

Women and Equalities Committee

Oral evidence: [Tackling inequalities faced by Gypsy, Roma and Traveller communities](#), HC 360

Wednesday 17 October 2018

Ordered by the House of Commons to be published on 17 October 2018.

[Watch the meeting](#)

Members present: Mrs Maria Miller (Chair); Tonia Antoniazzi; Angela Crawley; Philip Davies; Vicky Ford; Jess Phillips; Mr Gavin Shuker; Tulip Siddiq.

Questions 474–554

Witnesses

[I](#): Jim Davis, Gypsy, Roma and Traveller Police Association, Libby McVeigh, Director of Programmes, Equality and Human Rights Commission, Sergeant Gary Ogden, Operation Liberal, Catriona Laing, Deputy Director, Equalities, Interventions and Operational Practice Group, HM Prisons and Probation Service, and Fiona Parker, Interim Deputy Director, Contracts Quality and Performance, Youth Custody Service, HM Prisons and Probation Service.

[II](#): Acting Chief Constable Janette McCormick, Gypsy, Roma and Traveller Lead, National Police Chiefs' Council, and Josie O'Driscoll, Director, Herts GATE.

Written evidence from witnesses:

- [Equality and Human Rights Commission](#)
- [National Police Chiefs' Council](#)
- [Herts GATE](#)

Examination of witnesses

Witnesses: Witnesses: Jim Davis, Gypsy, Libby McVeigh, Sergeant Gary Ogden, Catriona Laing and Fiona Parker.

Q474 **Chair:** I welcome you all, including the people watching in the Public Gallery and online. This is the fourth public evidence session in this inquiry. We have two panels of witnesses today. The first will focus on discrimination suffered by Gypsy, Roma and Traveller communities, and our second set of witnesses will discuss hate crime particularly directed at those groups. Before we start, I thank our witnesses for being here today. I know it is a big lump of time out of your diaries. We really appreciate that. Before we start our questions, will you say your name and the organisation you represent?

Fiona Parker: Fiona Parker. I am from the Youth Custody Service.

Catriona Laing: Catriona Laing from the Prison and Probation Service.

Libby McVeigh: Libby McVeigh from the Equality and Human Rights Commission.

Jim Davis: Good morning. Jim Davis from the Gypsy Roma Traveller Police Association.

Sgt Ogden: Good morning. I am Gary Ogden from Liberal—the national intelligence unit.

Chair: Thank you very much. Jess Phillips will start our questions.

Q475 **Jess Phillips:** Hello. We have been told by various stakeholders—people who have given us evidence in this inquiry—that discrimination against Gypsy Roma Traveller people is the last acceptable form of racism. Sadly, I feel that all of it is becoming more acceptable, but that is certainly the evidence that we have been given. Do you agree? If so, what do you think are the reasons behind that?

Fiona Parker: In terms of my remit—I can certainly comment on the Youth Custody Service—we certainly see an over-representation of Gypsy, Roma and Traveller young people. I would say our data is not the best, but in terms of the HMIP survey, “Children in Custody,” which is 2016-17 data, children from Gypsy, Roma and Traveller communities are over-represented in custody. In terms of HMPPS systems and youth custody systems specifically, we are not the best at recording them, but we would certainly recognise an over-representation in custody.

Catriona Laing: I don’t think any form of racism is acceptable. Some of your previous sessions have examined how there can be bullying against Gypsy Roma Traveller people that might not be seen as on the same level as equivalent bullying against a black child or a black adult, for instance. We therefore have a challenge, including in the Prison and Probation Service, to make really clear that any form of discrimination, whatever group we are looking at, is completely unacceptable.



HOUSE OF COMMONS

As Fiona said, we have more work to do to find out what is really going on in the prison and probation system. We are improving our data. We are improving the way people can declare that they are Gypsy Roma Traveller. That will let us find out more about the extent to which this particular group is being discriminated against. We provide training to all our staff, in probation and prisons, that makes it very clear that equalities is important and discrimination is unacceptable. We want to provide more case studies around Gypsy Roma Traveller people in particular to make sure everyone understands that this is a form of racism and that we do not allow it or accept it.

Libby McVeigh: At the commission, our casework absolutely confirms that the full range of prohibited conduct under the Equality Act is still endured by these communities. We see direct discrimination in terms of refusal of services and exclusions from school. We see indirect discrimination in the way local authorities arrange the rules around accommodation assessments.

Q476 **Jess Phillips:** More so for the GRT community than for other racial minorities?

Libby McVeigh: That is a very difficult point for us to answer in the light of the way we do our casework. We no longer have the telephone helpline, which I think would give us that broader perspective. Certainly we see behaviours in relation to these communities, particularly coming on to points about harassment, and public officials making discriminatory and stereotyped statements, which we do not see in relation to other groups. Last week we published our latest research on the national barometer of prejudice, which had some very stark findings in relation to these communities, with 44% of respondents registering prejudicial attitudes towards these communities, compared with far lower percentages towards Muslim or transgender communities, for example.

On the causes, I think we would point to this deep-rooted prejudice that is perpetuated through public discourse, including in the media, and inadequate data, which prevents evidence-based policy making to tackle the issues. We would also flag the lack of a concerted, joined-up Government response to the issues that we see in relation to these communities. I can also certainly expand on concerns that we have about the public sector equality duty and the extent to which it has provided an effective answer to these issues in the public sector. Crucially, however, there is an inability to enforce rights effectively under the Equality Act, which we see as impacting more significantly on those communities, due to their particular situation.

Jim Davis: It is a really important question. It is vital to see this from a Gypsy and Traveller point of view and to understand the effect that this has on your life on a daily basis, if you happen to be a Gypsy or Traveller. I am a Gypsy man and not a week goes by when I am not put in the position of having to question myself and decide whether to challenge someone for coming out with something overtly racist towards my particular ethnic group.



HOUSE OF COMMONS

In my current role with the Traveller movement, I am taking calls on a weekly basis, sometimes daily, from Gypsies and Travellers who are being refused service. They are being refused entry to cinemas or—one I have been dealing with very recently—to a laundrette, not being allowed in pubs, having to pay for services in advance or, if they book a meal, having to pay up front when everyone else pays at the end. This is a daily fact of life for Gypsies and Travellers.

The interesting question for me is that the people who are doing this are ordinary members of the public who would probably be horrified if they were to be labelled as racists—they probably see themselves as very ethical and as having a social conscience—so how can someone who fits that description feel empowered to act in that way against Gypsies and Travellers? There must be a reason why someone who sees themselves as a good member of society can act in such a discriminatory way and feel that that is okay.

I think the reason, or part of it, is the criminal stereotype. That is probably the most damning stereotype that we have to carry around with us, because that justifies a lot of this behaviour. If you believe that our Gypsies and Travellers are criminal, dodgy and a bit suspicious, that justifies you not letting them in the shop or book a table—

Q477 Jess Phillips: You're not talking about public services—everyone else has talked about how there seems to be institutional racist elements within public services, and how they might react; you're speaking about the general population.

Jim Davis: I think the two are linked—

Jess Phillips: I don't disagree, but—

Jim Davis: I think that empowerment to be able to act like that out in the wider public comes from the public services, because the public services are giving the impression and leaking out this idea that Gypsies and Travellers are somehow inherently criminal, and we should be suspicious and a little fearful of them. That is coming out of the public sector and into the private sector.

Chair: We are not going to spend all our time on this one question, but I know that Tulip wants a quick supplementary.

Q478 Tulip Siddiq: If people are denied access to something like the cinema, are they actually being told, "You can't come in because you're a Gypsy or a Traveller"?

Jim Davis: Yes, absolutely. The most recent case I am dealing with is that of a Traveller man who pulled up outside a laundrette and sent his son in, while he waited in the car, to ask for a service wash. They refused his son, who came back saying, "Dad, they won't serve me. They're not serving Travellers." The father then goes in—this is all captured on video; he decides to record it, because he is incensed and wants to challenge it—and, quite clearly, the lady who runs the laundrette says, "We don't serve



HOUSE OF COMMONS

Travellers." He asks why, and she says, "Travellers cause trouble." He says, "You've never met me before; I've never been here before. What does that have to do with me?" She responds, "I don't care. We don't serve Travellers."

Jess Phillips: Nobody would justify that behaviour and its overt nature. Someone who might discriminate against a woman or someone on the basis of their race would tend to be a bit more sly about it.

Q479 **Tulip Siddiq:** That is my question: do they try to stop them on a technicality by saying, "You look too young," or by coming up with another excuse, or do they give the reason that they are a Traveller?

Jim Davis: It is still overt. It is incredible to believe in this day and age that someone feels confident and empowered enough to think that they can say that and they will not get into any bother. The more subtle forms go on, but we still see many overt cases.

Q480 **Jess Phillips:** Why do you think people feel that way?

