The Uglier Side of Bonnie Scotland: The Tinker Housing Experiments

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Abstract

The aim of this paper is to illumine the insidious and covert nature of the racially motivated programme of measures, implemented by the State Party and other key stakeholders in Scottish society, ostensibly designed to crush and eradicate age-old Scottish Gypsy Traveller culture. To best rationalise those actions committed necessitates exploration of various themes: the treatment meted out, the mindset underpinning those actions, the attitudinal context, the intersectionality of the human rights violations and the long term effects of the damage sustained, both at an individual and collective level, by those subjected nationally to such assimilatory schemes, culminating in an inquisition of the reasons furnished by the Scottish Government for its subsequent refusal to grant an apology to the victims – despite repeated appeals to that end. The methodology will include personal photographs, reference to historical papers, relevant newspaper articles, and files from both national and local authority archives. The corollary of these investigations will conclude that the human rights of Scottish Gypsy Travellers have been irrefutably violated under international law; this has been executed with impunity by the authorities and, inarguably, constitutes a crime against humanity.

Keywords: Tinker Housing Experiments; Gypsy Travellers; Scotland; Health; Intersectionality
El lado más feo de Bonnie Scotland: el experimento de la vivienda Tinker

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Resumen
El objetivo de este documento es iluminar la naturaleza insidiosa y encubierta del programa de medidas por motivos raciales, implementado por el Estado Parte y otras partes interesadas clave en la sociedad escocesa, aparentemente diseñado para aplastar y erradicar a la antigua cultura del viajero gitano escocés. Para racionalizar mejor las acciones cometidas es necesario explorar varios temas: el tratamiento aplicado, la mentalidad que sustenta esas acciones, el contexto actitudinal, la interseccionalidad de las violencias de derechos humanos y los efectos a largo plazo del daño sufrido, tanto a nivel individual como colectivo. Nivel por parte de los sometidos a nivel nacional a tales esquemas asimilatorios, que culmino en una inquisición de los motivos aducidos por el Gobierno escocés para su posterior negativa a otorgar disculpas a las víctimas, a pesar de los repetidos llamamientos en ese sentido. La metodología incluirá fotografías personales, referencias a artículos históricos, artículos de periódicos relevantes y archivos de archivos de autoridades tanto nacionales como locales. El corolario de estas investigaciones concluirá que los derechos humanos de los gitanos nómados escoceses han sido violados irrefutablemente bajo el derecho internacional; esto ha sido ejecutado con impunidad por las autoridades y, indiscutiblemente, constituye un crimen de lesa humanidad.

Palabras clave: Experimentos de vivienda Tinker; Viajeros Gitanos; Escocia, Salud; Interseccionalidad
Recent global events have generated a tranche of legislative measures designed to outlaw traditional forms of mobility, and are ample demonstration of the sleight of hand with which governments can move to curb civil liberties. In Scotland, this is not a novel experience for the Gypsy Traveller, or Nacken population. For years, many have been corralled on reserves, treated to spatial apartheid, and have found themselves marooned and cut off by social distancing spanning several decades, since the inception of the pejoratively entitled ‘Tinker Housing Experiments’ set afoot in the 1940s and lasting virtually to the present day; experiments designed to subjugate them and bring them to heel with a view to crushing the culture and, in its place, providing a more palatable model consisting of subdued, compliant and malleable subjects. Central to any chance of success was the withdrawal of apparent free-flowing freedoms such as the right to freedom of movement, coupled with alienation, ghettoization, settlement, containment and ultimately, acculturation, if the experiments were to bring the desired outcome: the final solution to an age-old problem that had blighted society.

Indeed, legislation hostile to Gypsy Travellers has been de rigueur for beleaguered administrations intent on the retention of popular support – a true vote-winner. It is fair comment that an onslaught of reprisals and thoroughly oppressive practice in Scotland can be evidenced from as long ago as 1571 through to the most recent incarnations designed to target those of a nomadic bent (McPhee, 2017).

For the benefit of the reader, it is efficacious to sketch an overview in order to demonstrate the carefully co-ordinated concatenation of events that permitted the implementation of experiments which were endorsed without question. In this way, it is intended that the article should contribute vitally important information which will serve to inform and fully enhance the reader’s understanding of the prevalent ideological factors and accompanying legislative measures designed to engender mechanisms whose sole objective was to crush and demolish Gypsy Traveller culture once and for all, taking to extreme lengths the ensuing racial engineering at the heart of a policy of eugenics.

A cursory glance at the historical mistreatment to which the community has been exposed reveals a number of punishments dispensed to anyone suspected of being a Gypsy. However, the real intensification of anti-Gypsy policy-making acquires greater acceleration in the late nineteenth century. As a precursory measure, the 1865 Trespass (Scotland) Act outlaws occupation
of tents on any plantations and acts as a signal of what is to follow. It is still used to this day to pursue roadside evictions and, despite the introduction of more recent legislation such as the Roads Act 1984 and Criminal Justice Act 1992, retains favour as a less complicated weapon of use within the armoury of the authorities.

And so, toward the end of the nineteenth century, a veritable Cold War, ongoing to this day, was unleashed against Gypsy Travellers, marked by the establishment of a commission under the watchful eye of the Secretary for Scotland, Sir George Trevelyan. Evidence gathering was undertaken at various locations around the country, culminating in the publication of ‘The Scottish Traveller Report, 1895’. The Report formulated a number of recommendations, *inter alia*: the removal of Gypsy Traveller children from their parents, whom they were told had either died or abandoned them; subsequent deportation to the colonies; the establishment of segregated industrial schools; unruly boys to be moored on Mars ships for correctional behaviour; and, ultimately, the end goal of cultural extirpation (Dawson, 1985). Scotland is not unique in this respect -- its treatment of nomadic people bears the same hallmarks as the universal approach to eugenics taken in other countries, and obvious parallels can be drawn close to home, with the situation of Irish Travellers under the Commission on Itinerancy in Ireland, especially during the 1950s, and, equally, with the Gypsies of Kent and the New Forest in England. Nevertheless, Scotland acted independently and it doesn’t appear that her hand was forced in any way.

