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Education Inclusion
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The Rights of Children from Gypsy/Traveller and Roma Backgrounds in Scotland



Professor Sheila Riddell
Centre for Research in Education Inclusion & Diversity
(CREID)

University of Edinburgh
www.creid.ed.ac.uk

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Structure of the Presentation



Characteristics of the Gypsy/Traveller population in Scotland.

Scotland's approach to children's human rights – policy and legislation.

Research on the implementation of the rights of children with ASN, including Gypsy/Traveller children.

Impact of the Covid-19 pandemic.

Entrenched marginalisation of Gypsy/traveller community reflected in low levels of educational attainment.





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The Gypsy/Traveller/Roma population in Scotland: A note on terminology



Scottish Gypsy/Travellers

Estimated to include c.20,000 people, but in Scottish Census 2001 only 4,000 people identified as Gypsy/Traveller.

Under the Equality Act 2010, discrimination on grounds of race/ethnicity is prohibited. Gypsy Travellers & Roma recognised as distinct ethnic groups.

Show people

Show people recognised as a distinct sub-group of the travelling community. Long historical roots – associated with fairs since the middle ages. Modern fairgrounds require high degree of technical & business acumen, so show people are likely to engage with education system. Permanent yards makes attendance easier.



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European Roma

European enlargement (2004 & 2007) allowed many European Roma to come to UK to avoid violence, find work & educate children. About 4,000 Roma, mainly of Romanian & Slovakian heritage, live in Garnethill area of Glasgow. Many involved in selling The Big Issue – a magazine designed to support people who are homeless.

May be tensions between different groups – lifestyles are very different.



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EU policy on the Roma Community



Roma issues should be systematically mainstreamed into all relevant European and national policies. Policies which maintain or promote the segregation of Roma communities or the provision of segregated housing, education or other services for Roma should be ended. This does not however preclude the provision of targeted or positive action measures as permitted in the relevant European legislation should be ended. (European Commission, 2010)

Evidently gap between rhetoric and reality.



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Scotland has major focus on children's human rights, but may be problematic for Gypsy/Traveller children



Human rights guarantee personal freedoms and minimum standards of treatment for all without discrimination – therefore about equality of opportunity rather than outcomes.

Basic principles of children's human rights demand that adults always act in 'the best interests of the child' and that children's views of what constitutes their best interests are always taken into account.

May be difficult to use human rights to place positive duties on the state, e.g. to break cycles of disadvantage or facilitate social participation. Major problem for severely disadvantaged groups.

Legal redress and complaints centre on *individual* rather than *group* choices, opportunities and outcomes.



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Education (Scotland) Act 2016 gave new rights to children with ASN, including Gypsy/Traveller children – but rights without support are useless



Right to ask local authority to:

Find out if they have Additional Support Needs (Children)

Request a specific assessment (Children)

Find out if they need a Co-ordinated Support Plan
(Children)

Ask for a Co-ordinated Support Plan to be reviewed
(Children)

Right regarding information and advice:

About their Additional Support Needs (Children)

Receive a copy of the Co-ordinated Support Plan (Children)

Be told about decisions about their rights (Children)

Be asked if they are happy for information to be shared
when they leave school (Children)

Rights regarding having their views heard and considered:

Be involved in decisions about their support (Children)

Access to support and advocacy to have their views heard
(Children)

Right to be involved in resolving disagreements and disputes:

Ask for independent adjudication (Children)

Make a reference to the First tier Tribunal (Children)

Attend tribunal and have views heard and considered (Children)

Opt for mediation (Young people only)

Be asked for their views during mediation (Children)



