about a proposed G&T site in the area. The Commission wrote to the Council to remind them of their duties under equality law. Received a letter of apology from the council for the remarks the councillor had made, an assurance they would be reminded of their duties under equality law.
* Refusal of services cases - Strong (phone and video recordings) from pubs and restaurants that had a ‘no traveller policy’ and refused to serve any travellers. Funded pre-litigation work to assist the claimants in these cases. The results are currently pending
* Humberside police not supporting incidents of alleged racial hatred for prosecution because the Travellers involved were too afraid to testify against perpetrators. Wrote to the police outlining racial hatred guidance. The police reviewed the matter and the case has now been referred to the Crown Prosecution Service.

-Litigation – taking cases against those who discriminate against Gypsies, Travellers and Roma. We have had some high profile successes recently

Child J appeal: Disabled traveller child unable to access services he required from the Council even when moving around the country. The Commission successfully defended this appeal

<http://www.bailii.org/ew/cases/EWHC/Admin/2013/3845.html>

Moore and Coates v DCLG: Challenge to Ministerial Policy to recover all Gypsy and Traveller appeals. Intervention in Judicial Review - providing submission on the indirectly discriminatory nature of the policy, and how it breached the PSED – won appeal.

<https://www.judiciary.gov.uk/judgments/moore-and-coates-v-ssclg/>

Traveller movement v Wetherspoons: Delegates from conference refused entry to Wetherspoons pub after their national conference. The EHRC supported this challenge and the decision of the court is awaited

3)Stakeholder engagement such as:

* Legal staff met with Crime Commissioner for Humberside to discuss relations between Gypsies and Travellers and the settled community. Constructive meeting where Council present agreed to try and establish temporary stopping sites to prevent unlawful encampments.
* CEO met with the Traveller Movement in September to discuss impact of change in planning laws Agreed to support Operation Traveller Vote video – get more Gypsies, Travellers & Roma voting
* 2 legal staff attended Traveller Movement Conference
* Legal staff attended 2 Roma meetings in Parliament
* Planned roundtable with pub trade bodies to raise awareness of and tackle issues around ‘no traveller policies’ in pubs and restaurants

In the EHRC’s business plan for 15/16 which will be published shortly we be :

**Tackling discrimination and disadvantage experienced by Gypsy, Traveller and Roma communities.** We will deliver a range of interventions to address issues of prejudice and discrimination facing travelling families when accessing private and public sector services, including insurance and education, and when portrayed in the media and advertising.

***2) Does your National Institution have a unit that deals with minority rights with sufficient dedicated resource on Roma issues, or a focal point for Roma issues? Does your National Institution include staff members from Roma communities? Please provide details.***

The Commission does not have a specific Roma Unit. However, we have 3 legal staff within our Public Services Team legal team who work primarily on Roma issues . The international team also monitor the situation of Gypsy, Traveller and Roma at a European level and have held meetings with the UK’s National Roma Contact Point which is the DCLG. While none of our staff are Gypsies, Travellers or Roma we have close contact with organisations and stakeholder groups within those communities.

***3) Does your NHRI monitor violations of human rights of Roma and provide advice to Government on compliance with national, regional and international human rights instruments? If so give concrete examples?***

The Commission has a key role in engaging with the United Nations’ human rights system which includes monitoring and reporting on the realisation of Gypsy and Traveller rights. In particular, the Commission reported on the under-reporting of Gypsy and Traveller hate crime in its Universal Periodic Review (UPR) Mid-Term Report and its report to the Human Rights Committee Pre-Sessional Working Group on the UK Government’s implementation of the International Covenant on Civil and Political Rights (ICCPR) in 2014. The Commission also raised concerns about Gypsy and Traveller women’s adequate access to healthcare in its report to the Committee on the Elimination of Discrimination against Women in 2013 and it commented extensively on Gypsy and Traveller accommodation, health, education, negative media reporting and economic exclusion in its report to the Committee on the Elimination of Racial Discrimination (CERD) in 2011.

