



#ReportRacismGRT

A GUIDE FOR POLICE OFFICERS DEALING WITH HATE CRIME DIRECTED AT GYPSY ROMA AND TRAVELLER PEOPLE.

These Guidelines are in no way exhaustive. Rather, they are intended merely as a suggested approach.

Introduction

Race hate crime can have devastating consequences for the victim and their families, but it also affects communities in terms of cohesion, tension, and fear of crime. Responding to racist hate crime and taking action to prevent it will have a significant impact on the confidence that communities affected have in the police service. Failing to respond adequately to hate crime will damage relationships and make all policing services less effective.

GATE Hertfordshire project Report Racism GRT (Gypsy, Roma, and Traveller) work with GRT to record hate crime and discrimination against communities

We know that GRT face significant barriers in engaging with systems and services. Statistics consistently show extremely low levels of school retention and attainment, and a lack of progression into higher education for young people from GRT communities.

Background

Gypsies Roma Travellers are a diverse group of people who have their origins in one of the twenty-seven different countries in Europe and beyond. Like biases against most ethnic groups, hate crimes against GRT are often motivated by misunderstanding, misperceptions, stereotypes about their culture and heritage. For example, not all GRT live in caravans, the majority of GRT in the United Kingdom live in bricks and mortar.

People from GRT groups who live in houses can also be targets for harassment and intimidation at home and can experience ongoing racism within their neighbourhood.

Gypsy Traveller Roma Communities

Gypsies, Travellers of English, Welsh or Scottish origin, Irish Travellers and Romany Gypsies have a long-standing travelling heritage in many parts of the UK and Europe. For much of their history, they have been subject to hate and marginalisation. Gypsies and Irish Travellers have full status as ethnic minority groups and, as such, are entitled to the full protection of equality legislation.

Romany Gypsies

Gypsy people are also known as Romany Gypsies and are related by origin to the Roma. The name Gypsy came from the mistaken belief that they came from little Egypt or the Middle East, but it has been traced through language that the Gypsy people originated in India, the Romany language being derived from Sanskrit.

Pavee (*Irish Travellers*)

Traditionally, Irish Travellers are a nomadic group of people from Ireland but have a separate identity, heritage, and culture to the community in general. An Irish Traveller presence can be traced back to 12th century Ireland and Britain, with further migrations to Great Britain in the early 19th century. The Irish Traveller community is categorised as an ethnic minority group under the Race Relations Act, 1976 (amended 2000); the Human Rights Act 1998; and the Equality Act 2010. Some Travellers of Irish heritage identify as Pavee or Minceir, which are words from the Irish Traveller language, Shelta. Although Travellers speak English in most situations, they often speak to each other in their own language; for Irish Travellers this is called Cant or Gammon. Dating back to the 11th Century we get the word (Tinceard = Tin craft) appearing many times in written documents. Tin smithing is still practiced today by a small number of Travellers, who would have gained those skills through their families. The tinsmith trade gave Travellers the now pejorative term 'tinker'.

Roma

Roma arrived relatively recently in the UK because of unrest and racial discrimination across Eastern Europe. These communities were forced by authorities to alter their 'travelling lifestyle' over many generations. As a result, they tend to share housing as an extended family group and are often subject to racial harassment. Their isolation in many modern countries has led to significant violence, including coordinated attacks by other residents. As with any other community tensions, this can escalate to targeted crime and unrest unless it is understood and dealt with at an early stage. Hostility towards the Gypsy, Traveller and Roma communities is long-standing and widespread. Many were killed in Europe during the Holocaust of the 20th Century.

One of the reasons that Roma do not report hate crimes is a fear of 'administrative removal' a form of deportation from the country if they cannot prove that they are working, and the fact that it is often the police who are the perpetrators of hate crimes against them in many Eastern European countries.

Irish Travellers and eastern European Roma can sometimes find the term Gypsy offensive. The appropriate terminology is, therefore, Traveller or Traveller of Irish heritage, and Roma.

Legislation

There is no specific legislation to protect Gypsies or Travellers, but their status as an ethnic group means that they are protected under legislation, such as the Equality Act 2010.

Decisions in the cases of the Commission for Racial Equality (CRE) v Dutton [1989] QB 783 and O'Leary v Allied Domecq (unreported) (Case No CL 950275–79) July 2000 Central London County Court have established Romany Gypsies and Irish Travellers (commonly referred to as Gypsies or Travellers) as specific ethnic groups. As such, they are entitled to the full protection of the provisions of the Equality Act 2010. Similar rulings have given the same status to Scottish Travellers. Their status should be acknowledged by capitalising the words Gypsy and Travellers in all documents

Definitions

A race hate crime is defined as:

...any criminal offence which is perceived, by the victim or any other person, to be motivated (wholly or partially) by a hostility or prejudice based on a person's race or perceived race.