For, in Scotland, the recommendations contained in the 1895 Report were further bolstered by the introduction of the 1908 Children Act and the subsequent creation of the Departmental Committee on Tinkers during WW1, to further promote the aims of the Report and maintain the momentum.

Section 118 of the 1908 Children Act was significant in that it made it obligatory for parents to ensure children attended school for a minimum of 200 calendar days per year, which could only be achieved by leading a sedentary existence (*UK Public General Acts, 1908*). It was an explicitly anti-nomadic measure that proved to be economically detrimental to the Gypsy Traveller community.

Meanwhile, the Departmental Committee on Tinkers busied itself conducting headcounts and targeting Gypsy Travellers for settlement programmes. It stipulated:
If parents refuse to settle, and persist in wandering with their children, the children to be committed to an industrial school or placed under suitable supervision, “adding, that “Tinker children to be required to put in the maximum number of attendances at school, involving repeal of Section 118 (3) of the Children Act 1908 (Maitland, 1918).

Accompanying measures included: prohibition of the sale of alcohol and methylated spirits to Gypsy Travellers; supervision and training of men by responsible locals; granting of licences for peddling and hawking only to be approved by the Inspector of Tinkers on the provison that children and young people were not in attendance (Ibid.).

Also noteworthy among the comments received during the evidence gathering, was the expression that: “Tinkers and vagrants contribute little or nothing to the commonwealth of the country. Theirs is a parasitic life which subsists on the industry and thrift of others. They are social outcasts.” (Ibid; evidence of Hill, Ninian, Edinburgh, recorded October, 1917)

The relevance of these developments, when viewed in conflation, cannot be underestimated and should not be eschewed, as they demonstrate a very deliberate policy of sedentariness and hostile assimilation. They represent a prelude to the approach adopted by the authorities, governing the prevalent attitudinal climate passed down to this very day. For, the desolate view of Gypsy Travellers that persists and is all-pervasive within the power structure continues to influence the treatment afforded to the community. Furthermore, the terminology invoked frequently betrays an incurious disregard for the human rights of Scottish Gypsy Travellers, symbolised by their perpetual classification under the pejorative label of “Tinkers”, which fails to acknowledge the vital role played historically by Gypsy metallurgists throughout Europe, themselves subsumed under the umbrella term of ‘Roma’, in accordance with the classification imposed under the dictates of European Union bureaucrats.

Similarly, by extension, the rhetoric discloses the general contempt, the false premise that Gypsy Travellers represent an underclass of society, inherently well below the normal calibre of individual expected to people our society. This recalls to mind the racial ‘science’ of eugenics at that time and the influence of such on the narrow view of Gypsy Travellers within the confines of government and officialdom. Concomitantly, it lends perfectly to the overwhelming climate of denial detectable in the resultant cultural
negation: it is implied that they do not embody the characteristics of an ethnic nor a racial minority, hence the relegation of the group profile cannot be construed to be racist. It is, rather, an anti-social rabble and a social problem, to be dealt with in robust fashion.

Unsurprisingly, then, perhaps the greatest denial can be seen in the inverted argument put forward by those who seek to uphold the bias against status quo change. The authorities, it is claimed, through the carefully couched language of ‘care in the community’, were merely extending a compassionate hand to assist in this essential missionary work; the poor sinner had to be punished and reclaimed; necessary and justifiable if the authorities were to rehabilitate and “anchor the tinker”, thus weaning him from his wandering demons. The model operates along similar guidelines as examples of other schemes found across Europe such as Svanviken, Norway, Jarana, (Madrid) and Polígono Sur (Sevilla), Spain. In this way, the all too familiar dichotomy between care and control, as highlighted by Professor Colin Clark (2008), predominates the foreground, carefully deployed to legitimize any punitive treatment.

In order to grasp the implications of this, it is imperative that it be viewed in terms of our fundamental conception of what fully constitutes racism, encapsulated in the canonical definition of such posited by UNESCO in 1978, whereupon it states unequivocally:

Any theory which involves the claim that racial or ethnic groups are inherently superior or inferior, thus implying that some would be entitled to dominate or eliminate others, presumed to be inferior, or which bases value judgements on racial differentiation, has no scientific foundation and is contrary to the moral and ethical principles of humanity (UNESCO, 1978).

It becomes self-evident in this context, that the unconscionable ethnocentrism extended to Gypsy Travellers does not appear to register with those responsible as a bona fide strain of racism. In her writings, Michelle Lloyd, a venerated figure who has amassed a wealth of experience on the matter through her highly respected, peer-reviewed research conducted alongside Gypsy Travellers, expounds upon the real reason for this, when she promulgates that the discourse surrounding racism is being erroneously interpreted through a frame of reference linked expressly to colour, and that invisible, white communities such as Gypsy Travellers (who endure some of the most appalling racism in society), are to all intents and purposes deemed
inconsequential in the wider scheme of things (Lloyd & Moran, 1999). All the while, a monopoly on any debate is being consolidated via the perpetuation of a purposely flawed and pointedly narrow misconception of what constitutes racism, in turn manipulated to great effect. This serves to deflect attention further from the plight of Gypsy Travellers and empowers the authorities to mistreat them as they see fit, which they do invariably with carte blanche.

An appreciation of this culture of constant denial is vital to any meaningful grasp of the “Tinker Housing Experiments” and all that they entail for Scottish Gypsy Travellers. Equipped with this pre-knowledge, the reader will be empowered to read the semiotic import, recognise the deep-rooted universals of covert, structurally racist policy-making, and, perhaps, offer some resistance to those methods where applied locally to similar models in the international arena.

