


Research Paper

UK legislative discrimination and the impact on Romany & Traveller WASH inequalities

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ABSTRACT

This article aims to highlight the impact of the Policing, Crime, Sentencing and Courts (PCSC) Act 2022 through the lens of historical UK anti-Romany & Traveller legislation on WASH inequalities. Of which, key aspects of 500 years of discriminatory legislation from the Tudor era to modern Britain contextualises the primary data collected in this study. Data for this study was collected via online surveys, hosted by the software Qualtrics, which was distributed by the method of snowball sampling through social media posts on the platform X, formerly Twitter, for the purpose of gathering qualitative and quantitative data regarding the experiences of discrimination relating to WASH access and the perceived impact of the PCSC Act. Respondents, of which there were 20 of predominantly ethnic Romany & Traveller backgrounds, alluded to a perceived relationship between discrimination and WASH access, and expressed concerns regarding the potential impact the PCSC Act will have upon decreasing WASH accessibility through further increasing the acceptability of anti-Romany & Traveller discrimination. Furthermore, it is concluded that the implementation of such a legislation and its culminative predecessors can be considered persecutive and a violation of the human rights to access water and sanitation.

Key words: discrimination, environmental racism, human rights, legislation, PCSC Act, water supply

HIGHLIGHTS

- Research into a largely unexplored field of Romany & Traveller WASH access.
- Exploration of human rights inequalities faced by Romany & Traveller people in the UK.
- Research into the impacts of the PCSC Act on Travelling communities.
- Exploration of environmental racism against Romany & Traveller communities.
- Contextualisation of the PCSC Act in 500 years of historical legislation.

1. INTRODUCTION

1.1. Terminology Romany & Traveller

Romany¹ & Traveller populations have existed across the British Isles for centuries. Today, both ethnic and some cultural Travelling communities are recognised as minority groups under the wider ‘Black & Minority Ethnic’ (BAME) categorisation under the acronym ‘GRT’ standing for Gypsy, Roma, and Traveller. The term GRT is somewhat controversial in its terminology due to its collective grouping of various culturally and ethnically diverse communities. Hence, the author’s decision to use the term ‘Romany & Traveller’ when discussing the communities in the British Isles. This study likewise aims to be inclusive of non-ethnic Travelling people such as Showman and New Travellers, in order to reflect the perspective of all traditionally Travelling people in the UK.

The Romani² diaspora first came to the British Isles in the early 1500s (Lidstone 2018). Records indicate they were first recorded in Scotland in 1505 in a record of a suggested meeting between King James IV and a group of ‘Egyptians’. The

¹ Romany – A term predominantly used in Britain to refer to Romani communities in the British Isles, specifically those that have been present since the 1500s.

² Romani – Ethnonym applicable to all Romani people irrelevant of the country of residence.

introduction to England was latterly recorded in 1514, in the recollections of Sir Thomas More, who investigated a death in Lambeth, London, in which a servant of a murdered merchant claimed local ‘Egyptian’ could divine the culprit. The term ‘Egyptian’ is the etymological source from which the English language derives the word ‘Gypsy’, a misidentification of a group whose origins, based on linguistic, genetic, and cultural evidence, are traced back to the foothills of Northern India between 1,000 and 1,500 years ago (Bakker 2012; Mendizabal *et al.* 2012). From this shared origin, Romani people became associated with various regions throughout Europe over the centuries, forming sub-groups such as the Iberian Kale, Romanisael, Sinti, and Kalderash, among others. These sub-groups have their own dialects of Romanes, variations in some cultural practices and histories, but with a commonality of origin which can be felt among all groups. Some of these groups recently migrated from continental Europe to the UK and are represented in UK government terminology as the ‘R’ for Roma in the acronym ‘GRT’. In contrast, English, Welsh, and Scottish Romani groups, to differentiate, are represented by the ‘G’ in GRT for Gypsy.

In reference to the ‘T’ for ‘Travellers’, there is a degree of confusion in British society due to its wide colloquial use as a reference for all communities who travel. Travellers in this article predominantly refers to the ethnic community of Irish Travellers (an lucht siúil or Mincéirí) who have unique genetic origins and cultural practices. Irish Travellers are a culturally and genetically distinct nomadic ethnic group native to Ireland, who were officially recognised by the Irish Government in 2017 (Haynes *et al.* 2021). Despite centuries of recorded history and genetic evidence which predates the written history in Ireland (North *et al.* 2000), the earliest records of their presence were written in 12th century Ireland with their presence more frequently felt in the UK by the 19th century.

Environmental racism is already a present issue for UK Romany & Traveller communities (Bloch & Quarmby 2024). Segregation and further marginalisation, exacerbated by the placement of local authority sites near polluted areas and close to major infrastructure, have led to significant and disproportional health impacts. The Policing, Crime, Sentencing and Courts Act (PCSC) 2022 has proven decisive in either forcing these communities to abandon their traditional ways of life and become settled, jump between the sparse low quality transit sites exposing themselves to further health risks, or establish ‘illegal encampments’.