Hate incident

“Any non-crime incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a person's race or perceived race”, or “Any non-crime incident which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's religion or perceived religion” or “Any non-crime incident which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's sexual orientation or perceived sexual orientation” or “Any non-crime incident which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's disability or perceived disability” or “Any non-crime incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice against a person who is transgender or perceived to be transgender”

Report Racism GRT

Anti Gypsy Roma Travellerism working definition.

Anti Gypsy Roma Travellerism is systemic, historically constructed, persistent and complex use of racist and discriminatory discourse, used in a narrow sense to indicate anti-Gypsy Roma Traveller attitudes and expressions of negative stereotypes. It is a multi-faceted phenomenon that has widespread social and political acceptance and is a critical obstacle to the inclusion of Gypsy Roma and Travellers in broader society. It acts to prevent Gypsy Roma Traveller people from enjoying, equal rights and justice, opportunities, gainful social-economic participation, and achieving their full potential.

Ethnicity Bias – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

Gypsy Roma Traveller Hate Crime

Serious concerns about the racism experienced by Gypsies and Travellers and the role of the media were expressed by the Council of Europe Commissioner for Human Rights, Alvaro Gil-Robles, in November 2004 (Commissioner for Human Rights, 2004):

Though a small part of the overall population of the United Kingdom, the difficulties faced by Gypsies and Travellers have attracted considerable, and largely negative, attention in recent years. Indeed, to judge by the levels of invective that can regularly be read in the national press, GRT would appear to be the last ethnic minorities in respect of which openly racist views can still be acceptably expressed. Such reporting would appear to be symptomatic of a widespread and seemingly growing distrust of Gypsies resulting in their discrimination in a broad range of areas. (Commissioner for Human Rights, 2004)

Gypsies and Travellers are particularly subject to notices excluding them from many premises. In the past the police may have treated these notices as a matter for the Equality and Human Rights Commission (EHRC). In today’s society, subject to individual circumstances, the owners of premises displaying such notices could be committing criminal offences or licensing breaches. Use of such notices should, therefore, be thoroughly investigated and action considered by the police or licensing authority, in addition to any referral to the EHRC.

When crimes are committed based on anti-GRT bias, epithets often reveal the motive for the attack. Many epithets are used to stereotype GRT, and most are intended to be an attack on their background. Typical anti-GRT epithets are, ‘thieves,’ ‘criminal,’ ‘baby snatcher’ ‘scrotes,’ ‘scum’, ‘dirty’, ‘filthy’ and ‘savages.

At times, a perpetrator may use the term “Gypo” “Pikey” Tink which are an offensive pronunciation of their ethnicity. Hate crime perpetrators sometimes use this to harass the victim based upon perceived race/ethnicity, religion, or national origin

GRT victims may be hesitant to identify, especially if the victim has experienced violence or vandalism, possibly because of this heritage. As when working with any crime victim, it is important that officers communicate why they are asking questions about the victim’s

background. The officer should explain that questions about the victim's background are for the purpose of a crime investigation and will help determine whether or not a hate crime occurred. GRT victims and witnesses will be more likely to cooperate and answer questions if they are assured that the officer is merely trying to document the crime, determine if it was a hate crime, and prevent it from occurring in the future.

Officers should remember that Gypsies and Travellers may be either visible or non-visible ethnic minorities.

Officers need to be aware that Gypsies and Travellers are not always either site-resident or permanently travelling. The lack of appropriate site provision has led to many people who would otherwise pursue a travelling lifestyle to move into settled housing. Nevertheless, the community retain their cultural values, and their ethnic status as such does not alter. This may continue for several generations after taking up settled housing and it may be the intention of many to return to a travelling lifestyle. Residential status does not diminish the potential of a Gypsy or Traveller becoming a victim of hate crime based on ethnicity.

Officers need to understand the cultures and lifestyles within the communities and how to address any challenges these may present to the police. Cultural and religious practices of Gypsy Roma and Traveller communities are unique to the individual, as with any ethnicity. Each individual might engage in practices that are different from another individual. In light of these differences, it is important to avoid making generalizations and to engage each person on an individual basis to understand their practice, while remaining sensitive and respectful.