Figure 1. “Big Chill at Bobbin Mill” Oil on board (20”X30”). Photo Credit: Shamus McPhee
Prior to 1945, moves to settle, assimilate and eradicate Gypsy Travellers in Scotland, while gathering pace, had been somewhat sporadic and punctuated by the distraction of two world wars. Where Gypsy Travellers had been granted a reprieve, this was largely owing to the fact that they were expedient as contributors to the war effort: the men engaged in active service, while the women undertook essential work on the land and in the supply of munitions (McPhee, n/d).

The Departmental Committee on Tinkers had supported the drive to place the wives and families of servicemen in housing schemes linked to specifically designated Post Offices where payments of Separation Allowance
McPhee – The Uglier Side of Bonnie Scotland. Tinker Housing

could only be issued, and where payment books had to be ring-stamped as proof of such, a means of forcible sedentariness. At the same time, it noted that 172 children had been placed in industrial schools and others in Quarriers’ homes and orphanages. Of these, 58 had departed the said institutions. The Departmental tone was heavily tinged with disdain that, as with the war wives who had exited the lodgings after WW1 had ceased, so too the youngsters had “relapsed into tinkerdom” – a telling comment which echoes the strains of a eugenics policy and, moreover, a relapse the Committee had sought to avoid at all cost (Maitland, 1918).

Nonetheless, certain elements were aligning and by 1946, the arrival of peace-time had allowed the authorities to steady their aim for a sustained assault on the culture. The headcounts initially undertaken by the Departmental Committee on Tinkers in 1917 had identified 2,728 Gypsy Travellers – who, unsuspecting of their motives, were seemingly deceived by the tenuous explanation that sought to pass off the provision of accommodation as due reward for the efforts of ex-servicemen and their families (since nearly every family had members who had seen active service). This explanation, for that reason, bore the appearance of plausibility. Yet, it is clear with hindsight that the purpose of the headcounts was to facilitate enforced settlement schemes with an intended lifespan of ten years which, the paper trail reveals, were to be closely supervised and, in fact, continued to be monitored beyond that period for at least twenty years. This knowledge was to be with-held from the Gypsy Traveller subjects, who were not informed at any stage; it was felt that such intelligence might lead to an insurgency which would jeopardise the success of the experiments. The ensuing dereliction of care would see families abandoned to their fates, still living in dilapidated conditions by 2009, some ten years after the formation of the devolved Scottish Parliament, and some sixty-three years after the commencement of the scheme.

At the time, the end of WW2 heralded headcounts -- commenced as part of the UK Census counts in 1801 -- which were becoming increasingly commonplace and, given the population explosion from approximately one million adults in the UK at the turn of the twentieth century, it is entirely feasible that considerably more Gypsy Travellers had been identified since the figures collated in 1917. It is politic to note here that genocides require assiduous planning and are the culmination of many years spent at the drawing-board.
Thus, by 1937, the Reverend William Webb, had been assigned the task of Church of Scotland representative for Tinkers. And, by 1945, an ex-RAF Nissen hut had been requisitioned for the sum of £220 from RAF Auchterarder. Earmarked for an agreed woodland site in Pitlochry, Highland Perthshire, it was screened by trees so that it might not offend the surrounding habitations and accorded specifically for that purpose. While the authorities today have been excoriated for deploying this type of accommodation for asylum seekers, no such objections were raised to the placement of Gypsy Travellers (regarded very much in the vein of POWs) in such quarters, devoid of hot water or electricity, in some cases for up to sixty-three years, whereupon they were charged for the apparent privilege.

Quite possibly the earliest example enacted within a local authority ward and, equally, the longest-serving site, was that of Bobbin Mill. Therefore, the documentation connected to the experiment at Bobbin Mill, Pitlochry, merits special attention and really ought to be teased out: it denotes the benumbing extent of the collusion and complicity, and proffers an invaluable insight into the prevailing attitudes that underpinned this nationwide scheme. Still in existence today, it stands as testament to a eugenics programme silently waged against Gypsy Travellers throughout Scotland.

A useful touchstone for further investigation here is the research conducted by the established and highly respected historian in the field, Becky Taylor (2004) who observes:

In many cases they were not seen as capable of living in a standard council house, and so were allotted purpose built ‘simplified housing’. The scheme sited at Bobbin Mill, Perthshire, by Pitlochry Council was a case in point. Started in 1946, ten years later it was reviewed to assess the success of the project. The houses in question were not ‘of a completely modern standard’ and the inhabitants were ‘subject to fairly close supervision’… In fact, the admission that the houses were not ‘modern’ was an understatement...these houses are really an old hut.

The pointedly sub-standard conditions thought integral to the success of the experiment are reflected in a spate of communication between the servants to the local authority and the upper tiers of the Scottish Office. The mind-set is given voice by the County Clerk, who begins by seeking clarity from the Development Department thus: “Does the Department’s letter of 22nd June mean in effect that the Council require to construct, for tinkers, houses of the standards normally
adopted?” and who then proceeds to elucidate the rationale in a fashion echoed in the research highlighted by Becky Taylor, enlightening the County Architect (1964) along the way:

The Department are anxious that Local Authorities should provide accommodation for tinkers and I am sure that they recognise that, in order that the experiment can be a success, the tinkers must not be put off by being asked to accept standard Council houses which are so far removed from the standards to which they have become accustomed. (The County Clerk to the County Architect, 1964).

This is further exemplified, for instance, in a letter from the County Clerk, dated 13th November, 1945, which states: “While the accommodation does not comply with that laid down in the Building Bye-laws, approval may be given for the erection under the Bye-laws relating to tents, vans and sheds.” The same letter then advises that “For internal partitions, those separating the house are suggested as 4½” brick, while the partition between the two apartments of one house may be of single thickness asbestos-wood supported with wood framing (The County Clerk, 1945).

This was to be topped off with corrugated iron for the roof. Attempts by the residents to seek planning permission to extend and upgrade the conditions were rejected, since this did not fit with the deliberately inferior specifications and the inadequate nature of the living conditions which facilitated the hatching of plans to place children in care even before they had been born -- leaving an indelible imprint on both their childhood and later adult lives.