Jim Davis: I think because there is an issue around recognising Gypsy and Traveller as ethnicities. That is not well recognised. The portrayal of Gypsies and Travellers as somehow criminal has never really been dealt with. It still leaks out of the criminal justice system in particular, which is what we are here to discuss, and the police service. The leakage of the idea that Gypsies and Travellers are criminals affects the public's consciousness. It is no wonder that they think they need to be scared of these people.

Sgt Ogden: Just to pick up on some of the points, I can add very little to what the panel have said about how it is unacceptable. Obviously I sit here as a law enforcement representative. It pains me that the community feels that law enforcement is in some way responsible for the leakage that they are all portrayed as criminals. That is certainly not my experience from my—admittedly very small—team. We always make a point of stressing the numbers of Gypsies, Roma and Travellers in the country, and that law enforcement perhaps gets a conditioned view because all we tend to deal with is the pursue element of the four Ps that we talk about. I completely accept that that is wrong in itself, but we try to stress at every opportunity that we have as a team that the percentage of criminals in GRT communities is not beyond what you would expect from the wider population of the UK.

Q481 **Jess Phillips:** Do you think the problem might be that the public's interaction with the community, certainly where I live, is often when they rock up into a public space, and that they tar everyone with the same brush?

Sgt Ogden: I think that is a whole different issue that perhaps we cannot deal with—the Committee will have dealt with that. On the lack of provision for settled sites, one of the elements is that although it may not necessarily be a choice of Gypsies and Travellers to pitch up on unauthorised land, it is the fact that there are not the available spaces.



HOUSE OF COMMONS

Jim might be able to add to that, because he is in there every day and I am not, but that is our experience, from the conversations that law enforcement has.

Jim Davis: Can I add to that?

Chair: I am conscious of the time, as we are still on the first question.

Q482 **Jess Phillips:** Do you think that people understand that discrimination against Gypsies, Roma and Travellers is illegal?

Jim Davis: No.

Q483 **Chair:** Does anyone have anything to add?

Fiona Parker: In many respects, the fact that we know we are under-reporting the number of Gypsy, Roma and Traveller communities in the way that we do not think we are under-reporting other BAME and ethnic groups suggests that there is a lack of understanding in that area. Of course, we recognise that.

Q484 **Jess Phillips:** The ministerial working group in 2012 made commitments aimed at tackling discrimination against the GRT community. Have they been effective? Have interventions made a difference at all?

Catriona Laing: I think we have made some progress in some areas, but we need to do a lot more. The progress we have made so far is actually quite basic: making sure that on our prisons computer system, P-NOMIS, we have a declaration box that allows people to say that they are Gypsy or Irish Traveller. That came in since the report. That has allowed around 1,500 people to declare themselves. We think that is an under-representation of our actual population because, due to many of the issues already described, the community has a real lack of trust in authority. Actually, when somebody comes into prison—whoever they are—they are likely to have a lack of trust in the authority of the prison, and that compounds the issue on those two fronts.

Q485 **Chair:** What do they think will happen to them if they go into prison and say that they are a member of the Gypsy Roma Traveller community?

Catriona Laing: It is possible that they will feel that they could be discriminated against by either other prisoners or staff.

Q486 **Chair:** What might that discrimination look like?

Catriona Laing: It could look like bullying from other prisoners. David Lammy's review a year ago showed that, in general, black and minority ethnic people in prison do have worse treatment than their white counterparts. That can be in terms of the incentive and earned privilege scheme, for example, where more white people than equivalent BAME people are on the enhanced level which gives them privileges in the prison. David Lammy suggested—though we do not have the evidence to back this up—that the GRT community in particular could suffer from those outcomes too.



HOUSE OF COMMONS

Sgt Ogden: A study by Friends, Families and Travellers suggests that 70% of the GRT community have hidden their ethnicity for fear of discrimination, which is alarming.

Chair: I feel like I have stifled debate by berating people for the time—I apologise.

Libby McVeigh: The commission will be shortly publishing our state of the nation report on equality and human rights in Great Britain, and that shows that in the key areas of education and health, Gypsy, Roma and Traveller communities remain among the most disadvantaged, which suggests that the recommendations of the ministerial working group, although seeming to address the right sorts of issues, have not driven the change that we hoped for. Perhaps that was to have been expected, given that focused funding was not given for the implementation of those recommendations, there was not a timeframe for their implementation, nor was any accountability or oversight put in place.

Q487 Angela Crawley: The public sector equality duty places a responsibility on public services to have due regard to eliminating discrimination, and good relations between the ethnic groups. How effective do you think the duty has been? Are public services abiding by that duty?

Jim Davis: Personally, I do not think it has been effective at all. Again my experience is in the police; I accept I have limited experience outside of that. There is an issue with people working in public services recognising what the public sector equality duty is. Certainly within the police, I suspect—certainly it is my experience when I work there—that most police officers on the ground really did not have an understanding of what that duty was. They probably linked it more to individual bigotry—you can't say racist things about people—rather than understanding to look at organisational behaviours and procedures and auditing them in terms of the effect they have. I do not think that level of understanding is there, really. For that reason, I do not think it has been effective.

Q488 Angela Crawley: Do you think that if there were consistent statistics or ethnic monitoring across the board, you would be able to identify where there is racism or institutional bias based specifically on someone's identity as Gypsy Roma Traveller?

Jim Davis: Yes, that is a must. Having data collection for Gypsies and Travellers is an essential starting point, but it is not there. There was a commitment a couple of years ago to make it mandatory for police forces to collect data on Gypsy and Traveller ethnicity, but that still has not happened, to my knowledge, and we are two years down the line.

Sgt Ogden: In terms of self-defined ethnicity, we have changed from 16+1 to 18+1, to include—

Jim Davis: Is that across the board?

Sgt Ogden: It should be.



Libby McVeigh: I think it is fair to say that evidence is essential to the effective implementation of the duty. We have not seen the transformative impact that was expected of the duty, in this area or others. What we would want to see is the link between evidence and decisions about policy making. We want to see public bodies using evidence of challenges to define the interventions and set objectives that will tackle the issues. The lack of data relating to these communities inhibits that, which manifests in various ways. For example, decisions to focus efforts on tackling unlawful behaviour miss the opportunity to look at what is driving unlawful behaviour and community tensions, which—as we see from our casework and our evidence base—are often associated with the lack of authorised sites.

The duty should result in evidence-based policy making tackling the nub of the issues, but it also has a reactive aspect in terms of the decisions and statements that individual officials within public bodies make about particular communities. In our casework, we have seen councillors making inflammatory statements and police forces publishing stereotyped statements. That gives an indication that due regard is not being given to the duty, particularly the limb that involves fostering good relations.

Jim Davis: Could I add one more thing? There might be two sides to this: not only a lack of understanding about what the duty is, but a reluctance or resistance when it comes to thinking of Gypsy and Traveller people as an ethnicity and therefore to recognise that they come under the duty.

Fiona Parker: We have already said that we acknowledge the challenge in this area, but we are seeking to drive further awareness. Across our youth custody establishments, there are equality leads and pockets of good practice. Much of that is mirrored in adult HMPPS as well. What we need to do more of is sharing that work and driving systematic improvements across our whole estate and our sectors. As colleagues on the panel have said, we also need to raise awareness to improve people's understanding of race, specifically in Gypsy, Roma and Traveller communities, because the subject is not well understood.

Catriona Laing: I absolutely back that up. I oversee equalities for the Prison and Probation Service, and the public sector equality duty drives everything that we do and try to do. I absolutely agree with other members of the panel that data-driven policy is very important and that one of the biggest challenges is lack of data.

However, I would say that there are pockets of very good practice in the adult estate too, particularly where GRT populations are higher. For instance, HMP Northumberland runs group support sessions for different age groups of GRT people, who can talk together about their experiences. There are other prisons like Feltham and Birmingham that try to link GRT people to their communities and increase that support.

What the David Lammy review gives us on a national level is an opportunity to think about GRT issues for each of the recommendations

that he was making about black and minority ethnic people more generally.

We know that there is discrimination. We know where that discrimination is happening and what we want to do now is get an action plan together that tailors each of those recommendations for GRT. Then, the next challenge is how we measure what outcomes we can get from that.

Q489 Angela Crawley: For example, do you have a specific action plan for BME in the Prison Service as well?

Fiona Parker: Yes.

Catriona Laing: I head up the programme that responds to each of the Lammy recommendations. We actually brought out last week our one-year-on report on progress on that area. So now we want to use that work and tailor it for GRT. That is our next step.

Q490 Angela Crawley: I think Jess mentioned this, earlier, as well. There is this public perception that it is acceptable in some ways to treat Gypsy and Traveller people with suspicion, and it is reasonable to do this, in reaction to incidents of crime and violence caused by Gypsies and Travellers. Do you think that the public view is accurate in that respect? There is that perception.

