

This edition covers three main areas. First, the arguments and approach as to how and why Roma families and communities should consider securing permanent residence in the UK. We have commissioned this lead article from colleagues at AIRE Centre, to whom we are very grateful. Secondly, further news and information about the continuing attack on benefits and access to benefits for EU migrants - which many believe is going to have serious impacts on Roma families in this country. And thirdly, news about the continuing absence of a national Roma integration strategy in this country, and how various groups are trying to encourage the government to re-consider!



August 2014 newsletter

Welcome from Roma Support Group

Welcome to the fourth edition. We want to bring you information, reflections, arguments and discussion about the issues that face Roma communities in the UK. The Roma Support Group has developed over the last fifteen years into a major service agency working for and with Roma communities, mainly in London. We run advice and advocacy sessions; education support programmes (including homework support) for children and families; a Roma Support and Engagement Programme (including tailored staff training and development); and an arts and culture programme. Recently, RSG has been able to develop its work on developing Roma advocacy and mediation, community engagement and development (again principally in London) and also into policy development and information provision. This e-bulletin is one manifestation of these recent developments.

Contact us via:

andy@romasupportgroup.org.uk

DEBATES AND DISCUSSIONS in the UK

“Permanent residence”

Anna Blus (Roma Rights co-ordinator, AIRE Centre)

Permanent residence in the UK under EU law

The AIRE Centre has recently received several requests for advice on permanent residence issues. Several of these suggest that EU citizens from Roma communities who have resided in the UK for many years are often not accessing social protection to which they are entitled because they are not aware that they can do so through having become permanent residents. I am thankful to the Roma Support Group for welcoming this guest article, which I hope will shed some light on what it means to be a permanent resident in a host Member State under EU law.

Acquiring permanent residence after five years of residence

Under Article 16 of EU Directive 2004/38 (the ‘Free Movement’ Directive), EEA nationals automatically acquire a right of permanent residence in the UK if they have legally resided here for a continuous period of five years. This applies to all EEA nationals, including Roma EU citizens. Some EEA nationals become permanent residents earlier, which I will explain in more detail further in this post.

Why is it important to know whether someone may have acquired the right of permanent residence? First, permanently resident EU nationals are entitled to access all benefits, housing and homelessness assistance on exactly the same terms as British citizens. Secondly, in recognition of the strong degree of integration of permanent residents in their host State, the Directive grants them enhanced protection against expulsion, which can only be carried out on serious grounds of public policy or public security (as per Article 28(2) of the Free Movement Directive).

What 'legal residence' counts towards this five-year period?

Periods spent in the UK as a worker (including part-time work if it is 'genuine and effective', as well as retained worker status), a self-employed person, a student with adequate financial resources and comprehensive sickness insurance, a self-sufficient person with comprehensive sickness insurance or as a jobseeker (able to provide evidence that they are seeking employment and have a genuine chance of being engaged) all count towards this five-year period.

The requirement to reside in the UK 'continuously' can still be met if the person is temporarily absent from the UK for not more than six months in total in a given calendar year. A longer absence for compulsory military service would also not affect this continuity. Additionally, one absence of up to twelve consecutive months is also permitted if it is a result of an important reason such as pregnancy and childbirth, serious illness, study or vocational training or a job posting abroad. However, as recently clarified by the Court of Justice of the European Union in the case of *Onuekwere* (Case C-378/12), periods spent in prison in the UK break such continuity of residence and do not count towards the five-year period.

Also of importance is the fact that the right of permanent residence can only be lost if the person has been away from the UK for more than two years in a row. For example, if a Czech national, having acquired the right to permanent residence in the UK, returns to the Czech Republic to work there but comes back to live in the UK after a few months, he or she remains a permanent resident here.

Family members

Once the EEA national has acquired the right of permanent residence in the UK after five years of continuous legal residence, his or her family members, as defined in the Directive and regardless of nationality, acquire it as well if they have also resided here throughout this five-year period with their EU family member.

Acquiring permanent residence before completion of the five-year period

Some EEA nationals and their family members acquire permanent residence before five years have passed. The scenarios described below would, I imagine, be the most relevant to Roma migrants in the UK, but are not exhaustive.

