

FFT Factsheet



History of Gypsy Travellers

To understand Gypsies and Travellers today, it is very important to understand their history; where they come from, their traditions, customs and beliefs and how they have been viewed and treated over the ages.

Travellers are part of a tradition which we all have roots in. Humankind has only settled in permanent settlements for the last 5,000 years in Britain and maybe 8,000 years worldwide. Our heritage and folk memory however, is of over 100,000 years of nomadism.

Gypsies have been part of our society for many hundreds of years. They were originally believed to be Egyptians, which is where the name 'Gypsy' comes from. The idea that they came from Egypt was probably due to their dark complexion, exotic and colourful clothing and the fact that many groups arrived in Europe from the Middle East and the Eastern Mediterranean.

However, the Romany language, which is a language unique to Gypsies throughout Europe and is still spoken today, originates from Sanskrit, one of the main root languages of humanity which evolved in the Indian subcontinent. Today, Gypsies are believed to have migrated from India through the Middle East, Eastern, Northern and Central Europe and the Mediterranean, eventually reaching England, Scotland and Wales. As they travelled across Europe, they brought with them music, dance, artistry, crafts and language which has become part of our everyday use and integral to our culture.

Within Britain the roads have thronged with travellers of various sorts over the centuries, before Romanies arrived about 600 years ago. All types and descriptions of Travellers moved around looking for work; selling, buying, spreading the gospels. There has always probably been friction between nomads and the sedentary population - partly from competition for resources and partly from the inherent fear of the free by the settled population.

In addition to the Romanies who arrived during the time of Henry VIII the population of Travellers has been swelled by Irish people working on the canals and railways, fleeing from the effects of the mid-nineteenth century famine and after the

last world war in response to difficult economic conditions in Ireland. House dwellers have constantly trickled on to the road through force of circumstance or choice - for example it is known that some of the people forced to flee the London bombing and live in the countryside in vehicles during the last war continued to live in vehicles and took to the road never to return to settled accommodating.

Traditionally Travellers integrated with the local rural economy via seasonal agricultural labour and also by supplying other needs of the rural population. With increasing mechanisation the need for seasonal labour slackened during the 1950's and many travellers forsook the rural for the urban and semi-urban environment. Increasingly employment opportunities centred around scrap dealing, car dealing and tarmac laying.

A Brief Historical Overview of Gypsy Traveller Laws

The historical relationship between the Gypsies and the state in England, dates back to 1530 with the passing of the Egyptians Act. This law was aimed at ridding the country of all Egyptians or Gypsies, by banning immigration and 'voluntarily' requiring Gypsies to leave the country within sixteen days. The punishment for those who did not conform was the confiscation of goods and property, imprisonment and deportation. (Mayall 1995) This law was further amended in 1554, when if the Gypsies abandoned their "naughty, idle and ungodly life and company" and adopted a sedentary way of life with a settled occupation, they would not be punished, however the punishment was extended to include execution for those not complying.

Many Gypsies were in fact executed by the state up until the 1660's, and although the state executions stopped in the latter half of the seventeenth century, the punitive and restrictive laws continued. It appears that the Gypsies were tolerated when they were useful as farm labour, entertainers or blacksmiths, and were made to move on when no longer useful. The Gypsies survived thus on the margins of society until the outbreak of World War II.

The outbreak of war and subsequent conscription, meant that Gypsies became a useful source of labour for the war effort. The darker side of those war years is that along with Jews, homosexuals, trade unionists, disabled persons and Jehovah's Witnesses, the Gypsies were also victims of the Nazi regime.

The early post war years brought about a new tolerance for a while, there was plenty of work around in reconstruction and indeed many people were living in caravans or prefabs. However, this tolerance was short lived as land became more and more scarce. The scarcity of land brought about much tighter immigration laws, despite the fact that the United Kingdom signed the Convention on Stateless Persons (1954) which states: “The contracting states shall as far as possible facilitate the assimilation and naturalisation of stateless persons”. In practice the Home Office ignores this convention.

Many Gypsies are in fact urban dwellers, despite the romantic image of brightly painted wagons in woodland clearings. Although many do live in the countryside, most Gypsies surround the cities and large towns as they are dependent upon the dominant culture for trade and provisions. This migration to the city started around the time of the industrial revolution. As mentioned above, scarcity of land around urban areas led to tighter controls about where Gypsies could locate their caravans.