Fiona Parker: It's quite a difficult one for me to answer, if I'm completely honest. My starting point would be no, I do not think it is accurate, but really my remit is around looking at children in custody, where they are hugely over-represented. The challenge for me, in answering that question, is there are only 950, approximately, children in custody, and they represent some of the most challenging behaviours and difficult children, so I tend to see the worst end of the spectrum, but in terms of the wider demographic—and they are over-represented—and in terms of the population as a whole, it is under 1% so I think the public perception is wrong, of course.

Q491 Angela Crawley: Is there anything you want to add?

Libby McVeigh: I think it is important for public bodies to ensure that any misconceptions are not perpetuated. That is a fundamental part of the public sector equality duty—to have due regard to the need to foster good relations. To pick up on the point I made previously, I think that means going beyond purely criminal justice responses, for example, to the issues facing these communities, and taking a more joined-up cross-Government approach.

Jim Davis: I think public bodies have a duty to challenge that stereotype. I don't think that happens enough. To consider that ethnicity is somehow a driver for criminality is a ridiculous statement. I think if you applied that to any other ethnic group—if the question was, "Are black people inherently criminal in any way?"—quite rightly everyone would be up in arms, but the fact that question is asked suggests that there is a massive problem. I think public bodies are not doing enough to challenge that. The end result is that Gypsies and Travellers hide their ethnicity, which then



HOUSE OF COMMONS

skews the figures, because we do not know, really, what the population of Gypsies and Travellers is in this country, because so many are hidden, even though we have now got the census: 55,000 is ridiculous. I did not put myself. I identified myself as white British on that census at the time, and I questioned myself afterwards and thought, "Why did I do that?" The reason I put it on there was I did not want to label my children and make life more difficult for them if that became known—that they were Gypsies. At the time, that was my thought process. That would be the thought process for a lot of Gypsies and Travellers who are living life in hiding. That should not happen.

Q492 Angela Crawley: Coming back to the public sector equality duty, public services such as police and local authorities are supposed to ensure that frontline staff are trained to recognise their own and other people's prejudices. How effective do you think that is?

Fiona Parker: I will start with that one. Equalities is covered, certainly, in prison officer training. In youth custody specifically, we are running quite a broad programme of further professional development for our staff, including a foundation degree, which has a huge focus on equalities, not as a distinct module but actually embedded throughout, which is how it should be, and with a focus on reflective practice—so actually encouraging a reflective approach. If you think our focus in youth custody is very much on developing that relationship between the worker and the child, being able to reflect on your behaviour is key to that, and certainly has been throughout my professional life. Do I think we could do more in this space? Of course I do, because all the evidence around this is that we are not doing enough. We are starting that process, and as part of a five-year programme of reform, this will undoubtedly—when I get back to the office—form even more of a pillar of that.

Angela Crawley: Gary?

Sgt Ogden: Equality and diversity training is part of student officer training within law enforcement. It has been a long time since I was a student officer, as you probably appreciate, but it does not strike me as part of a continuous professional development scenario within law enforcement that you have to regularly update that training to understand the changing balance of minority ethnic backgrounds in the country.

There has been a significant shift in minority ethnic communities since I first became a police officer. It was never part of my training to include GRT within that equality and diversity training, 26 or 27 years ago. We have had updated training since, but it tends to be on the back of updates in legislation and that sort of thing. It does not seem to be constantly refreshed with officers like myself who have more than 20 years' service. It is not refreshed, perhaps, often enough.

Q493 Chair: Why not?

Sgt Ogden: You will have to ask the policy makers within policing.

Q494 Chair: Why do you think?



HOUSE OF COMMONS

Sgt Ogden: Time pressures. There is a lot of pressure within law enforcement on a day-to-day basis.

Q495 **Chair:** It is not a priority?

Sgt Ogden: It gets pushed down the levels of priority. I have to undertake officer safety training every 12 months, but equality and diversity training does not have that same level of priority.

Jim Davis: I do not think the prejudices of frontline staff are the problem. I think that is the wrong focus. The focus should be on the institutional unconscious bias, because you can do all the training you want in the world, but if that staff member then goes and works in an institution whose policies, procedures and organisational behaviours are telling them to be suspicious of Gypsies and Travellers, that training will be negated, and that is the situation.

Q496 **Angela Crawley:** The last question: there is a friction between the settled community and the Gypsy and Traveller community. There is a perception that it is one set of laws for one group and another set for another. Do you think that is justified?

Jim Davis: I do not think there is any evidence for that. I am not aware of any evidence for that. This comes down to the issue of unauthorised encampments, and out of the whole Gypsy and Traveller population, we are talking about a tiny minority. The majority of Gypsies and Travellers—I think it is 80%—live in houses. Of the remaining 20% who live in caravans, the majority do not travel. If we are talking about the ethnic groups as a whole, there is no evidence to back that up.

Sgt Ogden: On the last caravan count, 13% were on unauthorised land as of January 2018.

Chair: Sorry, I can't hear what you are saying.

Sgt Ogden: On the last caravan count for which we have the figures, which was January 2018, 13% of the caravans counted by local authorities were on unauthorised land.

Q497 **Chair:** So 13% were unauthorised, which means that the balance is on authorised land?

Sgt Ogden: Yes, 87%.

Chair: Thanks for doing the maths. It is a bit early in the morning.

Q498 **Jess Phillips:** I would challenge the statement that there is no evidence. There may well be no evidence when you look at it statistically speaking, but because people do not say that they are Gypsy, Roma or Traveller—totally understandably, because of discrimination that they face—people do not know that 80% of people who are GRT live in houses. They do not know that their next-door neighbour—Sally, who they see down the caff, who is perfectly normal and is exactly like them and shouldn't be discriminated against—is GRT.



HOUSE OF COMMONS

Where I live, when people interact with the GRT community, it is because they have broken into land that is park land to stay for three or four days. I want to push back on the suggestion that that is not happening, because that does happen. It happens pretty much weekly where I live.

Jim Davis: I think the question was whether there was evidence that Gypsy/Travellers were treated more favourably by the law.

Jess Phillips: Oh yeah, it's a favourable spot, to live in the park.

Q499 **Chair:** Actually, the question was whether people feel as if there is a difference in treatment and whether that is justified. I just want to be specific about what the question was.

Jim Davis: Again, I can only answer that by asking what the evidence is that suggests that Gypsies and Travellers are treated more favourably by the law. I cannot see any evidence to suggest that they are.

Q500 **Jess Phillips:** That, I think, is fair. During this inquiry, there has been quite a lot of evidence about girls being taken out of school. If I were to take my children out of school, I would hope that the local authority would have something to say about that and enforcement action would be taken. I suppose some of those perceptions, although I think the general public probably don't know this, include the idea that people are frightened to suggest that parts of the community should not be taking their children out of school.

Jim Davis: Again, I cannot comment on that, because I do not know the figures. I suspect that it is not only Gypsies and Travellers who take their children out of school.

Jess Phillips: Oh no, middle-class people love it.

Jim Davis: So what are we doing here? Why are we linking ethnicity with the problem? The problem is that people take their children out of school. What has ethnicity got to do with that? We are linking Gypsy and Traveller ethnicity with problems in a way that we do not do with any other ethnic group. By doing that, we are negatively labelling Gypsies and Travellers.

Libby McVeigh: Can I just pick up on the point about children being taken out of school? We recently convened a meeting with stakeholders around Gypsy, Roma and Traveller issues in education. One of the concerns being flagged was not that local authorities were not doing their job to enforce in these scenarios, but that the decision was being taken to leave as is, because not having the children on the books of the schools was a better outcome. There are concerns within the communities that there is inadequate monitoring of what is happening to children and there are references to local authorities failing in their duty to ensure that missing children are having their rights respected.

Jess Phillips: It is still discrimination.

Q501 **Chair:** Can I move us on neatly to a set of specific questions that I have for individuals? Gary, Operation Liberal's database of potential offenders



HOUSE OF COMMONS

contains Gypsy and Traveller individuals almost exclusively. Why is that? Is linking a specific ethnic group, which I suppose is the point that Jim has been making, with criminality a helpful thing to do? Why is it structured in that way?

Sgt Ogden: I would be interested to know where you got the figures from, because our database does not define by ethnicity. My experience shows that potentially they are approaching 90% on the database, and that is because of the focus—

Chair: How many?

Sgt Ogden: Ninety per cent may be from Gypsy and Traveller communities, but I cannot give an accurate figure because we do not define by ethnicity on our database.

Q502 **Chair:** Why do you not define by ethnicity on your database? Are you not allowed to do that?

Sgt Ogden: It is not our remit; our remit is to focus on organised criminal behaviours where individuals cross borders to facilitate the commission of crime.

Jim Davis: Can I ask a question, out of curiosity?

Q503 **Chair:** No, you can't ask a question, sorry. That is not allowed. You can raise a point with me that I might want to refer to him.