Figure 3. Hut at Bobbin Mill. Photo Credit: Shamus McPhee
Some years later, in a missive to the Secretary of the Scottish Development Department, dated 16th June, 1964, the County Clerk again reiterated the position, defending the Council’s provision of directly discriminatory conditions thus, as:

…not to achieve economies in the cost of constructing these houses, but that they thought that a type of house which would be somewhere between a standard Council house and very sub-standard accommodation was the answer in order that the tinkers could gravitate from their present accommodation into accommodation which was likely to be more acceptable to them and later into a standard Council house. It was thought by the Council that the provision of standard Council houses for the tinkers might prejudice the success of the experiment. I have no doubt, however, that the County Council would be prepared to provide standard Council houses for the tinkers if the Department thought that was what should be done.” (Ostensibly, by 2009, the Council was still awaiting further instruction from the Department)

The letters from the County Clerk (and adjutant) are an invaluable source of information, and show a line of direct communication that reflects the top-down approach being adopted. In yet another letter, this time to the Department of Health, dated 29th November 1961, he qualifies his position:
As the Department are aware, the County Council provided timber housing accommodation for four tinker families at Bobbin Mill, Pitlochry a number of years ago. This experiment has worked reasonably well. The Council also converted an old building which had been previously used as a casual ward into housing accommodation for a tinker family and this also worked out quite well. During the post-war years, the Council have maintained a close liaison with Mr. Wm. Webb who was until some time ago, the Church of Scotland’s representative for tinkers. Mr. Webb was succeeded by Mr. MacKay...both Mr. Webb and Mr. MacKay are of great assistance to the Council in dealing with this problem (The County Clerk, Department of Health 1961).

In this light, there is an emerging picture that by 1946, with WW2 out of the way, the decks had been cleared and authorisation duly received from the highest echelons of central government in the form of approval from the Secretary of State for Scotland: Defence Regulation 56A was invoked for work estimated to cost £823 “…being the amount of the lowest tender for the work of converting a hut at Pitlochry, into four houses of 2 apartments”), designed to house four families from the local Gypsy Traveller population at any one time (Department of Health, 1946).

It would become apparent with the passage of time, from the body of memoranda and communications chanced upon in the local archives, including those to and from the County Clerk, that this programme in racial eugenics was being spearheaded by central government and initiated wholly at its instigation. Eager to serve its masters, the Department of Health for Scotland immersed itself in overseeing matters in a manner perhaps more redolent of the Unit for the Investigation of Racial Hygiene, as witnessed in Nazi Germany. The subjects were to be separated out on grounds of race, with ruling ‘perceptions’ of race imposed through a selection process -- their inclusion hinged upon nomination by William Webb, Church of Scotland Chaplain for Tinkers in Scotland. The degree of vehemence toward the Gypsy Traveller fraternity is perhaps at variance with that expected of a practising Christian, and, moreover, a high-ranking elder of the clergy devoted to the self-image of the ‘white saviour’; evincing the unequivocal disapproval of a disingenuous character forced to befriend and work with a community so execrated by him in private, as the
following commentary from 19\textsuperscript{th} March, 1954 testifies: “After working among this class of people for the past seventeen years, I fully appreciate the general opinion, that the majority of the Nomad families have not many redeeming features” (Webb, 1954).

Webb then proceeds to underscore their “gross ignorance” and advocates Persie Manse near Blairgowrie, formerly a church manse but by then riddled with dry-rot, as a prime site suitable all the same for a closely supervised Tinker Housing Experiment – I would suggest it would be ideal for a Tinker Settlement, which I can see is the only solution to the Tinker problem,” and which, he continues, “would at least be part of the solution to this grievous problem in our midst, and would be an example to the other Counties as to how to tackle the Tinker Problem (Ibid.).

Meanwhile, the Development Department and the local authorities steadfastly continued to identify suitable tracts of land in order that Bobbin Mill, exalted as a model of best practice, should and could be replicated nationally with far-reaching consequences for those involved. This required the complicity of the local authorities, leading members of the aristocracy (for access to the land), the input of military top brass, recently demobilized after WW2, and ought to be viewed in conflation with the efforts of the local constabulary alongside those involved in the provision of education services, who were at pains to apply pressure on parents that might guarantee conformity. In many ways, it can be regarded as a redoubling of the war effort to tackle an enemy within. This nail in the coffin for Gypsy Travellers is captured in a memo from the Director of Education to the County Clerk, dated 9\textsuperscript{th} June, 1956:

\begin{quote}
About 8 months ago, the police agreed to co-operate with the Education Authority by visiting tinker’s encampments or stopping tinkers on the road and inquiring if they could produce a certificate that their children of school age had been in attendance at school throughout the period October to March (The Director of Education, 1956).
\end{quote}

As witnessed earlier in the case of the clergy, other key stakeholders and powerful social orders were converging and singing from the same hymn sheet, flexing their collective muscle to the detriment of the hapless Gypsy Travellers enmeshed in their trap. Finally, to complement matters, there was invited the collusion of any other interested parties who were of any standing in the public domain. All told, the whole spectacle of joined-up thinking was
a feast of the most insidious and duplicitous manner, completely without the consent of the unsuspecting Gypsy Travellers who had been purposely misled as part of a painstakingly meretricious and stealthy plan to dupe, safeguard but, importantly, not undermine their compliance in proceedings. The hunt was underway and the hounds were baying for blood – Gypsy Traveller blood in this instance.

From this juncture onward, the post-war years spawned an exponential growth in experiments that seemed to spring up the full length and breadth of Scotland, drawing upon the prototype of Bobbin Mill as a template for further and greater experimentation. Before long, three experiment sites had been founded in Wick, Caithness: one at Wick Aerodrome, one in Papigoe, and a third at Hillhead Quarry, Wick, to complement the industrial school which had preceded them somewhat, and which had formed part of a response to the recommendations set forth by Sir George Trevelyan in his Scottish Traveller Report, 1895.