Permanent incapacity

If the EEA citizen worked in the UK (as either an employee or a self-employed person) continuously for more than two years and stops working due to permanent incapacity, they acquire the right of permanent residence here at this point (Article 17(1)(b) of the Directive). If the incapacity was caused by an accident at work or an occupational disease that entitles them to claim a Personal Independence Payment and/or Employment and Support Allowance, the two-year residence requirement does not apply. A person in this situation may have acquired the right of permanent residence even if they have worked in the UK for less than two years before they became unable to work.

Retirement

Additionally, workers or self-employed persons who, at the time when they stop working, have either reached State pension age or stopped paid employment to take early retirement and who have worked in the UK for the preceding twelve months, as well as have legally resided in the UK continuously for more than three years, automatically acquire permanent residence under Article 17(1)(a) of the Directive. They do not need to have resided in the UK for three years if they are married to or are in a civil partnership with a British citizen.

Family members

Once an EEA national has acquired permanent residence in one of the 'early' ways detailed in this section, their family members, irrespective of nationality, also acquire permanent residence in the UK. This is different from the acquisition of permanent residence under the five-year rule: if someone is or becomes the family member of a person who has acquired permanent residence in one of the ways described in this section, (s)he acquires

permanent residence automatically, no matter how long he or she has been in the UK.

Do I need a permanent residence card?

The acquisition of permanent residence is automatic. This means that EEA nationals and their family members who fulfil the relevant requirements, as detailed above, are not required to obtain permanent residence documents from the Home Office. However, a permanent residence card certifies this status and it may be helpful to obtain one. It should be useful when applying for social assistance benefits and we have had reports that it has helped some people re-enter the UK or show that they have the right to work here. To apply, EEA nationals and their EEA family members can complete and submit form EEA3, whereas non-EEA family members complete form EEA4. These can be downloaded from the Home Office website:

<https://www.gov.uk/government/collections/uk-visa-forms#application-forms-for-citizens-of-the-european-economic-area>

Potential issues

Periods of economic inactivity and unregistered work

Some EEA nationals may have to rely on periods when they were economically inactive. This may be problematic for the purposes of showing permanent residence. Furthermore, for the so-called A8 countries' citizens (from Poland, the Czech Republic, Slovakia, Slovenia, Hungary, Latvia, Lithuania and Estonia), it is likely that any periods of work carried out prior to 1st May 2011 which were not registered under the then in place Workers' Registration Scheme will not be counted towards the required five-year period. This is also an issue likely to be faced by A2 countries' citizens (Bulgaria and Romania) for periods of unregistered work before 1st January 2014. While it could be argued that such periods should count if it can be shown that the individual concerned was self-sufficient, people in such situations face challenges around the requirement to hold comprehensive sickness insurance. Note, however, that self-employment did not fall under the Workers' Registration Scheme and as such, periods of self-employment would count towards the five years of lawful residence.

These are only some of the difficulties which both non-Roma and Roma migrants in the UK may encounter when trying to show permanent residence. The AIRE Centre believes, however, that it is worth investigating any entitlement to this right in detail. Please don't hesitate to contact us at info@airecentre.org or on 0207 831 4276 for free written advice on individual situations and more comprehensive information on this and other European law rights issues.

EU Migrants' rights and benefits

Last month, the Prime Minister announced a further restriction on EU migrants' access to benefits. From November, EU migrant jobseekers who submit a fresh claim for JSA will be limited to three months of benefit entitlement. There were no costings as to how much this further change will 'save' from central government budgets. However, there were widespread suggestions that the number of people affected will be very small, and so it is not primarily being proposed for cost saving reasons. See for example, the blog by the head of statistics at the BBC: <http://www.bbc.co.uk/news/uk-politics-28544715>.