Jim Davis: The issue for me is that if ethnicity is not recorded, how do we know that 90% of those people are Gypsies or Travellers?

Chair: That is the question I should have asked.

Sgt Ogden: You have to understand our history in order to appreciate that the development of the database came from Operation Liberal. As we heard, back in 2005, it was a response to a 2002 Home Office study looking at the issues that were caused by criminals that crossed borders to commit distraction burglaries. A larger percentage of that offending group—we cannot hide the fact—were Gypsies and Travellers.

Q504 **Chair:** But there are large groups of people who do cross-county criminality who are not Gypsy, Roma or Travellers, so I think—

Sgt Ogden: Serious and organised acquisitive criminality. We have developed from that, bearing in mind that we only changed our focus in the last 18 months to two years, so our history was in looking at distraction burglary based on individuals who committed distraction burglary, which necessarily meant that those individuals were from within the Gypsy community—a larger percentage; not entirely. We have lone offenders and members of eastern European communities who commit those offences as well, but—

Q505 **Chair:** So you would argue that you do not racially profile people within that?



HOUSE OF COMMONS

Sgt Ogden: How would we ever be justified in racially profiling individuals on the basis of their ethnicity? How is there any sort of justification for that?

Q506 **Chair:** Which neatly brings me to a question for Mr Davis. The Gypsy Roma Traveller Police Association was concerned enough about Operation Liberal and its training sessions to make a freedom of information request for the training materials, which colleagues on the Committee have seen in their briefing notes for today. What was the concern?

Jim Davis: Can I give a bit of background to that? We challenged Operation Liberal on a couple of things prior to that, and off the back of those challenges, we got to do training with Operation Liberal, meet the staff and provide some training around Gypsies and Travellers and history and culture. After that training—quite some time after—the training package that you have was produced. It was actually flagged up by a Gypsy police officer who was in the training session—I do not know if that was where it was first delivered; Gary will be able to tell you. He was quite horrified at what he was seeing, because the training package clearly labels Gypsies and Travellers as criminal. There is no doubt.

Q507 **Chair:** I feel like I have to give Mr Ogden a right of reply on that. Having seen the materials, it is very difficult not to see them as being really quite inflammatory.

Sgt Ogden: That training package, as it is described, is not a training package. It is a presentation to a group of law enforcement individuals that was facilitated by the College of Policing.

Q508 **Chair:** Do you think it was a good idea to use that—to use those sorts of images?

Sgt Ogden: You will have to refresh my memory.

Chair: I do not know if we have a hard copy of them.

Sgt Ogden: I take it that we are referring to the two guys who are fighting at the end of that package.

Chair: And “the global money-making web of Ireland’s millionaire Travellers”.

Sgt Ogden: That is a reality. The Rathkeale Rovers have bought up 80% of a town in southern Ireland from criminal proceeds. The National Crime Agency has prosecuted individuals on the back of that. We have a responsibility within law enforcement to highlight criminal behaviours. If you go through the notes, rather than the presentation itself—

Q509 **Chair:** If these people were from a different ethnic minority background, would you have the title of a slide being “the global money-making web of England’s millionaire black people”?

Sgt Ogden: That was a newspaper headline, so I accept the criticism that comes from that, but that is taken from—



HOUSE OF COMMONS

Q510 Chair: But your organisation, the police force, has chosen to use that as a way of talking about a group of people. Do you think that was a good idea or not?

Sgt Ogden: With hindsight, possibly not, but we are talking about one of the most serious organised criminal gangs in southern Ireland. You need to see the context in which these slides were presented—if you have the notes that Jim and the GRTPA had.

Every presentation that I do starts with, “I am going to talk to you about criminal behaviours within a community. I do not want anyone to leave this room with the impression that every member of that community is engaged in criminal activity.” I have 14,000 individuals on my database. The Salford University study from 2011 indicates that there are 300,000 Gypsies and Travellers in this country. The migrant data shows that there are 193,700 Roma in this country. As a percentage, that is no more than you would expect from the settled population. That said, there are criminals within that community that law enforcement need to take responsibility for addressing. I am going to give you some idea, because as a criminal group—not as a minority ethnic group—they present some challenges to law enforcement.

Q511 Chair: Before I bring a couple of other people into the discussion, do you ever do presentations on criminality in the Jewish community or any other protected group community?

Sgt Ogden: No, because my experience—

Chair: Do you ever do a presentation on criminality in the Muslim community or the Hindu community?

Sgt Ogden: I do presentations on eastern European offenders because we have experience of those individuals crossing borders to commit crime. I do not do presentations on other minority ethnic groups. I cannot speak for the whole of law enforcement; I can only speak for one small team.

Q512 Chair: Libby, are your concerns specific to Operation Liberal or do they extend to other parts of the police service?

Libby McVeigh: We have a general concern. On the point about this training, our concern was about both harassment and the potential impact that the training could have had, but also about the indication it provided that the public sector equality duty had not been complied with. In terms of broader policing issues, we are aware of evidence from a recent survey—I believe it was conducted by the Traveller Movement—into unconscious bias among police against Gypsy, Roma and Traveller communities, which speaks to a broader issue. We have also been made aware of individual incidents in which statements have been made by police officers or of published statements about particular initiatives, in which we see the same connection of particular criminal behaviour, in a stereotyped way, with those communities.

Q513 Chair: Do you believe that Operation Liberal is in breach of the public sector equality duty?

Libby McVeigh: We do not really speak in terms of breaching the public sector equality duty but in terms of failure to comply with the due regard requirement.

Q514 **Chair:** Do you think it is in breach of that?

Libby McVeigh: I think it is a strong indication that due regard had not been given to the need to foster good relations. Of course, the limit to the due regard duty is that it is simply about having due regard, so without having the conversation and seeing the evidence of what the thinking was before that presentation was given, it is very difficult to say whether the duty was complied with. I think that the nature of the presentation provides a strong indication.

Q515 **Chair:** Do you think the EHRC should look at that more closely? You have the powers to do that.

Libby McVeigh: What we did at the time was to flag our concerns with senior officials, which is often the extent of what we are able to do within our resources when taking compliance action in relation to individual instances. I think that there is a need for a more strategic consideration of how we can really improve the situation for those communities, and that is something that we have in our current longlist of priorities for the next strategic plan.

Q516 **Chair:** Jim, how have the Gypsy, Roma and Traveller communities responded to the interventions by Operation Liberal?

Jim Davis: I am sorry; I did not quite understand the question.

Chair: How have the Gypsy, Roma and Traveller communities responded to interventions by this particular programme of work in Operation Liberal?

Jim Davis: Again, I am guessing, but I would suspect that the majority of Gypsies and Travellers are unaware that Operation Liberal exists. It does not really publicise itself that much, I would have thought. For the Gypsy, Roma and Traveller population as a whole, I think the issues are with the police service as a whole and the general stereotyping, of which Operation Liberal is a symptom. In the police service as a whole, the theme that "Gypsy or Traveller" somehow equates to "criminal" is very deeply embedded. It is part of the fabric of policing. It has been for a long, long time. Things are changing. Moves are happening and it is getting better, but there is still a real issue around letting go of that. Operation Liberal and this training package are a symptom of that, not the cause of it.

Sgt Ogden: You have to understand that as a unit, we are tasked with providing a service to wider law enforcement. This is not something that has developed on the back of something that Gary Ogden thought of. This is a response to a need. The challenge that came out of this presentation was three years ago. As a consequence of what happened and some conversations that Jim had with the deputy chief constable at the time, the whole scenario was moved on.

Q517 **Chair:** So what are you doing now?



HOUSE OF COMMONS

Sgt Ogden: Our database has developed to focus on wider criminality. We have had a review that has brought us under the auspices of Deputy Chief Constable Amanda Blakeman at West Mercia, who is the National Police Chiefs' lead for serious acquisitive crime. We have gone back to focusing on crime types.

Q518 **Chair:** What is Operation Liberal doing now to work with Gypsy, Roma and Traveller communities?

Sgt Ogden: We are an intelligence unit of, at the moment, eight staff. In terms of trying to bring the wider influence across the whole of the GRT community, I send my intelligence officers on enforcements with a specific role to play, but part of the issue that we envisage with some of the GRT communities and law enforcement on the other side is that the only time they have any sort of interaction is when there is some enforcement taking place, so there isn't necessarily engagement on a day-to-day basis through neighbourhood policing.

Chair: Okay, that's not your role. Can I move on to the next set of questions? I am conscious of the time and we have another panel to come.

Q519 **Tonia Antoniazzi:** GRT prisoners report feeling significantly less safe during their first night in prison. What do you think accounts for that? Fiona or Catriona.