The Caravan Sites Act of 1960 was a piece of legislation aimed at controlling private caravan sites. The new law made it difficult for Gypsies to buy and winter on small plots of land, unless they had a licence that could only be gained through planning permission. Even those Gypsies staying on the private land of farmers they were working for, could no longer do so. The effect of this was to push even more Gypsies on to the roadside.

In 1965 a national survey of Gypsies took place. The following report published two years later, was called ‘Gypsies and Other Travellers’. The findings showed that 60% of the families had traveled in the previous year, mainly as a result of harassment from police and council officials. Few children received regular schooling. Only 33% of the families had access to a water supply. There were too few local authority sites. (Kenrick and Bakewell 1995).

The following year brought about the 1968 Caravan Sites Act, which included the following provisions:

- County Councils and London Boroughs have a duty to provide accommodation for Gypsies residing and resorting to their areas.

- The secretary of State for the Environment may give directions to any local authority requiring them to provide sites. These directions are enforceable by mandamus. (Section 9)
- An area can be designated as an area in which gypsies cannot station their caravans except if there are pitches free on the official site. It is a criminal offence to do so. (Sections 10 and 11). (Quoted from Kenrick and Bakewell 1995:38)

The reality of this legislation is that the minimum number of pitches and sites have been provided and therefore any of those Travellers not able to find a pitch are hounded out of the area. Families are often afraid to leave the site, knowing that when they return a pitch will probably no longer be available. The social structure of Traveller families has been affected, unable to travel many are failing to keep up the social networks that have become part of their culture. Visiting friends and relatives have nowhere to pitch their vehicles for the duration of their stay. Bureaucratic procedures make it difficult to apply for a licence.

Once on a site, licensees have to abide by rules and conditions incompatible with their culture, for example they may not keep animals, light bonfires or trade on the premises. Many travellers have traditionally worked alongside their residing place, for example scrap metal is often collected for trade. If there is no provision for storage, which there usually is not, families have to abandon what is often their main source of income.

Gypsies and other traditional Travellers have been the object of prejudice and discrimination for hundreds of years and the lengthy history of legislation against them is a testament of this. However, perhaps the worst blow came about following the influx of new Travellers onto the road, particularly from the mid 80's onwards, which provoked the then Conservative Government into passing the 1994 Criminal Justice and Public Order Act. Part five of the Act greatly increased the powers of police and local authorities to evict Travellers camping illegally and removed the duty on local authorities, under the 1968 Caravan Sites Act, to provide sites for Gypsies.

Despite opposition from all other parties and the House of Lords, the bill went ahead anyway. It included the following proposals:

- The repeal of part II of the 1968 Act, removing the duty on local authorities to provide sites, and abolishing the government grant for constructing gypsy caravan sites.
- An extended power for local authorities to direct unauthorised campers to leave land, including any land forming part of a highway, any other unoccupied land, or any land occupied without the owner's consent. It would become a criminal offence for anyone so directed to refuse to leave, or to return to it within three months.
- An extended power to magistrate's courts to make orders authorising local authorities to enter land and remove vehicles and property, if persons are present in contravention of a direction to leave
- A strengthening of the powers contained in the Public Order Act 1986 (section 39), giving the police power to direct trespassers to leave if they have damaged the land itself (as distinct from property on it), or if they have six vehicles. It also extends the application of this section to common land, highway verges, byways, green lanes and other minor highways, and includes new police powers to remove vehicles. (Quoted from Hawes and Perez 1995:121)

The implications for Gypsies are perhaps obvious. The repeal of the 1968 Caravan Sites Act, not only means that councils no longer need to build sites, but that they can close down existing sites.

The Government's response to critics of the 1994 Act was that Gypsies and Travellers should buy their own land and set up sites. However, the reality is that the current planning system makes this virtually impossible.

Although nomadism and unauthorised camping are not, in themselves, illegal, the effect of the legislation has been to criminalise a way of life. In addition to this, the systematic closure of traditional stopping places through ditching, gating and boulders has resulted in the Traveller community having nowhere legal to stop. This has devastating consequences, especially for families with young children.