In a debate recorded in Hansard in 1956, Lord Robertson of Caithness is heard comparing the hutted site at Hillhead Quarry, Wick to Shanty Town, Johannesburg, South Africa, leading him to issue an urgent appeal for positive action to address the situation.

Likewise, in Ross and Cromarty and Inverness-shire, a clutch of experiment sites were emergent -- in Inverness itself and its environs throughout the 1950s and 1960s: Muir of Ord, Kiltarlity, Mulbuie, Contin, Fearn, Evanton, Tore, Red Rocks; while, in other areas, experiments were thrown up at Bridge of Don, Aberdeenshire, in Fife and the Borders, and at various locations such as Gothens in Perthshire.

The journalist, Robin S. Crearie, provides an interesting exposition on the subject in ‘The Scotsman’ on 11th October, 1958, in which he avers:

> Tinkerdom can be termed a very real social disease, but its diagnosis and treatment are difficult. The generally accepted belief is that the tinkers are an immigrant race representing a stage of human development different from that current in the society into which they intruded...It will take one or two generations to eradicate what is a sore problem in Scotland (Crearie, October 11, 1958).

Again the personification of the Gypsy Traveller as a problem that requires solution is reified in the social construct of the classic negative stereotype. Once stripped of all citizenship in the eyes of the State, and essentially
criminalised and outlawed in this way, justification can be granted for intrusive and heavy-handed intervention to remove the affront to society.

Figure 5. Letter from William Webb, Church of Scotland Chaplain for Tinkers. Credit: From the Local Archives A.K. Bell Library (Perth, Scotland) and matter of public record.
This is further reflected in the disquiet at the core of central government. In a circular issued to local authorities by the Department of Health on 27th November, 1961, it underscores:

As local authorities in the north will recall, the Secretary of State has been interested in this problem for some time and arranged, in July, 1958, for a meeting of local authority representatives in Inverness to discuss the problem. It would be helpful to him to have some indication of the present extent of the problem in your area and what steps are being taken to deal with it (The Department of Health for Scotland, 1961).

A journalist by profession, Crearie shows an interest in the findings of the symposium of local authorities convened by the Secretary of State in Inverness, in 1958, and recalls for the benefit of the reader some of the suggestions arising from the discourse.

One such suggestion was that of hut encampments “with warden control” which he describes as “…reminiscent of the correction houses advocated by Edinburgh Town Council as far back as 1632.” (Crearie, 1958). By dint of origin, Gypsy Travellers were equated, in the sweep of the conversation, to hardened penal offenders, to be spatially regulated, controlled and segregated by third parties.

Next, his attention turns to a scheme prepared at Muir of Ord in Ross and Cromarty:

One example of how the problem is being sensibly approached is in Ross and Cromarty. There the County Council erected three huts, two in the same area (at Muir of Ord), and settled six tinker families, two to each hut… This is an experiment, and should they prove they are reasonable tenants, they will be up-graded to a better standard of house – and so on till they have taken their place in some community (Ibid.).

To the modern day reader, it will, indubitably, be risible that one capable of such rhetoric and unfortunate phraseology, in common with his peers, should present himself as compassionate and humanitarian.

There is a constancy in the attitude to the Gypsy Traveller community which is unremitting and still clearly evidenced to this day: one which presupposes the notion that the authorities are justifiably taking the right and very necessary steps to deal with a social scourge, not a distinct ethnic
minority deprived of all citizenship. Ironically, it is the very lack of humanity that resonates with the reader, a mere illustration of the dispassionate approach adopted towards the community, so utterly bereft of that same compassion and feeling upon which it had prided itself.

Turning to consider the latest outburst by Matthew Parris, also a journalist, for The Times, presents further undeniable evidence of a continual thought process that remains weighted against Gypsy Travellers, irrespective of how they attempt to promote a more positive profile.

In his article, published on 15th May 2021, Parris reiterates the same emboldened assertions thus: “There is simply no place for the true nomad in modern Britain… We should stop forcing local authorities to create Traveller sites, phase out the ‘ethnic minority rights’ of people who are not a race but a doomed mind-set” (Parris, 2021). Calling for social housing to be provided for Traveller families, he adds that if any refuse, there should be “…a gradual squeeze on anyone who tries without permission to park their home on public property or the property of others” (Ibid.)

And so, history seems fated to repeat previous mistakes amid the perpetuation of a one track route whose trammels lead inexorably to the next series of ‘Tinker Housing Experiments’.

**Human Rights Violations**

The authorities responsible for the ‘Tinker Housing Experiments’ in Scotland can be adjudged to have shown little, if any, cognizance of binding international legal instruments, amid claims that the UN Declaration of Human Rights (1948) had not been in force at that time and that the observance of human rights was not therefore applicable. Whilst, incipiently, there may be a ring of truth to that argument, it should not be used to mitigate their actions after 1948, when plans for many of the experiment sites were actively developed and came to fruition. Token responses for the inertia vis-à-vis the enforcement of human rights arguably betray a considerable degree of bureaucratic hubris and lead one to ponder if they consider themselves to be, somehow, above the law.

What cannot be disputed, however, is the fact that, through their placement in the experiments, the residents saw any inalienable economic, social, cultural, civil and political rights all but obliterated in a nanosecond, signed
off in central government spheres with the stroke of a pen. Understandably, then, the incalculable effect of such an abuse of their collective human rights has, in turn, engendered a palpable sense of cultural trauma and sent shockwaves that are still keenly felt throughout the Scottish Gypsy Traveller community.