For example, an officer entering the home of a GRT (Bricks and mortar or a Caravan) it is always helpful to ask the homeowner for guidance) e.g., whether to take off one's shoes.

Some GRT may be uncomfortable with bodily contact, and as such, may prefer to greet officers with a nod of the head.

GRT communities may face language barriers or be hesitant to interact with police officers because of fear, mistrust, or previous experiences with law enforcement, whether in the UK or their countries of origin.

Many people in GRT communities come from places where, for a number of reasons, an individual might not contact the police. Building trust with GRTs is essential, particularly in light of backlash that many individuals in these communities have faced through suspicion, or ignorance.

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Respond in a caring way and be sensitive to the cultural diversity of the victim.

It is essential that the police are aware of the tensions that exist in society and that they work to prevent hostility escalating to crime. The police service has a duty to provide services in a way that meets the needs of victims and brings to justice those who perpetrate hate crime.

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People from GRT groups who live in houses can also be targets for harassment and intimidation at home, and can experience ongoing racism within their neighbourhood

Gypsy, Roma, Traveller Hate Crime, and its wider impacts.

Antigypsyism is a historically constructed, persistent complex of customary racism against social groups identified under the stigma 'gypsy' or other related terms, there is no collective understanding of its scope, depth and implications. This can hinder the formulation of effective answers to tackle it. There is a general leniency towards antigypsyism attitudes and practices. The moral stigma attached to other forms of racism is largely absent for antigypsyism.

Gypsy Roma Traveller prejudices contributes to perpetuating the social exclusion of Roma and Travellers and becomes a major obstacle to the enjoyment of their human rights. Human rights education – learning for, through and about human rights – provides an ideal approach to raising awareness about antigypsyism and promoting a culture of universal human rights.

GRT victims of hate crime not only have the direct experience of the crime, but often also encounter double or secondary victimisation through biases and the blame of people and institutions they come in contact afterwards (Herek & Berrill, 1992). The fear of being treated unfairly and negatively by those who are supposed to help affects the willingness of the victims to report and seek help for recovery (Iganski, 2008).

The hateful rhetoric, incidents, and crimes that Gypsies and Travellers experience every day is harmful in multiple ways: they suffer effects that are physical, psychological and impact on the wider community. GRT victims of hate crime may suffer more extreme mental health and

well-being consequences from hate crime victimisation compared to other types of crime victimisation (Iganski, 2008; 2001; Perry, 2003; D'Augelli & Grossmann, 2001; Herek, Gillis, Cogan, & Glunt, 1997). As indicated by the International Critical Incident Stress Foundation, Inc., common signs and symptoms of trauma reactions and excessive stress include physical, cognitive, emotional, and behavioural factors (Mitchell & Everly, 1998). The effects of historical discrimination and persecution do not end with the act itself, but continue to negatively affect the people persecuted as 'gypsies' in their economic, social and psychological lives

GRT hate crimes are most likely to create or exacerbate tensions, which can trigger larger community-wide racial conflict. There is the likelihood for hate crimes serving as a catalyst to initiate community unrest. Antigypsyism is a multifaceted phenomenon; to tackle it requires a diversified set of instruments that includes criminal justice, equality measures and awareness raising. Ultimately, this entails foremost the responsibility of duty bearers to respect, protect and fulfil human rights commitments

Barriers to reporting hate crime

The low levels of reporting to police demonstrates low levels of trust between GRT communities and the police.

Gypsies and Travellers can experience difficulties in reporting hate crime, contributing to significant levels of under-reporting. This can be attributed, in part, to a historically poor level of positive, cooperative engagement with the police. Inadequate or insensitive police responses when such a crime is reported may also be a factor.

Effective investigation of reported hate crimes, and ongoing and proactive community engagement will help to generate confidence in the police service among Gypsy and Traveller communities. This should then encourage improved levels of reporting.

A more comprehensive knowledge of the actual level of hate crime will enable the police to develop an appropriate investigative and preventive response.