1.2. WASH access for Romany & Traveller communities

Access to WASH (Water, Sanitation, and Hygiene) has historically coincided with proximity to water sources near to stopping places,³ the locations of which are passed down as traditional knowledge through the travelling generations. Occasionally, WASH access was also facilitated through the exchange of labour for access to services or through means of charitable provision by settled communities, some of which remain relevant today. In contemporary settings, access is provided through sites of private and local authority ownership, purchase of water, or the use of methods such as health centre membership to fulfil WASH needs while travelling. Existing research regarding WASH access for Romany & Traveller people is limited. A few studies have been conducted across Europe regarding Roma communities (Davis & Ryan 2016; Rosa 2019; Anthonj *et al.* 2020) with limited studies in the UK (Bloch & Quarmby 2024).

1.3. Overview

This article will explore the history of legislation affecting Romany & Traveller people in the UK, along with the attitude towards these communities that have influenced the political landscape in which such legislation has been formed and enacted. The following historical review grounds a contemporary analysis of political discrimination and the likely implications for WASH access, by comparing with primary survey data insights. This article culminates in a discussion of the perceived impacts of the PCSC Act from the perspective of UK Romany & Travellers.

2. LITERATURE REVIEW

This literature review contextualises the relationship between legislation and discrimination against Romany & Traveller people since their arrival in the British Isles. It provides context to the societal environment in which Romany & Traveller people live today, as well as tracing the developments in legislation that precede the PCSC Act. Given the scarcity of WASH literature specific to Romany & Traveller people in Britain, this context is important to establish before exploring the dynamics of legislation, discrimination, and the impact of WASH access today.

³ A place of temporary rest of unofficial or official status to access resources such as water, to replenish supplies, look for work opportunities, or for shelter.

2.1. Romany & Traveller legislation 1530–2022

Since the first arrival of Romani diaspora to the British Isles in the early 1500s, legislation has been created to either intentionally or indirectly restrict the ability for Romany & Traveller people to live in their respective cultural traditions via policy or by violence.

The first such legislation was introduced under the reign of King Henry VIII as the Egyptians Act of 1530 (Raffield 2021). ‘Egyptians’ in this context refers to the Romani migrants who were mis-identified upon first arrival. The Act condemned ‘Egyptians’ who were living in a ‘unchristian’ fashion of fortune telling and palmistry to vacate England within 16 days or face the confiscation of goods and expulsion from the realm. This legislation was reformed in 1554 by Henry VIII’s daughter Queen Mary, transforming her father’s legislation into a double-edged sword – adding protection from punishment for those who would assimilate into English society while also conversely introducing the death penalty for those who did not.

Just after Henry VIII, King Edward VI in 1547 introduced the Vagrancy Act (Daly 1986). While not specifically designed to target the ‘Egyptians’ like his father, the Vagrancy Act did include any and all who were seen as mobile and without permanent residence. Punishment included enslavement for 2 years and the branding of a ‘V’ on their person, that became the unpopular and seemingly unenforceable policy in this particular legislation, which was repealed in 1550. The last Tudor monarch, Elizabeth I, enacted one last Act specifically targeting Romani people in 1597 called ‘Punishment of Vagabonds calling themselves Egyptians’. Evidently building upon the prior acts by her late father, brother, and sister, this Act condemned those who imitated, associated, or who were ethnically ‘Egyptian’ (Romani) with the death penalty. This Act remained in place into the late 1600s; however, its enforcement subsided due to the value of Romany & Traveller communities as a form of labour, most notably through seasonal agricultural work (Millan & Smith 2019). The Act itself was only repealed in the 1800s by means of the Repeal of Obsolete Statutes Act 1856; however, prior to the repeal of this Tudor law, a new legislation had already been implemented in its place to target nomadic people.

The Vagrancy Act in 1824 seemingly took inspiration from the historical Tudor laws in its language and composition (Tracada *et al.* 2014). Those who told fortunes or by means of any practice of divination, a traditional practice among some Romani people, led to ‘deceive and impose on any of His Majesty’s Subjects...’ or lived under a tent, cart, or wagon became subject to this legislation. To offend under this Act would result in a month’s hard labour and imprisonment; the Act itself was considered for repeal only with the introduction of the PCSC Act in 2022.

After a brief respite during WW2, legislation directly focusing on the Romany & Traveller communities could not be introduced into UK legislature until after the Second World War. Land had become an extremely valuable commodity in the push to rebuild Britain after 6 years of war; many towns and cities had come under heavy bombardment during the Blitzkrieg campaign and, as such, new infrastructure and housing were needed. During this period, many Romany & Traveller communities had established private sites in lucrative semi-urban areas in order to be in close proximity to the opportunities provided by towns and cities, with WASH facilities installed by private owners to meet their needs. This private site ownership came under threat through The Caravan Sites Act of 1960. As Smith & Acton (2017) states, the Act implemented a series of restrictions for Romany & Traveller sites; rarely distributed licenses were required, fines and powers of prosecution against ‘unauthorised encampments’ utilised, and hundreds of families were displaced and forced onto the road. The only solace came in the form of the 1968 Caravan Sites Act, which provided a statutory requirement for site provision by local authorities with inbuilt water access and sanitation. Despite sites being constructed, access was competitive and not enough were constructed. Additionally, due to the high competition over availability, many families felt unable to continue their cultural practices regarding nomadism, impeding upon the traditional way of life.