Catriona Laing: It's difficult to be absolutely sure, but whenever prisoners come in for their first night in prison, especially if it is their first time in prison, it can be the most vulnerable time in their entire sentence. In general, we have higher levels of suicide and self-harm for prisoners in the first couple of weeks. What we have heard from this panel and what you have heard from previous panels is that for a variety of reasons GRT people have less trust in authority, anyway, and a sense of vulnerability, especially if people know what their ethnicity is, around bullying and discrimination. I should emphasise that that is me putting together qualitative information that I know of and coming up with that conclusion. What we do not have is really strong evidence to demonstrate whether there are extra factors such as actual discrimination against GRT people when they come into custody, so I would not be able to tell you whether that is a factor or not.

Q520 **Tonia Antoniazzi:** Clinks has told this inquiry that while guidance and training have been provided to prison officers, there is still widespread discrimination in prisons. Does that match your experience?

Catriona Laing: Yes. We have training for prison officers to make it absolutely clear that discrimination against any protected characteristic is wrong. When David Lammy did his review a year ago, he demonstrated—and the data backs it up—that there is still discriminatory treatment for sure against the BAME community more widely, and that is across a range of treatment, whether it is complaints, use of force, or the incentives and earned privileges scheme, so we have work to do to tackle that discrimination. What we do not have is strong figures about the GRT community in particular, partly because we do not have the declaration

rates from that group to be clear what is actually happening to them in terms of treatment and outcome.

Q521 **Tonia Antoniazzi:** It just goes back down to data, doesn't it?

Catriona Laing: It does go back down to data. We want to work on improving that, but improving our data in a number of areas across the criminal justice system is actually very challenging. It is the work of years rather than months.

Q522 **Tonia Antoniazzi:** What more needs to be done to ensure better outcomes for GRT prisoners?

Catriona Laing: We want to take the recommendations that David Lammy gave us across that range for BAME people more widely and turn them into a tailored action plan for the GRT community in particular. We are going to be bringing together a stakeholder group next month, which will sit several times, to help us do that and make sure we are taking into account what the GRT community is telling us about what those recommendations should look like.

Fiona Parker: Can I just add something to that, specifically from a youth custody perspective? We really are focusing on staff training and developing that reflective practice approach so that we do not adopt a one-size-fits-all approach. There is a lot of learning that we want to develop and share over the years ahead.

You asked a question specifically about outcomes. We know from survey data published by HMIP from the 2016-17 period—unfortunately the 2017-18 data will not be published until November—that people from GRT communities in youth custody actually have positive experiences of education and health provision. We know there are some good things we are doing, particularly in youth custody but increasingly across the estate, in terms of endeavouring to give equal access to a lot of really positive interventions. I say that without wanting in any way to brush over the fact that we acknowledge we have challenges in this area and we need to do more to focus specifically on this group.

Q523 **Tonia Antoniazzi:** That is really positive. Having worked with lots of different communities as a teacher, I know that one size does not fit all. What you say is very positive.

Fiona Parker: Many children come into custody with poor educational outcomes. That is a common theme. It is not unique to the GRT community. The challenge for us is making sure that our education provision is sufficient to include all those children, but equally that it has a positive impact on the GRT community.

Q524 **Tulip Siddiq:** We have heard from witnesses that fear of discrimination leads the GRT community to hide their identity. You have already touched on that, Jim. Is that fear borne out in practice, or is the perception worse than the reality?



HOUSE OF COMMONS

Jim Davis: No, it is absolutely real and happening today. Again, look at the refusal of service issues. If you visibly identify yourself as a Gypsy or Traveller, the chances of you being refused service go through the roof. On a daily basis, people have to put up with outpourings of bigotry from the public and people in positions of power that other ethnic groups do not have to put up with. I will give you an example. My cousin moved into a house and within a week, "Pikey scum" had been graffiti'ed up the side of it. These are daily experiences of Gypsies and Travellers now—not sometime in the past, but today. If hiding your ethnicity provides respite from that—it is not the solution, but it makes it easier for you to get on with your life—people are going to do that. It does happen. It is real. It is not some relic of a bygone age—it is here now.

Q525 Tulip Siddiq: To what extent do you think the community feel they have the right to enforce their own rights when they face discrimination? Do you think they feel comfortable enforcing their rights when they face such discrimination or not?

Jim Davis: I cannot speak for the whole community, but there is a lack of trust in the system and the authorities as a whole. That is because Gypsies and Travellers see the system as part of the driver for the discrimination they face on a daily basis. It is a paradox—it is a Catch-22. Why should I go to this body for help, when I see it as a big part of the problem? I think they feel that there is no one there to help really.

Q526 Tulip Siddiq: So it is a sense of institutional discrimination, which means that there is no point in going to a public body, because they will not receive their help. Does anyone want to add anything to that?

Libby McVeigh: On the question of enforcing rights, at the commission we have significant concerns about the ability of any victim of discrimination to enforce their rights under the Equality Act. We have set that out in recent evidence submitted to this Committee. I think it is fair to say that for the Gypsy Roma Traveller communities that we are discussing today, those challenges are even more pronounced. First, the disadvantage and discrimination they are facing is more significant, but there are also specific issues that compound the problems, such as literacy and the use of language, which makes engaging with legal systems all the more challenging.

We recently gave a grant to Friends, Families and Travellers to deliver an access to justice project that particularly targeted the issues we see around the ability of these communities to enforce their rights. That really demonstrated the need for culturally specific provision of advice and advocacy. The project ran for three and a half months and 150 people were supported in that time. We have tried to ensure the sustainability of the learning from that project through the development of tools and resources that can be disseminated across other advice providers. What that really spoke to is that there are very specific access to justice concerns that need to be addressed in a more comprehensive and widespread way.



Q527 Tulip Siddiq: In a similar vein, could you outline some further action that needs to be taken to tackle discrimination from service providers in the public and private sectors? Could you say what kind of action you think we could take to make sure that does not happen?

Jim Davis: A number of things. First of all, an overarching thing is the public acceptance that there is a problem from public services. I do not think that that has ever happened really—it happened on a local scale, perhaps, but in general. The police are an example. Thames Valley, which I used to work for, came out publicly a few years ago—the assistant chief constable at the time came out publicly and said, “We have to be honest and say that we have not got this right up until now,” and made a commitment to change. That had an enormous effect on the culture within Thames Valley—it is not perfect, but it is a lot better than it was—and the relationship with its Gypsy and Traveller populations. Just that one thing of taking ownership made a big difference.

Chair: So, public acknowledgement.

Jim Davis: Absolutely. That would have an enormous effect.

Q528 Chair: Anything else?

Libby McVeigh: We have concerns about the public sector equality duty and its effectiveness. The points that others made about the training of the frontline are well heard and absolutely right, but actually the true transformative potential of the public sector equality duty comes from the setting of objectives for whole sectors that reflect the most significant challenges that the evidence identified. What the commission is calling for is a review of how objectives and outcomes are set under the duty to ensure that those most significant issues are being addressed and that focus is disseminated through sectors so that everybody, at the frontline or not, is aware of the need to prioritise those issues.

Q529 Chair: I am sorry, but I really do not understand how that would work in practice. It sounds really good sitting here in Parliament today, but what would that mean? How would Gypsy, Roma, Traveller people see that as a difference in their way of life?

Libby McVeigh: I think what we would see is a connection between the evidence, which demonstrates significant prejudice and significant disadvantage, and a translation into priority policy making across different sectors.

Chair: It sounds very theoretical.

Libby McVeigh: But, crucially, I think there needs to be the joined-up strategy that we had hoped that we might see from the ministerial working group but did not. We are calling for that generally in relation to tackling race equality, so that we are able to draw the links between inadequate site provision through to education disadvantage and health outcomes, and so the strategies for tackling them are truly joined up.



Catriona Laing: I think we've got our work cut out for us to build trust. It is tough to build trust between prison staff, probation staff, prisoners and offenders in the community anyway, and with this group there are extra challenges, which have been set out today. It is partly about personal relationships. One of the things we are doing is bringing in more prison officers and putting an emphasis on the relationship between particular officers and the people they serve. The bits of good practice in Northumberland, Birmingham, Feltham and other prisons that have higher GRT populations need to be built on so it becomes standard practice for prisons to be thinking about the GRT communities in their establishments.

Fiona Parker: Just to add to that, we aren't necessarily the experts in this area, and there is more we can do to partner with experts. We have got an example from the youth estate in Rainsbrook—I can't take credit for it, because it is an MTCnovo-run facility. That is just one example. They have partnered with the GATE community—the Leicestershire Gypsy and Traveller community—to bring in knowledge and improve practice in the establishment. I am sure they would say that they have got more to do in this area, and we say the same. We cannot think we are always the holder of the expertise, so we need to do more to encourage joint working and bring in groups with these experiences so they can share their learning and their experience with us.

Q530 **Chair:** Can I just ask one final question? This is really for you, Libby. You have been director of programmes at EHRC for more than a year, and we have heard time and time again that the Gypsy, Roma and Traveller community is one of the most discriminated against communities in the country, and that it is one of the last places where discrimination is "acceptable". Specifically, what has EHRC done to address that?