We have previously reported that the Social Security Advisory Committee (SSAC) was undertaking a scrutiny of the recent proposals to debar EU migrant jobseekers from claiming housing benefit. The consultation period ended on 31 May 2014. The SSAC has sent its findings and recommendations to the DWP, and the Secretary of State (Ian Duncan Smith) has replied asking for more time to respond to the SSAC. See the correspondence at: <https://www.gov.uk/government/publications/access-to-housing-benefit-for-eea-jobseekers-interim-response-to-ssac-consultation>

Finally, a number of organisations, including Roma Support Group, have been working to develop a "call for evidence" about the way in which the variety of recent changes to benefits have directly affected Roma families and communities, and indirectly affected the neighbourhoods in which Roma families have settled and the public services that exist in these neighbourhoods. This call for evidence is to be launched publicly in September. More in the next newsletter. _

“Migrants contribute”

Roma Support Group is pleased to be a founding signature of this campaign.
Please read and circulate:

#MigrantsContribute!

Why we are the partners of British people in building a better society for all.



This is a manifesto from some of the voices inside Britain’s seven million strong migrant communities.

Every day for many months past we have been the subject of commentary in the media and the politicians on the ‘problem’ we are supposed to present to British society.

We want to ask if this is not just a way of deflecting discussion away from the real challenges to our common futures caused by the powerful groups who run government and the economy and blaming their failings on a minority migrant population which is itself struggling to live with the consequences of their mistakes?

Over the next 12 months, leading to the General Election voting day in May 2015, we intend to put the case that migrants are not the problem, but are instead a part of the battle to build a better future for everyone.

As you will see from the campaign material that accompanies this manifesto *Migrants Contribute!* much to society and should not be viewed as though they

were just cogs in the globalised economy which seems to drive everything in Britain. We contribute as human beings in our own right and trying hard to make a success of living these early years of our 21st century world

We promise that you will hear our voices over the next 12 months as we speak out about how to generate more jobs, which will provide a decent standard of life for everyone.

We will explain how, like you, we want more and better housing for all so that everyone is able to live in a safe, affordable and comfortable home.

You will find out how migrant parents are working with teachers all over the country to improve schools for all our children and ensure they have the best start in life.

And you will hear more about the strength of our contribution to building a better National Health Service, which so many migrants have already dedicated themselves to as doctors, nurses, technicians and support staff.

Migrants Contribute! because we know we are building a better and fuller life for us all.

What *Migrants Contribute!* is amazing!

As well as the skills and talents we bring as individuals, we are also feeding our cultures into the mainstream of British life with our music, our dance, the stories of our lives, our poetry, our paintings and photographs, the insights from our religions and philosophies, our love of football, cricket and the joy of being able to run as fast and leap as far as anyone in the world.

At the end of the next 12 months you will know that what *Migrants Contribute!* is amazing!

We are sure that you, like us, are glad to be living in a Britain where our contribution works for the benefit of us all!

AdviceUK
CLAUK
IRMO
Latin Elephant
LAWRS

Migrants resource centre
Migrants Rights Network
New Europeans
Roma Support Group
Sharehoods
The Forum

Email: migrantscontribute@gmail.com

Twitter: <https://twitter.com/MigrantContribu>

Facebook: <https://www.facebook.com/pages/Migrants-contribute/622861691144185>

Meeting with DCLG about the 'missing' National Roma Integration Strategy

"UK lacks real Roma strategy"

Grattan Puxon, 1st August 2014

At a meeting with Roma representatives yesterday (31 July), UK officials announced that a set of 28 recommendations made earlier by an inter-ministerial working group have now been adopted for implementation. A progress report is to be released soon and circulated for comment to all groups participating in the latest consultation. However, an official candidly admitted to the European Roma Network that the present government has no intention of adopting a national strategy for improving the lives of its estimated 200,000 migrant Roma.

"No specific policies are to be followed regarding Roma," said Ian Naysmith, of the Department for Communities and Local Government. "You are just one of many ethnic communities in this country."

This left delegates to the meeting in London disappointed as the long set of recommendations in essence go no further than asserting that Roma are to have the same opportunities as other EU and UK citizens when it comes to jobs, housing, education and welfare. But faced with severe cuts in essential benefits, including unemployment and housing accommodation, Roma are being turned into second class citizens. Thousands have been deported and many more will follow. Those that stay must suffer increasing official discrimination.