The 1968 Caravan Sites Act was short lived and the statutory site provision requirements issued to local authorities were ultimately repealed in favour of the 1994 Criminal Justice and Public Order (CJPO) Act. In the words of James (2023), this Act was deemed ‘draconian’, as it went further as to extend powers to remove ‘unauthorised encampments’ created as a result of the prior expulsion of Romany & Traveller people from public and private land. Enforcement conditions required six or more vehicles to trespass a land with the intention to reside for any length of time, and reasonable steps to be taken prior to asking those considered trespassing to leave. In addition, destruction of property or the use of violence or threatening behaviour had to have occurred. Fulfilment of these criteria was required before any direction to vacate the land could be lawfully issued, and only upon the refusal to follow the vacate order or the return within 3 months to the same land, would result in a fine, imprisonment, or vehicle confiscation. Vehicle confiscation, of course, would impose upon travelling to access WASH as would the disruption of ‘unauthorised encampments’ which provided a stopping place to rest and gather resources.

It was this Act that the PCSC Act 2022 was built upon and the police powers of the Criminal Justice and Public Order Act 1994 was further extended. Prior to 2022, unauthorised encampments were considered a civil offence, but post the PCSC Act, they have become a criminal offence. The legislation provides newly extended powers to the police to issue a fine of £2,500, to confiscate vehicles and the possibility for imprisonment. The difference between the PCSC and the CJPO Acts lies in changes for implementation. Only one vehicle is now required for the use of this legislation as opposed to the previous six. An offence is committed when a person issued with the notice does not leave the land by the date specified, decided upon at the landowner's discretion without the need for violent or destructive behaviour to have occurred as needed previously, or if those accused returned to within 12 months of vacating instead of 3, under the CJPO Act. Conditions to using the PCSC Act require that there is the belief of actual or likely damage, disruption or distress caused by 'illegal encampment'. In effect, as expressed in Higgins (2022) and Webber (2022), this bill effectively criminalises any and all Travelling communities due the looseness of the language of 'likely to cause distress, damage, or disruption' leaves the use of the law widely open to individual interpretation. Furthermore, there is concern that this wording may impact upon significant cultural events such as Appleby horse fair and it is likely disproportionate use against Romany & Traveller people, impacting the right to access key social and cultural community events (Toyn & Schofield 2022). This Act has severe consequences for the fulfilment of human rights obligations by basic needs through essential services like WASH, as the use of fines and the confiscation of vehicles will reduce the ability to travel and purchase adequate supplies and access key family and social networks. Higgins highlights this Act has been considered by Genocide Watch (2021) as grounds for pushing the UK into 'stage 8 – persecution' on their genocide scale, specifically because of this legislative persecution of Romany & Traveller people.

2.2. UK anti-Romany & Traveller racism

Racism against Romany & Traveller communities is commonplace across the UK and remains evident in all facets of society. A recent report unintentionally uncovered the extent to which hostility towards Romany & Traveller is prevalent among British societal views. The report, authored by Jones & Unsworth (2022), initially aimed to explore the prominence of Islamophobia in the UK; however, inadvertently, the authors uncovered the extent of hostility towards Romany & Traveller communities. The study explored the views of over 185,000 respondents with regard to their positive or negative inclinations towards various minority communities. The aim of the research was to highlight the prevalent discriminatory views against Muslims when contrasted against White British, Jewish, Christian, Black African/Caribbean, and Pakistani communities, to which there is significant contrast. None-so more, however, than the category 'Gypsy & Irish Traveller' which held the greatest share of totally negative perceptions at a percentage of 44.6%, followed by a wide margin by Muslims at 25.9% and Pakistanis at 14.5%. The study itself did not pry further into the reasoning behind the prejudice against Gypsy & Irish Traveller communities; however, Jones & Unsworth (2022) theorised that one potential reasoning lies within the social and legislative sanctioning of this particular prejudice, as opposed to the unsanctioned prejudice towards racism, islamophobia and anti-Semitism of the other minority communities.