A suitable definition of cultural trauma can be found in the seminal online resource written by Davie Donaldson, in which he describes it in the context of social services as largely responsible for Gypsy Travellers’ “enhanced mistrust of social work”, albeit the same can be said of other agencies of the State, e.g. the police:

Trauma is traditionally understood as having ‘a deeply disturbing experience’. However, professionals are now starting to recognise that trauma can also be experienced indirectly and that it is not necessarily the traumatic event itself that causes the trauma, but the remembrance of it. Therefore, when we have ‘collective memory’ of a traumatic event, trauma can potentially impact on whole communities through remembrance – this is called ‘Cultural Trauma’ (Donaldson, 2021).

A combination of direct and indirect trauma stemming from the entirety of their experience reverberates across the Gypsy Traveller spectrum; the deprivation of fundamental human rights that created a ripple effect, and the want of those same basic freedoms, has left them battling scars that refuse to heal.

From the outset, awakening to the realisation that they had been involved, like Pavlov’s dogs, in experimentation without consent, in an attempt to eliminate their culture, has triggered numerous emotional and psychological side-effects symptomatic of cultural trauma; leaving as part of its legacy, the complete erosion of any previous trust between Gypsy Travellers and other racial groups in wider society. Turning to look more closely at the manifold infringements of human rights occasioned by the experiments, it quickly becomes apparent that the effect on the lives of the Gypsy Travellers involved has been both devastating and immeasurable.

Primordially, there was the contravention of Article 7 of the International Covenant on Civil and Political Rights (UN General Assembly, 1966), whose provisions were aimed at deterring the sort of experimentation conducted by the Nazis during WW2. It “explicitly includes a prohibition on medical and scientific experimentation without consent”. Logically, it can be inferred from
this that the racial science behind the ‘Tinker Housing Experiments’ marks a flagrant departure from any such provisions, not to mention a particularly grave infringement of the provisions contained in the European Convention on Human Rights (European Council, 1950), Article 8 – the Right to Respect for Private and Family Life.

The testimonies of survivors affirm in no uncertain terms, that the very measures intended to “normalise” them, in fact, produced the reverse effect. Among the comments recorded from them, it is worth singling out a few for consideration. One woman was driven to remark:

As a university graduate and qualified teacher who was labelled a “Traveller and politically active” on her health records, I have graduated from studying for Degree exams by candlelight and Tilley lamp to being unable to command professional employment in almost thirty years – it appears that I may be on a blacklist. I am too old now to have children and, in common with my siblings, have been unable to marry and found a family, so it really spells the end of the line for us.

Having been exposed to asbestos in the old hut, I suffer from several auto-immune diseases. I am not in receipt of benefits that ought to be forthcoming, and have not got any pension plan to fall back on.

All of my human rights have been infringed: I have experienced difficulties with healthcare, policing, employment, legal representation and civil participation. There is no safety net, just as there has been no means of redress. Lawyers won’t touch you – you are treated like a pariah. It’s an appalling situation for anyone to find themselves in, and no-one wants to admit responsibility for ruining people’s lives.”

The author of this paper, a male survivor, filmed as part of the documentary ‘The Forgotten Experiment’ on YouTube, observed the following:

I would equate my treatment to that afforded to the character portrayed by Dan Ackroyd in the film ‘Trading Places’, whose life was turned upside down for a $1 bet; in my case, however, all life chances were traded off for a peppercorn rent of £1 per annum -- the rental cost paid by the local authority to lease the land from a local landowner for the siting of this experiment. And to cap it all, I’ve survived ten of the
eleven coldest nights on record, many below minus 20C, in horrific living conditions.

A third survivor, who wishes to remain anonymous, added:

In a flash, the mirage of the dream job, dream salary, dream home, dream car, dream wedding and dream honeymoon, or even holiday, proved to be a momentary and ephemeral sun-kissed prism that dissipated before my eyes – all part of the cancel culture that has ruined my life entirely.

And, a fourth, acting under an alias for fear of reprisals, explained how, owing to the substandard living conditions, she had been taken into care at birth with her twin brother:

It had a lasting and very profound impact on my life. Both, myself, and my twin were never accepted back into the family fold afterwards; it drove a wedge between us and our family. My brother died in his forties, an alcoholic, when he should have been here, celebrating his sixty-fifth birthday this year with me. He just couldn’t cope with it all, you see.

It is useful, at this juncture, to apply ‘The Ten Stages of Genocide’ as classified by Dr. Gregory H. Stanton. These are particularly helpful in aspect and characterise precisely the treatment experienced by the victims of the ‘Tinker Housing Experiments’. Stanton moves from classification, where the differences between people are “not respected” (Stage 1), to symbolisation (Stage 2), discrimination (Stage 3), this usually linked to denial of civil rights and citizenship, something not recognised in the case of Scottish Gypsy Travellers until 2008 (MacLennan v GTEIP, 2008) and which remains constantly under threat of withdrawal; to dehumanisation (Stage 4), where terms such as “parasite” and “vermin” find favour. Stage 5 graduates on to organisation, since genocides are always planned, then on to polarisation, where negative propaganda is invoked to foment hatred and social distancing; while Stage 7 turns to preparation and the common use of ‘euphemisms’ such as “The Final Solution” in order to “cloak their intentions”, often disguised as self-defence; then, next to persecution (Stage 8), where victims are identified on account of ethnicity or religion and segregated into ghettos. Stage 9 details
the actual extermination of the group, while Stage 10 sees the perpetrators issue denials and destroy evidence of any crime (Stanton, n/d).

There are striking correlations here between the victims of genocide and the ‘Tinker Housing Experiments’: the classification, discrimination, polarisation, the persecution and ghettoization, right down to the denials countenanced from those parties ultimately responsible -- with only actual extermination (Stage 9) having been omitted -- albeit that no-one has ever been held accountable here.

Insofar as the international legal instruments are concerned, these, when applied, reveal multiplex breaches of human rights legislation, signed and ratified by the UK State Party. Amongst the most damaging breaches, there are a select few that stand out; links in a chain reaction whereby one violation as a causal factor, in turn, led to another, and another, causing breaches to intersect with alarming regularity.