Ladislav Balaz, chair of the ERN, said afterwards that Roma organizations would work together to press for some much needed improvements. They will, he said, have to approach local councils and not look to central government during the last months of the present coalition administration.

"We still have to be part of the consultation process," Balaz commented. "It is up to us all to campaign together for a better deal."

Valdemar Kalinin, chair of the Gypsy Council, pointed out that the virtual dismantling of the Traveller Education system was already depriving Roma and Traveller children of the vital help they had been receiving up until 2013.

Referring to the head of the DCLG, Thomas Acton said secretary of State Eric Pickles had opposed caravan park provision in Brentwood. Yet by following official procedures over many years, at least one site licence had been won.

In a final plea, Bianca Pascall, of the 8 April Movement, told the DCLG representatives that Roma were keen to help themselves and were simply in need of advice on how such self- help could be integrated with any new government policies.

Specifically, it was put to the DCLG that encouragement for the formation of land and other types of co-operatives could go a considerable way towards solving some of the problems faced by Roma and Traveller communities.

Patrick O'Donnell, of Stable Way Residents Association, said the co-op idea was one he was going to discuss with his association members. Right now the future of the 40-year-old site was under threat from re-development in North Kensington.

After the ninety minute session with officials, Roma and Travellers resolved to back the reforms suggested in the Shadow Strategy to be published by the National Federation Gypsy Liaison Groups. They will also assist with collecting evidence on the impact of benefit cuts, which is being proposed by the Roma Support Group.

The delegates were: Ladislav Balaz, chair ERN; Valdemar Kalinin, chair GC, Toma Mladenov, chair Roma London; Veerendra Rishi, India Roma Association; Thomas Acton, Roma Support Group; Paul Sidiu, Romanian migrants; Bianca Pascall, 8 April; Patrick O'Donnell, Stable Way; and Grattan Puxon.



For more information, contact:

Dale.farm@btinternet.com

Meeting of Romani Studies (UK based members) with DCLG

UK-based colleagues and scholars of the European Academic Network on Romani Studies also recently met the 'UK national Roma contact point', Ian Naysmith. An account of the issues they raised – particularly about identifying issues of good practice on the four European Commission priorities for Roma integration (work, education, housing, health), and agreed future actions are contained in the report below:

http://www.coe.int/t/dg4/cultureheritage/culture/romastudies/Report_RAN_Meeting_UK_NCP_final.pdf

DEBATES AND DISCUSSIONS IN EUROPE

The impact of the EC Roma Integration strategies

In a minor growth industry, a number of agencies are assiduously attempting to chart the success of the European Commission's Roma integration strategies. Late last year, for example, the OSCE Office for Democratic Institutions and Human Rights published a report entitled *Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, Status Report 2013*. For a copy, see <http://www.osce.org/odihr/107406>.

Buried in appendix 5, on pp85/86, there's a response to a questionnaire to all EU member states about the (national) funds available for the implementation of Roma integration. The UK reported that €69 million is available in the UK. The appendix also appears to confirm that there is an earmarked budget for Roma; and a list of programmes and projects is available. So many Roma activists were asking "where has that €69million gone?"

As ever, the truth is more prosaic. Apparently, the UK government provided a copy of the *Progress report of the ministerial working group on tackling inequalities experienced by Gypsies and Travellers*. If you've not seen it, it's available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6287/2124046.pdf

On p17 of that report, it refers to the £60m (equal to approx. €69m) earmarked for better/improved sites for Travellers. This is administered by the Homes & Communities Agency; we are attempting to find out how much of this funding has actually been spent....

