

[redacted – section 38(1)(b)]  
Equality Unit  
3 March 2020

Minister for Older People and Equalities

## **CALLS FOR A FORMAL APOLOGY FOR THE HISTORICAL MISTREATMENT OF GYPSY/TRAVELLERS IN SCOTLAND**

### **Purpose**

1. To provide initial advice on next steps in considering calls for a formal apology for the historical mistreatment of Gypsy/Travellers in Scotland.

### **Priority**

2. Routine.

### **Background**

3. A small number of Gypsy/Travellers have called on the Scottish Government for a formal apology for their historical mistreatment in Scotland. This relates to the forced settlement of families in substandard accommodation, and the removal of children in what was known as the 'Tinker Experiment'.

4. A Petition was lodged "calling on the Scottish Parliament to urge the Scottish Government to formally and publicly apologise for the ill treatment by governments and public bodies of the Scottish Gypsy traveller community, with evidence clearly showing it to be one of the most marginalised and discriminated communities". It was closed "on the grounds that the Scottish Government "cannot apologise on behalf of governments and public bodies."

5. The Minister met with some of the campaigners in February 2019. In April we responded to their request saying we could not apologise for actions undertaken by others and in any case, that these were matters that took place pre-devolution and therefore before the creation of the Scottish Parliament.

6. Since then, the campaigners have received some sympathetic media coverage (Dec 2019-Feb 2020) and Willie Rennie has written to the Minister asking if the SG will issue a formal apology. Our current line is that the Scottish Government accepts that the lives of many Gypsy Travellers have been blighted by historical policies and practices of councils and charities, and recognises the devastating and lasting impact this had on families. It then focuses on the decisive action we are taking to make real improvements to the life chances of Scotland's Gypsy/Travellers through our new joint action plan, backed by an investment of £3m.

7. The campaigners also lobbied for the terms of the Scottish Child Abuse Inquiry to be amended to include consideration of their situation. This was rejected, although clearly they would be covered if they were placed in the care of the state (the parents no longer had 'parental responsibility' for them) and they

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were then subjected to abuse.

8. The campaigners have continued to push for an apology. You asked for advice and **Annex A** provides [redacted – section 30 (b) (i)]

## Risks

9. [redacted – section 36(1)]

10. [redacted – section 36(1)]

## Conclusion

11. [redacted – section 30 (b) (i)]

## Recommendation

12. That the Minister considers [redacted – section 30 (b) (i)]

**[redacted – section 38(1)(b)]**

Joint Head of Equality Unit

3 March 2020

X[redacted – section 38(1)(b)]

1.	2. For Action	3. For Comments	4. For Information		
			5. Portfolio Interest	6. Constit Interest	7. General Awareness
8. Cabinet Secretary for Social Security and Older People	9.	11.	13.	15.	17.
	10. «text»	12. «text»	14. x	16. «text»	18. «text»

19.	20. DG Education, Communities and Justice 21. Stephen Gallagher 22. Lisa Bird 23. [redacted – section 38(1)(b)] 24. [redacted – section 38(1)(b)] 25. [redacted – section 38(1)(b)] 26. [redacted – section 38(1)(b)] 27. [redacted – section 38(1)(b)] 28. Jeanette Campbell 29.	30.
		31.

## ANNEX A

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On Mon, Apr 29, 2019 at 1:13 PM [Redacted@gov.scot] - s.38(1)(b) wrote:

Dear [Redacted] - s.38(1)(b)

It's good to hear from you! You have been on my mind and also my 'to do' list.

I am sorry not to have been able to get back to you on this sooner. It has taken time to explore and unpick what might be possible, as initial legal advice suggested that the Scottish Government could not apologise directly for actions taken by others, during a time which precedes devolution. I understand this was also the conclusion of the Scottish Parliament in 2011. But I am pursuing a range of options and hope to be able to update you shortly.

I am also keen to meet with members of RAJPOT to share the draft GT plan with you as I am keen to hear your thoughts. I attach the current draft which as you will see still has some way to go.

Perhaps we can arrange a time to meet in the next month or so as I would really value your input. I would be happy to travel to you. Perhaps you can let me know when/where would be convenient?

Meanwhile, rest assured that I will be back in touch as soon as I have a fuller update in relation to the call for an apology.

With all good wishes to yourself and [Redacted] - s.38(1)(b), all at Bobbin Mill and all the RAJPOT members.

[Redacted] - s.38(1)(b)

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