Prior to the introduction of the PCSC Act, an investigation into the discrimination towards Romany & Traveller communities was conducted by Sovacool & Del Rio (2022); the study explored the aspect of spatial justice and service and utility access for three Travelling communities across Northern Ireland. The study uncovered a clear disparity for the seemingly intentionally isolated communities with a lack of access to basic utilities and suitable accommodation reported among 68% of the community members interviewed. Fuel and electricity were widely reported as taking up to half of the monthly income of the communities which had a further impact on reducing health and wellbeing due to the forced decision to choose electricity and mobility over food and healthcare. In further exacerbation of the health inequalities, due to the remoteness of some sites, participants expressed they would often have to take 'really long walks' along self-attributed 'death roads' even in sub-zero conditions to reach local population centres for supplies. Participants in the study lived in a variety of sites, from the most popular being family-owned sites alongside local authority sites and situations of 'illegal encampments'. There is discontent in this study with regard to the cultural inadequacy of local authority sites, their unsuitable provision of utilities, overall maintenance, and the remoteness of their construction. Strong recommendations by Sovacool & Del Rio (2022) for the revision of policies under the Northern Irish authority called for more sites to be constructed, improved site maintenance and site visiting requirements, subsidisation of travel and electricity, cultural sensitivity training, broader inclusion/consultation of these communities, and also, improving the enforcement of human rights protection for minority communities and across-departmental Travellers strategy.

An article published in 2023 continued to highlight the inadequacies expressed in [Sovacool & Del Rio \(2022\)](#) by local and national authorities which persisted even during the COVID-19 pandemic. Through the work of [Renedo *et al.* \(2023\)](#), there is a glimpse into the conditions experienced by Romany & Traveller people throughout the pandemic. Interviews from community members on local authority sites displayed the appalling conditions they were subjected to. Participants expressed that the sites were heavily monitored through invasive CCTV and police harassment – in overcrowded sites, which were often blockaded or padlocked; some participants even stated that during lockdown, they had no access to running water, one of whom stated that the local council had intentionally disconnected the water supply due to an ongoing planning dispute, highlighting the inadequacies of WASH services, in particular, for Romany & Traveller people via the COVID-19 pandemic.

In conclusion, the literature highlights the ongoing struggle for Romany & Traveller people in the British Isles, with discrimination often encouraged or exacerbated by legislation and inaction on account of local and national governments. What is evident in the literature is the cyclical nature of the legislation over the past five centuries, with the PCSC Act echoing the Tudor laws of persecution by belonging and criminalisation because of non-conformity or non-assimilation. It is the evident racism towards these groups which has alerted the attention of organisations such as Genocide Watch and raised concerns over the violation of human rights for Romany & Traveller communities. What is not found in the literature is the direct perceptions of these communities with regard to the introduction of the PCSC Act and the perceived impact this may have upon their human rights. In light of this, the article will uncover the perception of members of the Romany & Traveller communities on how the PCSC Act will further impact discrimination towards them and their traditional way of living. In particular, we explore this impact through the lens of access to WASH services, as one of the number of restricted fundamental human rights with implications for people's physical health and wider wellbeing.

3. METHODOLOGY

3.1. Positionality

This author has spent several years highlighting the experiences and issues faced by the Romany & Traveller communities in the UK, previously exploring topics of LGBTQIA + intersectionality, climate justice, policy, and discrimination. This author is of mixed Romany and non-Romany ancestry from which he draws both motivation and experience in this research, as expressed in former works ([Eminson 2021](#)). As such, both personal and professional knowledge, informed by familial background and research experience, are drawn upon in this study, alongside the supporting literature. This foundation supports the new primary data collected and analysed, as detailed in the following section.

3.2. Primary data collection and analysis

The data from this study are sourced from a postgraduate thesis conducted by this author between June and August of 2022. The main question of this study is 'What impact does the PCSC Act have upon WASH inequalities for Romany & Traveller people in the UK?' To answer this research question, two sub-questions were formed: (1) To what extent does discrimination impact Romany & Traveller access to WASH utilities? (2) From the experiences of Romany & Traveller people, has the PCSC Act exacerbated Anti-Romany/Traveller racism? Primary data to answer these research questions were collected by means of an online survey, supplied in Supplementary Appendix 2. The survey was divided into four sections: (1) Demographic Data, (2) Discrimination, (3) Climate Risks and Hazards, and (4) PCSC Act.

Romany & Traveller people account for only 0.12% (71,440) of the UK's population, according to the [Office for National Statistics \(2023\)](#), and are widely dispersed. In context, due to the population size, access to social media, literacy rates and overall complexities of data collection from Romany & Traveller communities, the 20 participants achieved in this study are seen as a foundational sample for a pilot study in this field. To maximise responses, the use of social media was implemented, which members of these communities use in vast numbers to communicate, especially while travelling. Following a similar study by [Parker *et al.* \(2019\)](#), snowball sampling was used due to its popularity as a methodology for accessing widely dispersed and difficult to reach groups. In accompaniment, hashtags were utilised in order to direct social media posts on the platform now known as 'X' formerly 'Twitter', which was the only social media platform utilised, towards the target groups, i.e. #Traveller, #Romany, etc., as recommended by [Leighton *et al.* \(2021\)](#), to ensure maximal algorithmic exposure. The surveys were constructed and distributed using the survey software 'Qualtrics' under the recommendation of the research committee due to the ability to distribute anonymised single use links to participants, encrypted data storage and advanced anonymity tools.