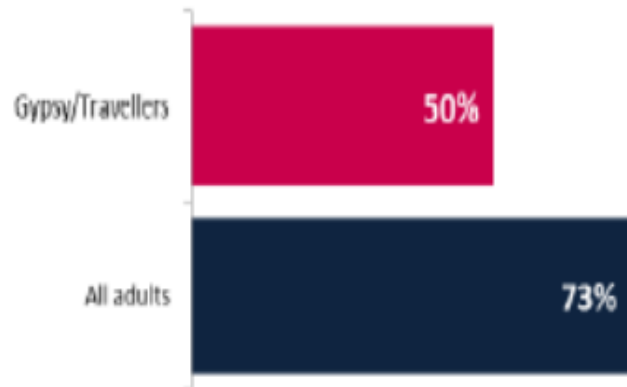
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Gypsy/Traveller children have the worst outcomes of any ethnic group in Scotland.

No evidence of improvement over time.

Fewer Gypsy/Travellers aged over 16 have qualifications



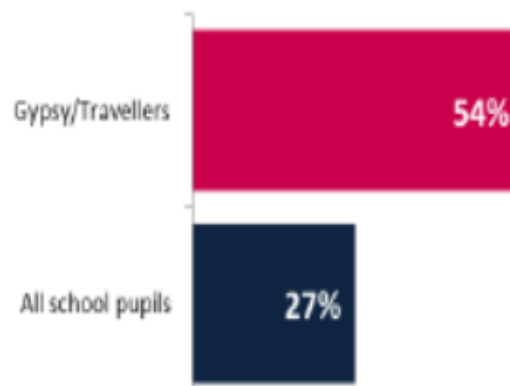
Fewer Gypsy/Travellers leave school with at least one qualification at SCQF level 3 or above



Fewer Gypsy/Travellers progress to positive destinations



More Gypsy/Travellers have an Additional Support Need (ASN)





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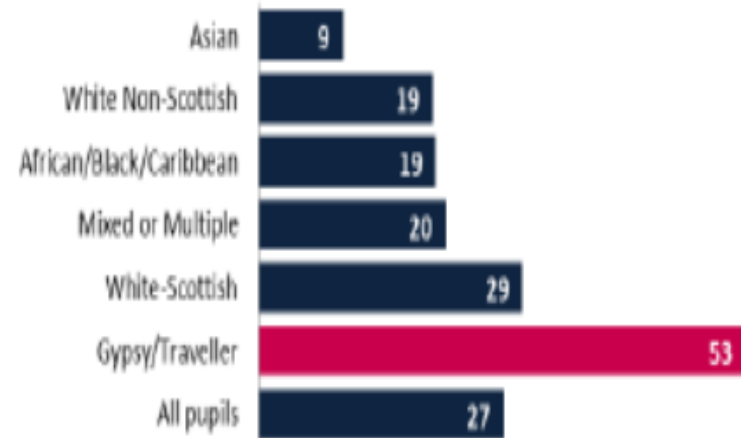
School attendance and exclusion by ethnicity



Gypsy/Traveller pupils have the lowest attendance of any ethnic group



Gypsy/Traveller pupils have the highest exclusion rate (per 1,000 pupils)





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Lessons from Covid-19 pandemic



From late March until mid-August 2020, Scottish schools were closed, with children having to rely on on-line learning. Further lockdown from January – April 2021

Disadvantages experienced disproportionately by those from more deprived backgrounds including Gypsy/Travellers due to digital exclusion; poorer home learning environment; loss of contact with teachers & external agencies.

Children's Rights Impact Assessment (Commissioner for Children and Young People, Scotland) showed that access to rights, including fundamental rights to life and education, diminished during pandemic. Particular jeopardy for socially disadvantaged children.



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Conclusions



Major commitment to social justice for all children in Scotland, with particular focus on children's human rights.

Appears to have been little/no progress in educational outcomes for Gypsy/Traveller children – they have the worst outcomes of all ethnic groups.

Central tension between ensuring that Gypsy /Traveller children are treated **the same as all other groups, or whether it is important to respect **difference** – not requiring them to engage with education system.**

But failing to ensure children's right to education has dire consequences for future life chances.