Libby McVeigh: In terms of legal work—using our legal powers—since 2016 we have done compliance work in 27 cases, including work with councils, police and service providers. We have funded nine cases using our section 28 funding powers, and we have intervened in three cases. There is quite a significant amount of legal work that has been done. We have also done more compliance-focused work through providing guidance. We have provided guidance to Welsh councils on how they can ensure that councillors do not make the sort of derogatory statements that we have spoken about. In Scotland, we have provided guidance to the media on responsible reporting, in relation to concerns about the way these sorts of issues were being addressed. More broadly, our research on the national barometer of prejudice, which I have spoken about, is really about trying to get to the heart of the attitudes within society that underpin the behaviours we are concerned about.

The full breadth of our powers is being brought to bear on these issues, but we all agree that it needs to continue in a more focused and strategic way. We will shortly publish a consultation document on our strategic plan, which will contain a long list of priorities. Inevitably, they cannot all go into our strategic plan, but we want to hear the views of our stakeholders. Issues around education, health and the disadvantage that those

communities face are currently in that long list, and we look forward to hearing stakeholders' views on that.

Q531 **Chair:** How many enforcement actions included looking at children being taken out of school?

Libby McVeigh: We ran what we called the access to justice programme on education. In the context of that, we took four cases against schools, three of which related to exclusions. Those were all cases we funded to go before the independent review panel, and we had success in all of them, in relation to highlighting the discriminatory aspect of the exclusions from schools.

Q532 **Chair:** So just exclusions, not—

Libby McVeigh: The fourth case was about bullying. We highlighted concerns about the school's failure to comply with its public sector equality duty when considering issues relating to the bullying of a Traveller child. We then worked with the school to advise them on how they might put in place a plan for that particular child.

Chair: That's really helpful. Thank you very much.

That is all of our questions for this session. I thank all of the witnesses for an incredibly useful session, and for our exchanges. Thank you very much. We will now move seamlessly on to panel 2.

Examination of witnesses

Witnesses: Acting Chief Constable Janette McCormick and Josie O'Driscoll.

Q533 **Chair:** This is the second of our two panels today. This one will be focused on hate crime, and we have two witnesses in front of us. I thank you both for taking the time out of your very hectic schedules to be with us today. We are really grateful. Perhaps you could tell us your names and the organisations you represent.

Acting Chief Constable McCormick: I am Janette McCormick, acting chief constable at Cheshire constabulary. I lead on behalf of the National Police Chiefs Council on Gypsies and Travellers and the equality and diversity portfolio.

Josie O'Driscoll: I am Josephine O'Driscoll. I am chief officer of GATE Hertfordshire.

Chair: That's wonderful. As usual, we all have questions to ask, and Tulip will start this part of the session.

Q534 **Tulip Siddiq:** Thank you very much for coming in. My question is how prevalent you think hate crime against the GRT community is compared with hate crime against other communities.

Acting Chief Constable McCormick: If we look at the data, I can clarify for the panel some of the issues from the first session. We do not actually capture data nationally for GRT communities. When the census came in in 2011, it was thought it would be automatic that the new ethnicities that were recorded in that census would be captured as part of the annual data return. That was not the case, and we have been playing catch-up really since then.

We have been working on that for about four years now, and we now have approval from the Home Office to have that included as part of the data return. That will be voluntary while some of our command and control systems are upgraded next year, and mandatory from 2020.

In terms of the forces that capture data, when we did a review in 2016, only nine forces did what was termed before as the 18+1—18 ethnicities. Cheshire constabulary, where I am, is one of those forces. We don't have national data on it. We have it wrapped up in the hate crime data for race more broadly.

If we look at Cheshire as an example, from data last year, out of just over 1,400 hate crimes of which just over a 1,000 were race based, we only had six reported hate crimes for the GRT community. That gives you a sense of the scale, certainly if you extrapolated that nationally.

That gives a feeling for a lot of the things that were talked about in the first panel—the reluctance of people to, first, come forward, as it is a huge issue for the community to come forward and, secondly, to self-declare when they do come forward, probably for the reasons that you talked about around confidence in the policing and the criminal justice system.



HOUSE OF COMMONS

I echo the sentiments from this morning, which is that it is hugely under-reported and there are real concerns from the community. That doesn't mean to say it doesn't happen. Again, I would echo some of the comments this morning in terms of the behaviour of the settled community against the Traveller community.

Josie O'Driscoll: I can't tell you the difference between Gypsy and Traveller hate crime and others, because the only data we have is for Gypsies and Travellers. I know that there is data for race, but it doesn't disaggregate.

We have some data. In 2016, we started this project, Gypsies and Travellers Report Racism, and we were funded in 2017. To date, we have 420 people reporting—that is hate incidents and hate crime. A third of it is discrimination. The highest number of reports are online hate.

We have seven strands, which cover disability, LGBT, verbal abuse, sexual abuse, published material, physical abuse, online abuse, discrimination, and damage or desecration to property. I will give you a few figures from that. The online reports we have had are 284. That is from December 2017. Discrimination came in at 136 reports; verbal abuse at 84 reports. We have had two disability reports, and one LGBT. For damage or desecration to property, we have had 120 reports.

When these reports come into our website, we send them on to True Vision, and they send a note to the police force. So people are reporting but not in the numbers that they should be. We know we have only the tip of the iceberg here.

Acting Chief Constable McCormick: It might be helpful to the panel if I explained the difference between reported crime and recorded crime, and what we categorise things as. In terms of crime against the Gypsy, Roma and Traveller community, because it would come under race, there are clearly racially aggravated offences around damage, violence, harassment and assault, and they would be categorised as a particular crime type.

If you look at the national stats that came out yesterday, I think there were 94,000 hate crimes, of which about 55,000 were racially or religiously motivated. Unfortunately, the data comes in one group so cannot be separated out. So, there are specific crime types that our command and control systems would identify.

Then there is more broad crime that might have a hate element because there is a perceived prejudice against the victim by the victim themselves or another. Then we would use flags on a command and control system; it would not be a particular crime type. That would be either at the time we received the information or at the end, if you like, of the investigation, as well.

Because those flags are manually put on, that means that sometimes the data is not accurate. There are a number of flags that we would have for



cyber-crime, CSE, alcohol, mental health and drugs, so you can see where having a flagging system for hate crime can bring a lot of errors into that.

As Josie said, we have a True Vision website—we might come on to the ministerial commitments, and that was one of them. It is an online portal for reporting hate crimes. Those do go out to individual forces. I am unable to tell you, because of the age of the website, how many of those went through the Gypsy and Traveller site on that. Over past three years, I have been told that there have been 17,000 hits to that website, and those may have been reported incidents, but if they did not reach the threshold for criming, or if it was felt by that force that it was not crime, they could be reported but not recorded.

Q535 Tulip Siddiq: The ministerial working group in 2012 made a number of commitments that were aimed at tackling the hate crime against this community. How effective do you think those interventions have been?

Acting Chief Constable McCormick: I actually took over the portfolio in 2011, so I remember the commitments being given, and I was part of that working group as well.

I would say, in terms of the commitments, that there were five that were put down on hate crime. One of those was particularly the responsibility and accountability of ACPO—now the NPCC—to deliver. The rest were for the Home Office, but clearly in conjunction with policing. They were very process-driven.

Of the two that related to the police service, one was in relation to guidance. In 2014, there was a national strategy in guidance that was produced. That was very comprehensive guidance, which included a section for the first time on Gypsy, Roma and Traveller and some of the barriers that they would have to reporting, to try to get some understanding within the service. So, that was delivered. It will be refreshed as part of the review this year, but it was quite comprehensive at the time. Again, it was a very structural, very processed thing.

The second element was around the True Vision website, which was to have a specific site for Gypsy Roma Traveller. That has been delivered, and there are hits on that. That needs to be, and will be, refreshed this year, and I believe funding is available to improve that website.

In terms of the actual commitments given, it missed, and still does, a fundamental issue. The breakdown of trust between policing and the Traveller community will not be rectified until we deal with the issue of accommodation. If you, as a child, always see the police in a negative light because the only time we come to see you is when we are moving you on, when there is probably conflict between a settled community and a Traveller community and, frankly, probably crimes on both sides—hate crime on one side, and maybe damage on the other—and we are adjudicating that, then you will be brought up distrusting the police. It does not matter how much we go in there with a positive light; we are balancing the very emotive tensions between two communities.



HOUSE OF COMMONS

The ministerial commitments did not give anything on that; if you look at the new Government action plan that was issued yesterday, it does not do that. It again talks about conversations with the community and updating the True Vision website. My personal view, and I think that of the service, is that building relationships with the Traveller community is a really big mountain to climb. In essence, it is a very steep path, without anything around unauthorised encampments being delivered.