The study used both open and closed questions (Schuman & Presser 1979). Open questions lead to responses outside of the influence of binary responses and guided questions, and are open to in-depth, higher quality data from participants; however, as more time and effort is required to complete these open-ended responses, the volume of data is often reduced. To combat this, using closed questions in combination with open questions provides the volume and depth of data necessary to contrast and compare, increasing the quality of the data.

Qualitative data from this survey were analysed by the method of thematic coding analysis in order to organise the data into thematic categories for discussion as expressed in Vaughn & Turner (2016). The quantitative data gathered was analysed via the method of descriptive statistics. As expressed in Gorman & Johnson (2013), the use of this method provides clearer numerical datasets, which can be easily analysed to draw meaning and transferred into visual representations.

The primary data collected in this study initially were collated for the purpose of a study into Romany & Traveller climate vulnerability in the UK. This article will, however, focus on one aspect of the climate vulnerability data pertaining to WASH. To answer the following research questions, (1) To what extent does discrimination impact Romany & Traveller access to WASH utilities? and (2) From the experiences of Romany & Traveller people, has the PCSC Act exacerbated Anti-Romany/Traveller racism? Primary data from Sections 2 and 3 of the survey will be used. Section 4 responses from the survey data will be used to address sub-research question 1 of this article. Section 1 will provide the demographic context for this study. By answering both sub-research questions, this study aims to provide an answer to the main research question, 'What impact does the PCSC Act have on WASH inequalities for Romany & Traveller people in the UK?'

3.3. Ethics statement

Free and informed consent of the participants was obtained, and the study protocol was approved by the appropriate Committee for the Protection of Human Participants, The University of Sussex's Global School Ethical Research Committee, UK, ER/RE251/1 on 05/04/2022, evidence of which can be viewed in Supplementary Appendix 1.

Given the sensitive and potentially distressing nature of the study, full anonymity and directions to wellbeing support were provided to the participants: demographic data collection was heavily restricted to self-identification of specific Romany or Traveller background, status of travelling and current UK country of residence. Anonymous survey links were provided to the participants in order to complete the surveys to reduce any chance of data collection which may allude to their identity, such as email address. All participants were required to certify informed consent via a tick box; additionally, they were required to actively submit their data and confirm their age as 18 or over in order to participate in the study. Evidence of informed consent can be viewed in the demographics section of the survey found in Supplementary Appendix 2.

4. RESULTS AND DISCUSSION

4.1. Demographics

Twenty participants completed the survey: of those who felt comfortable disclosing their background, 14 responded; out of which, 9 identified with a Romani diaspora (7 Romany, 2 European Roma), 2 from a Traveller diaspora, 2 from a non-specified Travelling community, and 1 with a mixed ethnic Romany & Irish Traveller heritage. Six chose not to disclose their background; this option was provided to participants who were concerned about being identified due to their heritage or concerns of discrimination upon publication of this data. The collected demographic responses consisted overwhelmingly of ethnic nomadic groups. Of the 20 participants, 12 responded as permanently settled, 8 as travelling seasonally or part-time, and none of the respondents stated they were travelling full-time. With regard to the country of residence at the time of the survey, 17 stated England, 3 Scotland, and there were no participants from Wales or Northern Ireland.

4.2. Research question: (1) To what extent does discrimination impact Romany & Traveller access to WASH utilities?

Due to the existing literature, author positionality and their prior work (Eminson 2021), it is presumed that discrimination is a fact to be further explored; hence, questions were regarding impacts on existing experiences of discrimination and not whether the discrimination itself firstly exists.

In section 2 of the survey, participants were asked to respond to the following from a list of multiple-choice options from which multiple answers could be chosen: 'To which of the following have you been denied access to as a GRT person?' The leading categories of which are site access/stopping places (12) followed by water access (10), joint fourthly included washing facilities (7), toilet facilities (7), natural gas (7), and lastly, food (4).

When prompted further by the question, ‘Who has previously denied/removed your access?’ from a multiple-choice list, the most commonly selected category was Local Authority/Council (11), followed jointly by Businesses (8) and the General Public (8), Public Services (Police/Health Workers, etc.) (7), and lastly, Other (1).

Lastly in this section, participants were asked, ‘Has discrimination towards GRT in relation to accessing services and utilities increased, decreased or remained the same?’ 55% of respondents had agreed there was an increase in discrimination when attempting to access services and utilities. 40% of respondents believed the level of discrimination had remained the same with only 5% believing there had been a decrease in discrimination.