To cite a few of the most glaring examples: being coerced into staying put in the huts produced gross interference with the Right to Freedom of Movement, The International Covenant on Civil and Political Rights (ICCPR), Article 12 (UN General Assembly, 1966) and, simultaneously, the Right to Respect for Private and Family Life, Article 8, European Convention on Human Rights (ECHR) (Council of Europe, 1950), when viewed in conflation with the Prohibition of Discrimination, Article 14 (also ECHR); this, in turn, precluded the Gypsy Traveller families from leading traditional, nomadic lifestyles and paved the way for the deliberately impoverished living conditions that ensued; these, by extension, contravened the terms of the provisions enshrined in Article 7, International Covenant on Civil and Political Rights, the Prohibition of Cruel, Inhuman or Degrading Treatment which banned experimentation without consent, and, moreover, those contained in Article 11, International Covenant on Economic, Social and Cultural Rights - supposed to ensure the Right to an Adequate Standard of Living, including adequate food, clothing, housing and the continuous improvement of living conditions; the absence of which, again, perpetuated the stigma and alienation in society and impacted significantly upon the residents’ ability to enjoy the Right to Participation in Cultural Life, Article 15, ICESCR, and to procure employment, including that which was “just and favourable”, thus violating Articles 6 and 7, ICESCR; the experiments also brought further repercussions through the use of materials such as asbestos-
wood, deleterious in terms of the Right to Health, Article 14, ICCPR; similarly, the Right to Self-Determination, Part 1, Article 1, both ICCPR and ICESCR, was contravened -- whereupon it “recognises the negative right of a people not to be deprived of its means of subsistence”, particularly relevant in view of the symbolic import of the label “Tinker”, used to incite loathing and cultural denial; the Right of Ethnic, Religious and Linguistic Minorities, Article 27, ICCPR, to “enjoy their own culture, profess their religion and use their own language” was also impeded, as was the Right to an Effective Remedy for the violation of those rights, Articles 2-5, ICCPR. Indeed, it can be deemed a burgeoning list of ever-growing violations for the serious explorer’s handbook. But, ultimately these lead to Part 2, Articles 2-5, ICESCR: “it imposes minimum core obligations on state parties to ensure progressively the full realization of rights including targeted programmes aimed at the vulnerable.” The question is: are these rights universal or merely words on paper, because their interpretation has been highly selective and, that apart, they were never at any time interpreted through the lens of the agents underlying the ‘Tinker Housing Experiments’. That much is certain.

Figure 6. Hut at Bobbin Mill. Photo Credit: Shamus McPhee
The Absence of an Apology

Gypsy Travellers have approached the Scottish Government in respect of an apology on at least two separate occasions. Firstly, a deputation met with Angela Constance, MSP, on 22.02.18, and, again, with Christina McKelvie, on 29.11.18. Following a silence that spanned six months, they eventually received an arguably entrenched, jackboot response driven by intransigence, to the effect that “initial legal advice suggested that the Scottish Government could not apologise directly for actions taken by others, during a time which precedes devolution.”

Concomitantly, apologies were being dispensed seemingly right, left and centre, and quite rightly so, to other groups affected by actions that preceded the foundation of the devolved Scottish Parliament and on behalf of public bodies, inter alia: to gay men for wrongful conviction in the 1950s and 1960s; to women who had received defective breast mesh implants; to those who had received contaminated blood in the 1980s, etc. When Gypsy Travellers challenged the fact that this did not represent any semblance of parity, subsequent to this response and much to their chagrin, Health Minister, Jeanne Freeman, issued a statement of apology on behalf of NHS Highland, a public body, to address allegations of bullying and intimidation against NHS staff.

Instead, a statement of regret was touted as sufficient redress, along the lines of the following suggestion:

We have heard the distressing testimonies of Gypsy/Travellers whose lives have been blighted by historical mistreatment by public and charitable organisations on Scottish soil. The Scottish Government wishes to express their deep regret about these misguided actions and the devastating impact these have had on families and individuals, many of whom are still suffering the consequences.

While this was regarded as a masked admission of sorts, it was viewed as lacking transparency; an attempt on the part of the Scottish Government to exculpate itself as the puppet-master pulling the strings, and so, was dismissed accordingly as insufficient and unacceptable by the victims.

Furthermore, it seems highly anomalous that the Scottish Government should have chosen to disown both its own actions and, equally, the guidance presented by its own legal advisors within the Scottish Human Rights
Commission (SHRC) whose counsel already featured in the Public Services Ombudsman, advice letter 2, “Our guidance on apology” (SPSO, 2010):

..the Commission notes that an apology can be one mechanism for delivering “satisfaction” – an element of reparation and thus a component of the right to an effective remedy for grave violations of human rights. Appropriate remedies for human rights abuses should be guided by two general principles – proportionality to the violation of an individual’s human rights and participation of the individual in determining the appropriate reparation for him/her. Genuine apologies are also often a component of good complaints handling and responding to “a problem that has not been solved”.

Moreover, the response of the Scottish Government appears all the more singular in the context of a human rights mapping exercise, following publication of the findings produced by the scoping exercise Getting It Right, also conducted by the SHRC.

In the initial abstract to their paper, ‘Identifying Routes to Remedy for Violations of Economic, Social and Cultural Rights’, Boyle and Hughes (2018) conclude:

The mapping of rights conducted by the Scottish Human Rights Commission before the publication of the Getting It Right report revealed a legal deficit in the provision of ESC rights in Scotland. The evidence identified that the protection mechanisms for socio-economic rights in Scotland are either insufficient or non-existent.

In the Introduction to the paper, they warned further of the existence of “a seismic gap in legal protections for economic, social and cultural rights in Scotland.” (Ibid., p. 43).