Josie O'Driscoll: I would also say, looking at commitment 14 and preventing hate crime by challenging the attitudes that underpin it, that until those attitudes change, that is what we have to challenge. We cannot prevent hate crime. We are never going to prevent hate crime until we get to the root of what is going on in the community. We have increased reporting a little bit through our website. People are now beginning to report, and when they see other people reporting, they are getting the confidence to report it, as they should. Hopefully we can further that. It needs to be a long-term process. It can't just be a year and it's finished; it needs to go on.

Q536 **Tulip Siddiq:** In a similar vein, how effective do you feel the Government's current hate crime action plan is when it comes to GRT people and the community?

Acting Chief Constable McCormick: It has two sections in it specific to the GRT community. One is on upgrading the website, and the other is on a roundtable and conversation. We need to fundamentally recognise the societal prejudice, and the police, even though there will be screening and training, will sadly be a reflection of society. I don't think it perhaps challenges some of the stereotypes hard enough within the press and media to change those attitudes.

In the earlier session, people talked about the training that was done. There is a national package of training that has been around for some time, which is currently being refreshed with the GRTPA and is available to all forces. It has been delivered to most forces. The action plan talks about refreshed hate crime training, which will be done this year as part of the national portfolio and will include Gypsy and Traveller-specific training, because the relationship we have with that community is different. As part of what came out of the ministerial working group, we have set up a knowledge hub with the College of Policing that has a lot of information about training packages and awareness for forces. There is a high access rate to that as well.

Josie O'Driscoll: I had a look at the new revised hate crime action plan yesterday, and while there is a little bit more than in the 2016 one, it does not go far enough. We feel it necessary to implement real change, especially when we consider mental health and how many young people we are losing to suicide. There is nothing in it that says how we can tackle that and challenge it.

As far as I am concerned, it all goes back to unauthorised encampments and whole boroughs having welcome signs up, welcoming people into their



HOUSE OF COMMONS

boroughs, and underneath having, "This is an illegal encampment-free zone". What is that saying to people coming into the borough? I have evidence of that—I have it here. That borough has Gypsies and Travellers living within it, and it uses the word "illegal" for those unauthorised encampments, when, as we know, it is civil trespass. There is no legislation to say that those encampments are illegal. That word "illegal" needs to be wiped out. That word "illegal" is causing so much trouble for our community.

Q537 **Chair:** In some cases it might be illegal, I would have thought.

Acting Chief Constable McCormick: Potentially.

Q538 **Mr Shuker:** Obviously, Janette, you were talking about some of the context in which you are asked to do police work, which is usually where something has gone wrong, or there has been a breakdown of relations, perhaps because there has been an unauthorised encampment and then a response from the community. Will you talk practically around the complications that that brings to, perhaps, reporting of crime and to conviction for it, in relation to hate crime?

Acting Chief Constable McCormick: Obviously, all the contact is not in a negative light. To try to quantify it with the panel, within Cheshire we have a population of about 1 million and about a dozen settled sites, but we will have probably between 150 and 200 unauthorised encampments every year. Where those local authorities have temporary sites, those go down from 40 or 50 to single numbers. That is the sort of difference in the scale of policing we have to do and, if you like, the demands on policing. But each one of those is probably a negative interaction, because the reality is that there is often not a site available.

We developed within the NPCC guidance for all police officers in relation to the policing of unauthorised encampments, though it is down to individual chiefs and, actually, individual officers at the scene if they want to follow that guidance, but we are trying to have a proportionate response and not always to move people on, because the reality is that there is often nowhere to move them on to. One of the breakdowns in trust between the community and ourselves is probably linked to inconsistency of policing across 43 forces. For the Travelling community, if they get that inconsistency, there is a breakdown of trust, because they do not quite believe what you are going to do.

That guidance hopefully helps, and generally we have got good support from across the forces, even though we understand that at times there may be quite a lot of political pressure on individual forces or officers to do something. The reality is, often, that if we go down to an unauthorised encampment, there is nowhere to move people on to. We would be moving them down the road or on to another borough. We may come across cases where there has been some damage—damage to some property—so there is crime on one side, and the guidance is clear: where there is a crime, it is dealt with fairly and appropriately, and it should be recorded and investigated. If there is hate crime as well, that should be



HOUSE OF COMMONS

recorded and investigated, but the practicality is that you, from an operational officer's point of view, are trying to manage tensions, so at times those crimes might not be recorded. We know that there are issues with that, that there is under-recording and that HMIC, through its work, is trying to ensure that we do record and investigate those crimes. But it is, practically, very difficult in many cases.

Q539 Mr Shuker: I suppose the heart of my question is, do you think it is the practicalities of dealing with members of the public in a very tense situation that means hate crime is not recorded, or do you think that it might even be an unconscious bias that says that there's been an instigating incident—in other words, an unauthorised encampment—and therefore there is a quid pro quo and a natural reaction? Do you think it is the practicalities of policing, or do you think there is still an unconscious bias?

Acting Chief Constable McCormick: Ultimately, we police without fear or favour, accountable to the law, but sometimes there will be a practical view of that. That said, if there is hate crime there, it should be recorded and investigated, but there is sometimes a practicality with that as well.

Q540 Mr Shuker: Josie, do you feel similarly about the reporting of hate crime, when police are on the scene?

Josie O'Driscoll: I think a lot of the frontline officers do not understand that Gypsies and Travellers are an ethnicity and protected under the Race Relations Act. They do not see us as an ethnicity. When these encampments come into town, as far as I know, the council is responsible for them, unless there is antisocial behaviour or a crime committed, but the first people who the public ring are the police. The council should take responsibility for these unauthorised encampments. The police at times haven't the resources or the people to send out to these encampments.

To talk about one last year in Weston-super-Mare, a crowd gathered—it was put out on social media that there was an encampment in town. A crowd gathered around it, shouting, "Out, out, out!" The police came along but, to be honest, they didn't know what to do. They didn't know whose side they were on. They were trying to keep the peace on one side, and there was shouting. They don't know what to do in these situations.

So I don't think it is all the police's fault, because the police are put in these positions where the councils should be responsible for encampments. It is not the police's duty unless there has been a crime committed, antisocial behaviour or—

Q541 Mr Shuker: That's helpful. Do you think that the level of awareness that you have just talked about there, around GRT communities and their protected characteristics—how deep do you think that understanding is, that you are dealing with a group that are defined in that way?

Acting Chief Constable McCormick: I think we have come on in leaps and bounds. We retain within NPCC a portfolio—and myself specifically—around GRT in terms of issuing guidance. We have a regional network of



HOUSE OF COMMONS

representatives—points of contact—within most forces, to circulate good practice and in terms of conferences. I think one of the huge steps forward, back in 2014, was the development of a staff association specifically around GRT representation. Bear in mind that when the association went live in 2014 we had officers, as Jim has perhaps said before, who would never ever have trusted the organisation and the service to declare themselves as GRT. We now have 165 members, of which 68 are from GRT, declaring within their forces. We have that within 30 forces.

I think we have come on in leaps and bounds on awareness, particularly in the last four years—the guidance, the training. This year we have launched the new diversity, equality and inclusion strategy, and there are three elements of that. One is around the organisation—so, internally, how do we ensure that we are an inclusive service? Part of that is around recruitment. For example, through the *Travellers Times*, South Wales police have advertised for police officers. Again, that is in the last couple of years—so, trying to be a very open organisation. The two other elements are how we work with partners and how we work with the community. The toolkit that goes with that has been consulted on through the Traveller Movement as well as the GRT.

That all raises awareness, but there is still an issue about ensuring that all frontline officers and particularly call takers—training for call takers is there, because they are the first point of contact—are aware and are asking those obvious questions, like, “Do you think this is because of a particular protected characteristic?”, so that the community can be confident to say, “Yes, because I’m a Gypsy or a Traveller.”

Q542 **Mr Shuker:** Was there anything you wanted to add?

Josie O'Driscoll: We are training a police force at the moment—I won't mention the police force. We will be training over 1,000 officers. To date there are 700 officers, and we did an attitudinal survey of those police officers the other day. They are all frontline staff. We asked them, “Have you ever come into contact professionally or personally with Gypsies and Travellers?” and from that survey we did an analysis of the words used, and these were the words that came up: “encampments”, “illegal”, “tipped”, “criminals”, “crime”, “offenders”. These are the kind of words. That is really the only time that police come into contact with Gypsies and Travellers—around unauthorised encampments or offenders.