Sites/stopping places and water access as seen in Figure 1 featured in the majority of the responses when questioned over utility access denial. When coincided with the data seen in Figure 2, particularly the prominence of local authority and public services in water access discrimination, it paints a familiar picture as seen in Sovacool & Del Rio (2022) and Renedo *et al.* (2023). Local authority sites would provide access to necessary utilities; however, since 1994, their construction is no longer a statutory requirement, as stated by James (2023). Furthermore, access to stopping places both permanent and temporary would provide the opportunity to access water and sanitation facilities; however, stopping even temporarily in ‘illegal

Q4 To which of the following have you been denied access to as a GRT person? (please tick all that apply)

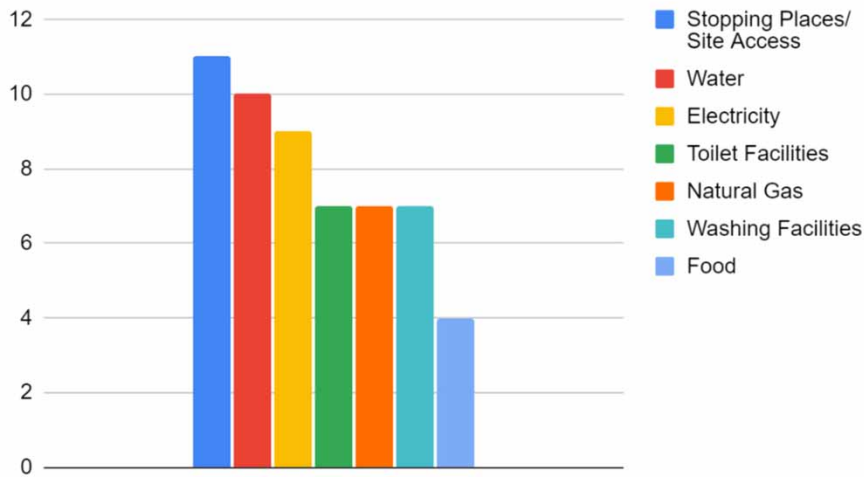


Figure 1 | Survey responses to question number 4.

Q5 Who has previously denied/ removed your access? (please tick all that apply)

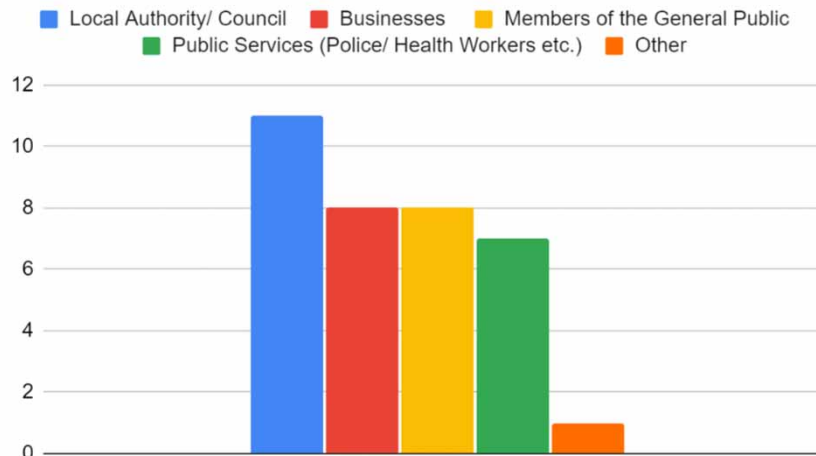


Figure 2 | Survey responses to question number 5.

encampments' may be disrupted by local authorities and public services. Hence, the likely prominence of stopping places as a point of discrimination, and lately, the identification of local authorities and public services as implements of discrimination (Figure 3).

Lastly, as seen in literature review in Jones & Unsworth (2022), Sovacool & Del Rio (2022), and Renedo *et al.* (2023), discrimination is already extremely prominent in British society; however, just over half (55%) of the participants stated there had been an increase in utility and service access discrimination. It is likely during the time of data collection in the spring/summer of 2022, there was a heightened sense of anti-Traveller sentiment due to the PCSC Acts discussion and assent through the Houses of Parliament which may have stoked discriminatory attitudes leading to this increase. Nevertheless, this does not negate the already highly prominent discrimination which preceded this legislation, which likely contributed to 40% of respondents feeling there had been no change in the discrimination of access for Romany & Traveller people to services and utilities.

4.3. Site access discrimination

Participants were then asked if they would like to expand upon any of their previous answers. Of which, two respondents expressed the thematic code of site access discrimination, which featured as a primary issue as seen in Figure 1.

'Traditional stopping places have been blocked up with binding or fences'

Participant 2

'blocking/closure of green lanes, lay-bys'

Participant 4

In both statements made by the participants, neither allude to who orchestrated the blockading of stopping place access, but as seen in Renedo *et al.* (2023), this is a tactic previously seen implemented during the COVID-19 pandemic by local authorities. However, without specific mention by the participants, it is just an inferred assumption from the data in Figure 2.

