

Towards a definition of Traveller Groups

There is no one, single definition of what a Traveller is and the legal definitions in usage are far from being clear-cut. However, it is argued that Gypsies and Travellers should have the right to self-identify and the issue of defining should not be over-emphasised.¹

Race Relations Act 1976 and Race Relations (Amendment) Act 2000

Gypsy Roma Travellers and Travellers of Irish Heritage are protected as ethnic groups under the Race Relations Acts, whether they are nomadic or not. Whilst other groups of Travellers are currently not defined as an ethnic group, guidance from the Commission for Racial Equality (CRE) suggests that test cases could bring other Traveller groups within the definition.

An ethnic group is seen as having “a long shared history of which the group is conscious as distinguishing it from other groups and the memory of which keeps it alive” and “a cultural tradition of it’s own including family and social customs and manners, often but not necessarily associated with religious observance” (*Law Lords definition of March 1983: Mandla Sikh Turban Case.*)

Department for Children, Schools and Families (DCSF) Ethnic Background Categories

The DCSF gather data on the following categories of Travelling pupils, as they have been proved to be a vulnerable group in terms of access to and inclusion in education:

- Traveller of Irish Heritage
- Gypsy/Roma

People over the age of 11 have the right to decide their own ethnic identity.

Traveller Groups

The term ‘Traveller’ is an umbrella term to cover several distinct groups whose lifestyles are separate culturally but share some similarities. It is important that we don’t make cultural assumptions or stereotypes or assume that because someone ‘belongs’ to a certain group they will be the same as everyone else in that group.

There are generally thought to be 5 main groups of Travellers in the UK:

1. Gypsy Travellers and Travellers of Irish Heritage - membership is dictated by birth and sometimes marriage. These are distinct groups but both often have strong cultural ties, large extended families and consist of sub-groups of English Gypsies, Welsh Gypsies and Scottish Travellers. Only Roma Gypsies and Irish Travellers are defined as minority ethnic groups under the Race Relations Acts.

¹ House of Commons ODP: Housing, Planning, Local Government and the Regions Committee, Gypsy and Traveller Sites, 13th Report of Session 2003-04, Volume 1

Legislative changes over the years and the reduction in traditional ways of making a living are increasingly pushing Gypsy and Irish Travellers into a more settled way of life. However, even families who appear settled may at any time resume a travelling lifestyle, however temporary. Despite being housed or settled, the cultural traditions and identity remain. *A person does not cease to be a Traveller if they live in a house and do not travel.*

2. Roma – this is the name by which most Gypsy Travellers from the countries of Eastern and Middle Europe wish to be known. In recent years, a number of Roma families have come to Britain as refugees and asylum seekers.

3. Occupational Travellers (Fairground families, Show people or Circus families) – are a commercial/business community rather than an ethnic group. Membership of this group can be by birth; however it is also possible for newcomers to become part of the group by joining the business, sometimes on a seasonal basis.

Most Occupational Travellers have an established winter base but generally travel between March and October to established routes. Since the formation of The Showmen's Guild in 1889, they have developed a strong identity and entry to the Guild is tightly controlled, as it has established a firm regulatory body for its members, with a strong commitment to education.

4. New Travellers – are a diverse group with varying beliefs and backgrounds. This started as a choice of lifestyle. Whilst not all New Travellers have retained a mobile lifestyle, some children are now third or even fourth generation New Travellers and have known no other way of life.

5. Bargees – Although numbers are very few in Britain, these families and their crew live on and operate transport barges and vessels on inland waterways.

Education Law

There is no definition of Travellers as such in Education Law. However, the special position of Traveller families was recognised by Section 199 of the Education Act 1993 and reinforced by the Education Act 1996, subsection 6 of Section 444. Traveller parents are protected from conviction for not securing regular school attendance for their child/ren if it is proved that the child has no fixed abode and the parent can demonstrate that:

1. he is engaged in a trade or business of such a nature as to require him to travel from place to place;
2. the child has attended at a school as a registered pupil as regularly as the nature of that trade or business permits;
3. where the child has attained the age of six years, he has made at least 200 attendances (i.e. 200 sessions or half days) during the preceding twelve months ending with the date on which the proceedings were instituted.

The purpose of this section is to protect Traveller parents from unreasonable prosecution for the non-attendance of their children at school. It does NOT mean that part-time education for Traveller children is legally acceptable, nor does it relieve parents of their duties under Section 7 of the Education Act 1996 to ensure that their child/ren are receiving suitable full-time education when not at school.

Remember:

When writing about Travellers, Gypsies or Irish Travellers, the Commission for Racial Equality state you should use an initial capital letter, as you would for any other ethnic group.

Further information

www.cre.gov.uk

The CRE works towards the elimination of racial discrimination and promotes equality of opportunity. It encourages good relations between people from different racial and ethnic background and monitors the way the Race Relations Act is working.

www.romnews.com

The RomNews Society emphasizes the exchange of information and attempts to positively change the prejudice against Roma in the world for the benefit of all.

www.romasupportgroup.org.uk

The Roma Support Group was established in response to the significant increase in Roma people seeking asylum in the UK. Their aim is to help the Roma overcome prejudice, isolation, low individual and social esteem and vulnerability.

www.gypsy-traveller.org

Friends, Families and Travellers (FFT) is a support group that helps to deal with crises primarily faced by New Travellers and offers formal advice, information and training to a wide range of services for all Travellers in the UK, whether traditional or new, settled or on the road.