Q543 **Chair:** Can I just ask Janette to follow up that point, because the number of people living in unauthorised encampments is such a small part of the Traveller community. What other challenges have you got in terms of tackling hate crime? Because unauthorised encampments are such a small proportion of—

Acting Chief Constable McCormick: They are probably the most in terms of daily contact. We will get it in terms of permanent sites as well. There is a challenge there, but again, although a lot of the connotations around that contact might be negative, dependent on the force that you



HOUSE OF COMMONS

are in, what we encourage is liaison officers, so that they are used to going on the sites. People know them, they have got a familiar face. Neighbourhood officers are aligned to those sites as well, so when there is targeted crime against that community on a permanent site, they feel confident to talk to their local officer about it. I don't think this is all about having third-party reporting sites. It is not all around True Vision—lots of forces have web portals now, so that people can remotely record this. This is about having confidence that the person you are going to speak to is going to understand the issues and believe you, and—I think this was in one of the submissions from the Traveller Movement—local neighbourhood policing, which I cannot stress enough. That is a real challenge at a time of financial pressure, when what tends to go is the specialist officers who understand, some specialist training and some local policing.

In terms of the more general recording of the behaviour of the public towards Gypsies and Travellers outside all the scenarios we talked about, it is about people's confidence to ring us up and tell us about it, and our call takers' ability to understand that they are doing so because they are from that community and to recognise that that is a racially aggravated offence.

Q544 Chair: Before we go on to our last section, the new hate crime action plan talks about the roll-out of body-worn cameras. I am interested in your perspectives on that. I do not know, Josie, whether you saw that in the hate crime action plan.

Josie O'Driscoll: Yes, I did.

Q545 Chair: Do you think that might be an assistance in improving—

Josie O'Driscoll: It would certainly help, yes. I know some police officers wear body cams already, but I do not know whether they are used when they go to unauthorised encampments. I do not really know how it works.

Acting Chief Constable McCormick: Most forces will be rolling out body-worn cameras if they do not already have them. They will have slightly different policies for whether they turn them on when they attend an incident. I would not expect them to have them on if they were doing a routine engagement down at a site, just as we wouldn't with any community, but if they attended—

Q546 Chair: You wouldn't?

Acting Chief Constable McCormick: Some will have them on all the time—

Q547 Chair: The officers here wear them all the time.

Acting Chief Constable McCormick: Yes, but that doesn't mean they are recording all the time. Some forces have a policy of recording all the time; some have a policy of recording when they attend an incident. If we were going to your house and there was not a crime or an incident there, we would not necessarily have the camera on, because we would just be having a conversation. Likewise, we would not expect to have it on on a



HOUSE OF COMMONS

site. If we were going to something like an unauthorised encampment, I would expect officers to have it on, and we would clearly capture evidence that we could use later in terms of both recording crime and investigating it. Capturing that information will have a positive impact.

Q548 **Chair:** So there is discretion for officers as to whether they decide to turn it on?

Acting Chief Constable McCormick: It depends on individual force policies.

Chair: Okay. Interesting.

Q549 **Tonia Antoniazzi:** You have spoken about the difference between recording and reporting hate crime. How effective are police forces at recording anti-GRT hate crime when it does occur?

Acting Chief Constable McCormick: I think we can talk in terms of crime and then in terms of hate crime and then, as I said at the beginning, in terms of GRT. Because most forces currently do not do the 18+1 in terms of ethnicity, that is not specifically recorded. In terms of the recording of crime and then of hate crime with the flags, if you look at the HMIC inspection that was published a couple of months ago, it says that we do not record those flags as accurately as we should. A lot of work is being done by forces, through HMIC, to improve our data recording, specifically around those flags. There is under-recording of hate crime. We will know the difference come 2019-20 when the 18+1 is mandatory.

Q550 **Tonia Antoniazzi:** I thought it was really interesting that you said it is not all about third-party reporting and that it is about the relationship with the police. Are victims of hate crime more likely to report their experiences to the police or to third-party reporting systems? Do you find one is more popular than the other?

Acting Chief Constable McCormick: Bearing in mind that we do not record GRT specifically, our perception is that they are more likely to go to a trusted source—a third-party reporting centre or stakeholder group such as the Traveller Movement or your organisation, Josie, that they trust and feel they can report to. Some of that will not meet the crime threshold; some of it will. That affects whether it is recorded, but there is a combination of things. If, in the long term, all we do is rely on third-party centres, we will never break down those barriers. We have to accept that that trusted peer relationship is important, but we should look to bridge the gap we have with the community.

Q551 **Chair:** What is your view, Josie?

Josie O'Driscoll: It is not my view—I have reasons for not reporting to the police in front of me.

Q552 **Chair:** I was quite compelled by what you said about True Vision earlier on. I know that, say, disability hate crime reporting can increase significantly when you have those sorts of third-party reporting groups because there is a lot more trust. I suppose it also feels more



HOUSE OF COMMONS

comfortable, rather than going into a police station or talking to a police officer. It doesn't matter who you are; that can be quite an uncomfortable experience. Third party does seem to have its role.

Josie O'Driscoll: Without third-party reporters, we would not have this data.

True Vision as it stands is not easy to navigate for Gypsies and Travellers. I know that True Vision has added a page for Gypsies and Travellers, but you still have to go through six clicks before you get on to the reporting page. For a community that is mostly illiterate, it is not easy to navigate, so what we do is, they can phone us or we will take it from social media. We have a Facebook page, Report Racism GRT. We take it from that, or people will phone us and we will go through the report with them. We will get up the True Vision page and we will do it while they are on the phone.

As for the reasons why they haven't reported to the police, 34% said, "I did not think the police would do anything," and 27% said, "The incident is too common an occurrence." If I had to report hate crime, I would be reporting it every day—that is the feeling of Gypsies and Travellers—so they just leave it. Some 77% of incidents were reported by people from GRT groups and 23% by third parties—members of the public who have phoned us up and said, "I have seen this on social media."

It is not easy for Gypsies and Travellers because they have a mistrust of the police. That mistrust is historical and goes back to the days where there were rousing policies. I don't know if you remember them, Janette. I remember them, because I was in encampments at the time. Rousing policies were where the police would come in at 6 o'clock in the morning and hold their hand on the horn or shine fog lights in the windows.

A lot of people still have that inside and feel that. They still have no trust in the police. I will say that it is getting better. We are sitting down now and having conversations, but it goes back to historical discrimination, and torture, I would say—

Chair: Still in living memory.

Josie O'Driscoll: Still in living memory, yes.

Acting Chief Constable McCormick: On the point that Josie made about tolerance of behaviour and seeing it as the norm, the one practical thing is to make people aware of what is unacceptable, and continually getting the community to understand that unacceptability—to understand that it is a crime—then the reporting process, and then to build on that to make sure that we give a really good standard of service so that people are confident throughout. We have certainly done a lot of work locally with people like council leaders and magistrates so that they understand the societal impact. It is that community impact statement, and having that within the files, as well as an understanding from people like the magistrates and the judiciary of the impact as well.



Josie O'Driscoll: We have provided community impact statements to the CPS and to a few police forces.

Q553 **Tonia Antoniazzi:** You said about not recording the hate crime as specific to Gypsy, Roma and Travellers, but how often are hate crimes against the GRT people prosecuted? Would you have any data on that?

Acting Chief Constable McCormick: I did look at my own force, because there are only a limited number of forces at the moment. As I said at the beginning, we have six cases. That was four victims, because there were two repeat victims. There is an issue about practical victim support, and that is perhaps something that can be commissioned through PCCs.

If you look at those cases, in two of them the victim would not support the prosecution and wouldn't give evidence. We had two without sufficient evidence. One is going through court processes at the moment. The other one was criminal damage that went to Crown court and was found not guilty. We don't get many through those processes, but I am only talking about a snapshot of one force.

Josie O'Driscoll: I can tell you that in Hertfordshire we have had one conviction. That was from a social media page—a local spotter page—where there was a photograph of a burning caravan and the word “pikey” written across it. A caution was given for that by the police. We have never had one taken to the courts.

Q554 **Chair:** So a dearth of cases coming forward and really a very small number being prosecuted, based on the evidence we have got.

Acting Chief Constable McCormick: We must not necessarily see prosecution as the right route either. There are three forces that are looking at race hate crime more broadly and are looking at out-of-court disposals. A lot of this is about education. There are times for that punitive side, but there is a role for education and understanding. There is a role for the MOJ and perhaps PCCs, in terms of practical things such as commissioning those out-of-court disposals and ways of educating people. There are conditional cautions for example—cautions linked to some sort of conditional reparation. That is a very positive way to go as well.

One of the things that we have perhaps not touched upon, which Josie mentioned there, is social media. We have a huge challenge in policing to respond reactively to hate crime through social media, let alone doing that proactively. That is a huge challenge. We are looking at a pilot around an online hub, but that is a huge challenge for policing. That will affect the confidence in the community to tackle it.

Chair: Thank you both very much indeed today for your time, and for coming in front of the Committee. I realise it can be an enormous amount of preparation and that you need to take time out of your week. We are really grateful; thank you. It will help to inform our inquiry and the report, when it comes to be published.