Overall, from both qualitative and quantitative data in this section, with respect to the research question 'To what extent does discrimination impact Romany & Traveller access to WASH utilities?', the data provide the foundation to understanding the link between discrimination and access to utilities, and participants repeatedly expressed – in correlation with the literature – the need for greater site provision as a means to access services and utilities. Water notably was recorded as the most impacted utility as a result of discrimination, second to the most prominent issue of access to sites and stopping places. Predominantly, institutional bodies such as local authorities and public services were attributed as the main groups who prevented access to utilities in keeping with the literature (Sovacool & Del Rio 2022; Renedo *et al.* 2023). Lastly, participants perceived discrimination of utility access to be increasing. It can be concluded from the survey data that discrimination plays

Has discrimination towards GRT in relation to accessing services and utilities increased, decreased or remained the same?

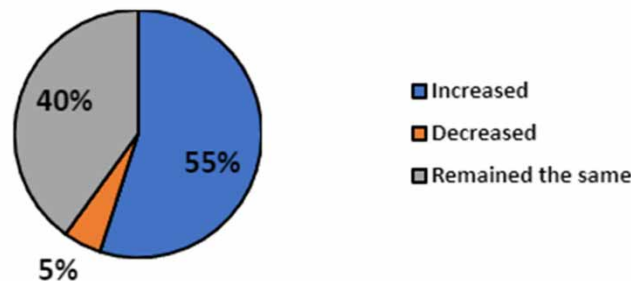


Figure 3 | Survey responses to question number 8.

a perceptively pivotal role in the accessibility of WASH utilities, through the blockading of stopping places which may contain water sources or provide a point of rest to access nearby facilities or purchase supplies.

4.4. Research question: (2) from the experiences of Romany & Traveller people, has the PCSC Act exacerbated anti-Romany/Traveller racism?

The survey explored the perception from the participants regarding the perceived impact the PCSCs Act would have upon access to utilities and services. Overall, 75% of the respondents agreed 'Yes' to the statement 'I believe the PCSC (Policing, Crime, Sentencing and Courts) Bill will reduce my ability to access utilities', with 25% of respondents stating, 'Not Sure'.

Participants were then asked if they agreed with the following statement: 'Since the introduction of the PCSC Bill, I have noticed an increase in discriminatory attitude towards GRT people'. Of which 75% of the participants agreed they had seen an increase in discriminatory attitude, followed by 15% stating they were unsure and 10% stating 'No'.

4.5. Socially acceptable discrimination

Participants were lastly asked if they would like to expand their answers as an open-ended question. Of the 20 participants, 3 entered the following responses.

'The Police Powers Act has encouraged the wider community in their belief that GRT have no right to exist...'

Participant 18

'...the potential for the act to be a vehicle for hate crime is real.'

Participant 4

'Social media comments about GRT have worsened and I feel that people are emboldened by the act'

Participant 2

Figures 4 and 5 and the theme 'socially acceptable discrimination' displayed the perceived impact the PCSC Act was seen to have in 2022 for Romany & Traveller people. 75% of respondents in both Figures 4 and 5 believed the PCSC Act would increase the discrimination against Romany & Traveller people and, subsequently, decrease access to utilities. Water access, the fundamental component to WASH, in both the literature (Sovacool & Del Rio 2022; Renedo *et al.* 2023), and the results of this study has been a key point of concern for Romany & Traveller people. The introduction of the PCSC Act, to the perception of members of these communities will play a pivotal role in both exacerbating the current discriminatory attitudes, as jointly expressed by participants 18, 4, and 2, and, subsequently, impacting upon the access to utilities, prominently water, as seen in Figure 1. In relation to the literature, historically both overt and covert discrimination have impacts on access to WASH services. Furthermore, Higgins (2022) and Webber (2022) stated there is already a significant concern internationally from organisations such as Genocide Watch regarding the impact the PCSC Act would have upon Romany & Traveller communities, to the point where the UK verges on stage 8/10 of the genocide scale.

I believe the PCSC (Policing, Crime Sentencing and Courts) Bill will reduce my ability to access utilities:

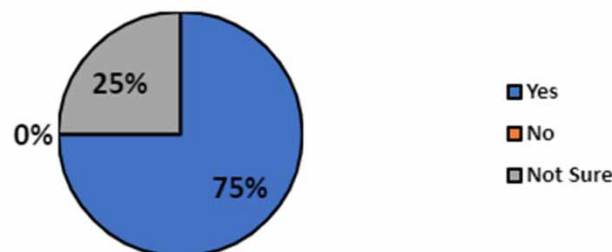


Figure 4 | Survey responses to question number 15.

Since the introduction of the PCSC Bill, I have noticed an increase in discriminatory attitudes towards GRT people

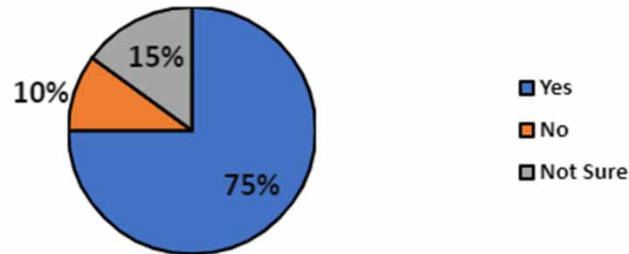


Figure 5 | Survey responses to question number 18.