Only 20% (23 of 115) of those reporting incidents to Report Racism GRT had also reported the incident to the police. When the incidents reported by third parties not from GRT communities are removed, this is even lower with 18% of incidents reported by people from GRT groups having also been reported to police. Twenty-seven percent of people from non GRT groups who reported incidents had also reported to the police. The low levels of reporting to police demonstrates low levels of trust between GRT communities and the police

Measures which may help to improve levels of reporting

- Sensitivity to the cultural diversity of the victim.
- Effective investigation of reported hate crimes,
- Proactive community engagement will help to generate confidence in the police service among Gypsy and Traveller communities.
- More comprehensive knowledge of the actual level of hate crime will enable the police to develop an appropriate investigative and preventive response.
- Although language and/or literacy issues may sometimes arise. Do not automatically assume lower levels of literacy among GRT communities
- Gypsies and Travellers groups may not always be aware of what constitutes hate crime and how it can be reported, ensure access to facilities for reporting Hate crime is as easy as possible.
- Consider a range of communication mediums to explain rights and methods of reporting, including leaflets, posters, video, and audio.
- Partnership working with representative organisations is essential to ensure an increased awareness of issues affecting Gypsies and Travellers.
- More comprehensive knowledge of the actual level of hate crime will enable the officers to develop an appropriate investigative and preventive response.
- Record allegations of hate crime or hate incidents that may have occurred in another force area and transfer them to the appropriate force for further investigation. This is particularly important to families and individuals who travel.
- All reports of hate crime made by Gypsies and Travellers should be flagged on command and control and intelligence systems so that trends can be identified easily, and the performance of police service delivery assessed.

Checklist for officers during the investigation, flagging as a hate crime, and charging stages

Look out for trigger events which can be international or domestic in nature. Brexit has created hostility towards many EU nationals including those from the Roma community.

Local consideration of planning applications for official Gypsy, Roma and Traveller sites and the use of unofficial encampments, can trigger online and offline activity, some of which may become criminal.

Consider the following when reviewing cases (The list is not exhaustive):

Incident:

- evidence of:

1. Derogatory or racist abuse e.g., verbal slurs such as “gyppo,” “pikey,” “knacker;” scum.
2. Threats of violence towards encampments involving criminal damage and arson
3. Reference to the holocaust such as gas; gas chambers; Nazi insignia such as swastikas used in graffiti.
4. Any focus on cultural identity e.g., caravan or trailer; gypsy chakra or wheel; horses.
5. Reference to religion or assumed religion in connection with Irish Travellers and Roma.

Offenders:

- evidence of:

1. Previous convictions for hate-based offences.
2. Hostility displayed by the perpetrator.
Previous incidents involving the victim and / or offender
3. Potential bad character application.
4. Nature and location of previous incidents.
5. Social media posts displaying hate speech.
6. Possession of leaflets, letters, or other written documents with hate-content
7. Specifically targets the identity/perceived vulnerability of the victim e.g.

Officers should thoroughly document evidence in all bias-motivated incidents.

“If I reported everything I came across I would do nothing else... I have tried to report and respond to the abuse which is often targeted at our animals and children but there is too many and you just can't win”



Officers should seek answers to the following types of questions before making the final determination of whether an incident was motivated by bias.

Does a historically established animosity exist between the victim's and offenders' group?

Is the victim a member of a specific race, religion, disability, sexual orientation, ethnicity, gender, or gender identity?

Was the victim engaged in activities related to his or her ethnicity?

Did the incident coincide with a date of significance relating to a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity?

Community Impact Statement

A Statement made under S9 of the Criminal Justice Act 1967 and tendered under part 27 of the Criminal procedure Rules 2010.

Areas covered by statement West Midlands

Community Type - Gypsy Roma Traveller

Statement author: GATE Herts -Report Racism GRT

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It is a term used to refer to the multiple forms of biases, prejudice and stereotype that motivate the everyday discriminatory behaviour of institutions and many individuals towards Gypsy, Roma, and Traveller communities.

A form of racial discrimination. Most antigypsyism acts are illegal and contrary to human rights, even when they are not prosecuted, and even if they are widespread and often ignored or tolerated.

Antigypsyism undermines the moral fabric of societies. Democracy and human rights cannot take root where discrimination is institutionalised, tolerated, or conveniently ignored.

Anti-Gypsy Roma Traveller prejudices contributes to perpetuating the social exclusion of Roma and Travellers and becomes a major obstacle to the enjoyment of their human rights. Human rights education – learning for, through and about human rights – provides an ideal approach to raising awareness about antigypsyism and promoting a culture of universal human rights.

There is increased awareness of hate speech and hate crimes being directed towards GRT communities, Stereotypes, misconceptions produce negative attitudes towards GRT Although not a 'race,' anti-traveller hatred falls into the racial category.

Hate crime and Hate speech, directed towards the GRT communities is common. The hate speech takes many forms both in the public sphere and online.

Data collected reveals that hate-crime represents a severe threat to the physical and psychological safety and wellbeing of its victims (Noelle, 2003). In fact, what distinguishes 'hate crime' from other types of crimes is that "all 'hate crimes' generally hurt more than general crimes. (Iganski, 2008).

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