Report from the young Roma 'United for Dignity' conference, Strasbourg, June 2014

In June, the Council of Europe supported a three day conference for young Roma activists to discuss multi-discriminations. This was to include the experience of young Roma women and men, in relation to ethnicity, disability, sexual orientation etc. See the conference invitation and programme:

<http://enter.coe.int/roma/Roma-Youth-Action-Plan/News/United-for-Dignity-Conference>

Colleagues from the AIRE Centre in the UK attended and have provided this report of their experiences:

<http://www.airecentre.org/pages/briefing-roma-united-for-dignity-conference-strasbourg.html>

The Vatican's statement on Roma:

Also in June, the Pope addressed a pontifical meeting to consider “The Church and gypsies: proclaiming the Gospel in the peripheries”. The Pope recognised that Gypsies are often living at/beyond the margins, “and at times are looked upon with hostility and suspicion; they are rarely involved in the political, economic and social dynamics of the country”. He said that at times like the present, “...the weakest groups are those who most easily become victims of new forms of slavery. Indeed, the least protected are those who fall into the trap of abuse, forced begging and other forms of abuse”. He called on the Church to build “our closeness and solidarity...following the example of Jesus Christ”, but also insisted that there had to be “commitment on the part of local and national institutions and the support of the international community, to identify projects and action for improving quality of life”.

See the full Vatican press release here.

<http://www.news.va/en/news/francis-gypsies-are-one-of-the-groups-most-vulnera>

It was a concentration camp, now it's a pig farm:

On the anniversary of the day of commemoration of the Roma holocaust, the Porajmos, Open Society Foundation issued the following story about the site of death camp in the former Czechoslovakia:

http://www.opensocietyfoundations.org/voices/battle-roma-history-czech-republic?utm_source=europe_B&utm_medium=email&utm_content=RAHCi-QhmooREyFkzTSxEapxGysPesitK6QizxjXg48&utm_campaign=europe_B_080214

NEWS FROM ROMA SUPPORT GROUP

Appeal: Roma Early Years project

Amnesty International (2012) has proclaimed the Roma people are one of Europe's largest and most disadvantaged minorities.

In the UK, Roma children have the **lowest school attainment**. In 2010 the DfE recorded only 8.3% of young 'Gypsy/Roma' passing 5 GCSE exams at grades A-C. According to the Equality and Human Rights Commission (2013): "Most notably Gypsy/Roma children do far less well [at school] than any other ethnic group" and "Gypsy/Roma children are considerably more likely than other pupils to be excluded both permanently or for a fixed term."

Educational apartheid in Eastern Europe still continues and Roma children are sent to 'special needs' schools **just on the basis of being Roma** (Amnesty International, September 2013). This results in wide-spread illiteracy of parents who are poorly prepared to enter the job market as well as being unable to support their children in schools.

Despite the fact that there are at least 200,000 Roma living in UK, there is a distinct absence of support for Roma children and their parents that would enable them to fulfil their potential.

The Roma Support Group is the only Roma-led registered charity in the UK which since 1998 has helped thousands of Roma families build a new life beyond the reach of East European institutionalised racism and persecution. Although the majority of Roma are working desperately hard, the media continues unabatedly to foster prejudice and **ancient myths** which play on popular consciousness.

We are asking the public for financial contributions to implement the *Roma Early Childhood Education Programme* in London to help Roma families build a better life for themselves.



HELP BREAK THE VICIOUS CYCLE OF INEQUALITY WITH THE RSG:

The Roma Support Group has recently been given a grant by the Roma Early Learning Programme, of the Open Society Foundation (OSF), to implement the *Roma Early Childhood Education Programme*. However to deliver the aims of the Programme we are seeking match funding through voluntary donations from the public and funders.

The Roma Early Childhood Education Programme will overcome the multiple disadvantages faced by Roma children in London by:

- Developing early years education provision to create a **positive foundation** for learning and to ensure continued achievement in line with their non-Roma peers;
- **Empowering Roma parents** to understand and participate in the UK education system thereby preparing their children to enter into mainstream education;
- Supporting the development and vocational education of **Roma Early Education Champions** as potential leaders in Roma early childhood development in the UK.



THERE IS MORE THAN ONE WAY TO HELP:

However, to get the grant from the OSF we must raise an additional **£178,825** by December 1st of 2014, and to do this we need your help through one of the following methods:

1. **Donation** - even £5 would help! You can donate to this dedicated fund via our fundraising page here or our website <https://mydonate.bt.com/events/romaearyllearning/167031>.