For further information please see: [*http://www.equalityhumanrights.com/about-us/our-work/human-rights/international-framework/monitoring-and-promoting-un-treaties*](http://www.equalityhumanrights.com/about-us/our-work/human-rights/international-framework/monitoring-and-promoting-un-treaties)

***4)Do your staff receive training on how to counter racism and intoleration, discrimination, social exclusion and marginalisation of Roma? Please share all relevant details.***

Legal and other staff are regularly trained so that they are up to date with relevant developments in discrimination law, including on race issues, and on social exclusion. also that staff have attended training specifically on Roma issues in European level.

***5) Does your National Institution consider complaints and petitions concerning individual situations and if so, does it assist Roma in gaining access to effective redress for Human Rights violations? Please give concrete examples.***

Yes, the Commission assist individuals to access legal remedies for their complaints. In Moore v Coates we helped two traveller claimants establish a breach of Article 6, The Court ruled their planning appeals had been recovered unlawfully by the Secretary of State, causing delay.

<https://www.judiciary.gov.uk/judgments/moore-and-coates-v-ssclg/>

The Child J case decided that a local authority has the power to provide services for a traveller child who they have assessed as in need, regardless of the circumstances which have led to that child being no longer physically present in the area of that local authority.

<http://www.bailii.org/ew/cases/EWHC/Admin/2013/3845.html>

***6) In what ways are the views and opinions of the Roma Communities taken into account in your work, and how are Roma able to participate in relevant aspects of your work, including through public consultations and seminars?***

The Commission has an excellent working relationship with the Traveller Movement, a group who represents Gypsies and Irish Travellers and they forward complaints and concerns from individuals. We also have regular contact with a wide range of other GTR groups across the UK. The Traveller Movement also recently had input into our current litigation strategy which resulted in GTR commitments being included in our business plan.

***7)Does your National institution apply a gender perspective throughout its activities?***

As a joint NHRI/Equality body we always look for intersectionality. In our treaty monitoring work we have highlighted access to healthcare and maternity services for Gypsy, Traveller and Roma women.

***8) Have your National Institution conducted surveys or collected disaggregated data relating to your national or ethnic, religious or linguistic minorities, or otherwise produced reports concerning the Roma population? If so please attach relevant documents***

The Commission has produced several reports on issues affecting Gypsies and Travellers, the most recent and significant include:

**Developing Successful Site Provision for Scotland’s Gypsy/Traveller Communities**

[**http://www.equalityhumanrights.com/sites/default/files/publication\_pdf/Successful%20Site%20Provision%20Scotland.pdf**](http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Successful%20Site%20Provision%20Scotland.pdf)

**Gypsies and Travellers: A resource for the Media**

[**http://www.equalityhumanrights.com/about-us/devolved-authorities/the-commission-in-scotland/scottish-news/gypsy-travellers-in-about-us/devolved-authorities/the-commission-in-scotland-a-resource-for-the-media**](http://www.equalityhumanrights.com/about-us/devolved-authorities/the-commission-in-scotland/scottish-news/gypsy-travellers-in-about-us/devolved-authorities/the-commission-in-scotland-a-resource-for-the-media)

**Research report 12 Inequalities experiences by Gypsy and Traveller communities: A review**

[**http://www.equalityhumanrights.com/publication/research-report-12-inequalities-experiences-gypsy-and-traveller-communities-review**](http://www.equalityhumanrights.com/publication/research-report-12-inequalities-experiences-gypsy-and-traveller-communities-review)

**Gypsies and Travellers: Simple solutions for living together**

[**http://www.equalityhumanrights.com/about-us/our-work/key-projects/good-relations/gypsies-and-travellers-simple-solutions-for-living-together**](http://www.equalityhumanrights.com/about-us/our-work/key-projects/good-relations/gypsies-and-travellers-simple-solutions-for-living-together)