To summarise from the primary data gathered in this survey, with respect to the research question ‘From the experiences of Romany & Traveller people, has the PCSC Act exacerbated Anti-Romany/Traveller racism?’ it can be safely concluded that the PCSC Act was perceived as a harbinger of state sanctioned racism, with participants in this study almost unanimously agreeing the Act would bring an increase in discrimination. As uncovered in research question 1, it is perceived this will lead to greater restrictions in accessibility to WASH.

4.6. Limitations and recommendations

The survey in this study has been devised prior to the PCSC Act receiving royal assent on the 28th of April 2022; hence, the reference to the PCSC Act as a Bill in the proceeding figures. Data collection in this study occurred between the PCSC Act receiving royal assent and its full implementation into enforceable law on the 28th of June 2022. Therefore, the data in this study are, respectively, a snapshot of the time between the assent and enforcement of the PCSC Act.

This study was formed from the data collected from a Master’s thesis, which impacted the extent and depth of this study with specific reference to population size, data collection, and time limitation. This study had 20 participants and forms the basis of a pilot study for a previously unexplored research topic.

To expand upon this study, it is recommended to use a greater sample size to further develop the dataset established in this pilot study. Furthermore, exploration into the individual subgroupings of Romany & Traveller communities and their unique experiences could prove beneficial for improving the data.

Despite these limitations, this study contributes to the existing literature on political discrimination by revealing experiences of discrimination and the perceived impact of the PCSC Act from Romany & Traveller perspectives. This is one of the first academic studies exploring access to WASH services for these groups in Britain, as evidenced in Section 1.2 and the latest in very few publications of Romani WASH inequalities in Europe. By tracing the historic developments of legislation restricting the rights and culture of Romany & Traveller people, this article situates the PCSC Act as a perceived continuation of historic discrimination and racism. Furthermore, it is found that access to essential WASH and energy services is often restricted, with water being the most commonly denied service.

5. CONCLUSION

This study has examined the role of legislation, both contemporary and historical, in establishing then exacerbating discrimination and WASH access and, subsequently, human rights inequalities for Romany & Traveller communities across the UK. Additionally, this study has explored from the perspective of these communities the perceived role that the PCSC Act has in regressing Romany & Traveller lives to a degree of criminalisation not seen since the 15th century.

The literature reveals that the PCSC Act represents the culmination of 500 years’ worth of persecutory legislation. Echoing the laws of the Tudor and Victorian eras (Daly 1986; Tracada *et al.* 2014; Raffield 2021), this act has criminalised the entire ethnic groups, much as Henry VIII and Elizabeth I condemned their ancestors in the 1500s with laws against the ‘Egyptians’, and then, the Victorians later condemned them as ‘Vagrants’ in the 1800s. Romany & Traveller people endured, only to be targeted again by The Caravan Sites Act 1960 (Smith & Acton 2017), forcing Romany & Traveller people off sites of their own

construction and back onto the road. With the introduction of the Criminal Justice and Public Order Act 1994 (James 2023), we saw the foundations of the PCSC Act being established, a halt to site construction and forced displacement. Now in the 21st century, the PCSC Act is perceived by community members themselves to be persecuting these communities, who have been displaced by the state and now face criminalisation for their state orchestrated displacement. This is perceived to have a negative impact on the accessibility of WASH services, given their fundamental connection to stopping places.

The data in the results & discussion section of this article indicated a negative perceived impact for UK Romany & Traveller people in relation to their WASH inequalities. The PCSC Act, as a persecutive legislature (Higgins 2022; Webber 2022), is likely to further decrease the capacity for those who travel to stop even temporarily due to the increased risk of imprisonment or confiscation of their homes. As a result of this, accessibility to utilities required for WASH has been diminished as Romany & Traveller people will have to find ever more concealed and marginalised spaces to stay, away from population centres and, subsequently, away from reliable access to WASH services (Bloch & Quarmby 2024). From the experiences of Romany & Traveller people, the PCSC Act has seemingly increased the acceptability of discrimination, which from the perspective of the participants, will further negatively impact the accessibility of utilities necessary for WASH.

This pilot study has uncovered the experiences of Romany & Traveller people, through another historical introduction of progressively persecutive legislation among the many who have preceded them. What is paramount is the necessity for the repeal of this Act because of its perceived persecutive nature and impact upon the human rights of water, sanitation, and hygiene access for Romany & Traveller communities. Additionally, what is also needed is the reintroduction of the requirement for the construction of sites to better accommodate the existing and future population with provision of utilities for WASH access.

DATA AVAILABILITY STATEMENT

All relevant data are included in the paper or its Supplementary Information.

CONFLICT OF INTEREST

The authors declare there is no conflict.

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