If you would like to make a more sizeable donation, we are offering any donor who gives more than £250 the option to have their funds returned to them should we not meet the target by 1st December. If you are interested in this option please contact our treasurer (treasurer@romasupportgroup.org.uk). Please note that we are unable to return smaller donations should the target not be met, but in these circumstances any funds received will be used, where possible, on our other education projects.

2. **Trusts and foundations** - if you are linked to a trust, foundation, or other grant-making body who would be interested in supporting this project please contact Tania Gessi (tania@romasupportgroup.org.uk)

3. **Organise a fundraising event** - if you would be interested in organising a fundraising event please contact tania@romasupportgroup.org.uk

Your contribution will enable the implementation of innovative Early Years work not just in Britain, but in Europe as a whole, by tackling educational inequality and supporting the long-oppressed Roma communities to ensure their educational advancement.

Case study (LCVS project on intersectionality)

In common with a number of other voluntary organisations across London, Roma Support Group worked on a project supported by London Voluntary Services Council (LVCS) to look at the variety of barriers and discriminations that affect all of us. See the link below and scroll to the bottom for the RSG contribution:

<http://www.lvsc.org/londonforall/launch-of-hear-intersectionality-research-report/>

This provides an account of the services and initiatives that RSG have developed in the past, and at present, to respond to the needs of both refugee and migrant Roma families and communities, mainly but not exclusively, in London.

RESOURCES

ROMA Matrix website

A new website has been launched by the Roma Matrix programme. This combines a number of community-based Roma programmes with statutory agencies. In the UK, it's led by Migration Yorkshire (in Leeds as the lead partner), Glasgow City Council, Rotherham Metropolitan Borough Council, Salford University, York University and Social Marketing Gateway Ltd. The site includes case studies, evaluations of initiatives, articles and reports.

Take a look: <https://romamatrix.eu/>

Roma employability programmes in Glasgow – an evaluation

The struggle to find and keep “genuine and effective” work has motivated Roma communities over the decades. The attack on migrant worker rights – including rights to benefits – has made this even more important in this country. How heartening then to see a city which is trying to both run mainstream programmes and dedicated projects aimed to include Roma women and men in the labour market. This report by Eurocities (in part supported by the European Commission), looks at three training and employment programmes that have been designed and developed in Glasgow specifically for Roma citizens. It makes some broad conclusions of general applicability, together with a number of detailed and interesting recommendations that are of benefit and interest to all.

<http://www.eurocities.eu/eurocities/publications/EUROCITIES-peer-review-Employability-of-Roma-WSPO-9HRK6J>

“Roma integration in the UK” – special issue of People Place & Policy, on line journal

Workshop details:

Sheffield Hallam University’s CRESR centre in April 2014 arranged a seminar with invited academics discussing a range of issues affecting Roma exclusion, with an audience comprising of researchers, statutory sector staff, and activists.

<http://www.shu.ac.uk/research/cresr/events/ppp-seminar-roma-integration-uk>

The on-line Journal, People, Place & Policy, carries the articles of the contributors on various aspects of Roma settlement in the UK, history and current profiles.

<http://extra.shu.ac.uk/ppp-online/editorial-special-issue-roma-integration-in-the-uk/>

Hidden Sorrows

Roma Support group recently worked with others to present the exhibition at the Romanian Cultural Centre entitled *The Roma – from 'extra' to 'ordinary'*. As part of the exhibition, there was an amazing film displayed, produced and directed by a US based academic, Michelle Kelso. The film *Hidden Sorrows*, charts the experience of the Porajmos in Romania through the words of those women and men who survived. Michelle explained the reasons to produce the film:

...my goals were 1) to create a platform for Romani survivors of the Holocaust as at the time, there weren't many ways to hear the Romani voices and 2) to start dialogues about the past as a springboard to present issues facing Roma communities.

For the duration of the exhibition, a low resolution copy of the film has been made temporarily available. It is hoped that there will be a public showing later in the year.

<http://www.youtube.com/watch?v=qQNhSQemCzo>