Greater clarity on the denial of an apology can be evidenced in another, subsequent submission provided by the SHRC, presented this time to the Justice Committee in preparation for the Apologies (Scotland) Bill, May 2015, in which the Commission observed:

An official apology is also often an element of satisfaction. Under human rights law, satisfaction relates to declaratory forms of reparation, whereby a public record of the truth or acknowledgement of suffering is made (e.g. an effective apology). While an official or institutional
apology is a positive outcome it is not usually a sufficient remedy. Ordinarily, an apology should be accompanied by acceptance of responsibility by the state, whether for its own action of failures to prevent/offer redress for acts of others.

The Commission then proceeds to outline crucial elements that enable a fresh perspective of the Scottish Government’s posture in its refusal to grant an apology, when viewed in apposition (Scottish Human Rights Commission, 2015). Among those crucial elements listed are:

An acknowledgement of the wrong done. This is the naming of the offence. Whether or not it was intentional. An apology must correctly describe the offending action or behaviour. The description must be specific in order to demonstrate an understanding of the offence. It must also acknowledge the impact on the aggrieved.

This would imply an admission of liability, which would explain the continual denials of complicity, something further reinforced by closer inspection of the terms for ‘Actual and real reparations (or redress)’:

International human rights law places a number of specific obligations on States to safeguard the rights of victims of crime, including investigation, prosecution and remedy. International human rights standards on the right to an effective remedy clarify that that right extends to access to justice, investigations and reparations. Reparations should include opportunities for restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Ultimately, the gaze of the Commission settles on the matter of ‘Adequate compensation’, adding:

Compensation is one of the principal forms of reparation and often an essential part of a victim’s remedy. The Commission therefore agrees that Courts should be required to consider the issue in all cases where an identifiable victim has suffered injury, loss or distress. Compensation should be available for human rights violations, not only criminal conduct, particularly where restitution is not possible.” (Ibid.)
And, under ‘Key findings’, it ventures that “An apology is essentially a symbolic measure… Without such substantive measures, apologies run the risk of seeming hollow or insincere and not being accepted as genuine.”

Were this information all now enshrined in the Apology (Scotland) Act, 2016, it would go a long way towards possibly explaining the decision at government level to withhold an apology for the ‘Tinker Housing Experiments’. For, still Gypsy Travellers remain devoid of an apology, remedy or any restitution for all they have suffered. Instead, the Scottish Government exhorts the need to move on and focus on future improvements. That can only be achieved and genuinely felt from future plans and actions when the past has been laid to rest and put in good order. Yet, still the opprobrium of the past remains, unaddressed: the Gypsy Traveller victims are left to negotiate the legacy of indelible effects that emanate directly from central government; and which are not going anywhere, anytime soon.

**Summary Conclusions and Recommendations**

In a bid to expunge all vestiges of Scottish Gypsy Traveller culture, the ‘Tinker Housing Experiments’ saw innocent Gypsy Travellers shepherded into frequently squalid and deliberately discriminatory living conditions exemplified by the ex-military barracks commonly used to hold POWs. Once re-settled, they were abandoned to their fates, putting paid to the lie that the measures implemented were undertaken to ensure any sense of “care in the community”. In actuality, the gross dereliction of care that followed, signalled that control and containment were very much the primary motives. This formed part of an arcane raft of experiments in keeping with a policy of eugenics which was by no means adventitious, but which was contingent upon years of methodical planning, as is shown by the evidence -- proof, if ever any were needed, of precisely how damaging and vicious structural racism can be when driven to its logical extremes. The full and catastrophic consequences of these experiments are still being felt by those within the Gypsy Traveller community in Scotland. Countless lives have been destroyed by the legacy of effects: ranging from the multi-generational unemployment; lack of opportunity to marry and found a family; devastating health prospects; ostracism; inability and consequently, a reluctance to participate in civil or cultural life; inability to buy or own property; a lack of savings and failed pension prospects in older age; ghettoization, stigmatization, and reprisals at
all levels of social life. All told, the ruinous effects of the experiments have heightened the sense of dislocation and social breakdown, rendering it irreparable, one dimension of the insurmountable legacy of issues survivors have been left to grapple with. Victims of the experiments have banded together and formed a pressure group of campaigners to lobby and push the case for a full and effective apology from the Scottish Government. They have called for a number of recommendations to be observed and implemented. These include: a public naming of the offence committed; a proper statement of regret, an acknowledgement of the terrible impact on the lives of those affected, an attempt at substantial redress, including adequate compensation, involving the victims in the decision-making process in determining the gravity and extent of the human rights violations and, in ensuring that wherever possible, suitable and meaningful attempts at restitution are timeously undertaken, together with an assurance that such violations should never again be perpetrated. The fact that the authorities saw fit to dominate and eliminate Gypsy Traveller culture in Scotland cannot but be viewed as “contrary to the moral and ethical principles of humanity” (UNESCO, Article 2, 1978), in accordance with the UNESCO definition of racism. Unquestionably, it is the perception of the survivors of the ‘Tinker Housing Experiments’ that a crime against humanity has been allowed to slip by, under the radar, unnoticed and unexposed until now. Appeals for an apology and a public inquiry have gone unheeded, just as the guidance on apologies served up by equality watchdogs such as the SHRC has fallen on deaf ears. Hence, the victims find themselves without remedy. The offer of an anodyne statement of regret has been rejected by the victims, viewed as “hollow and insincere” (SHRC, 2015), reflective of the consensus that this is simply trampling on their Mana. Perhaps the higher powers in The Hague might care to show an interest?

Notes

i McPhee, Roseanna, experiment survivor, Bobbin Mill, 2021
ii HH, experiment survivor, anonymised, 2021
iii Theresa, experiment survivor, anonymised, Bobbin Mill; Sky News, http://news.sky.com/story/gypsy-travellers-call-for-scottish-government; https://youtu_be/lYwwneQo3U E-mail from Third, Hilary, Civil Servant, Ministerial Working Group on Gypsy/Travellers, to McPhee, Shamus, 29.04.2019, 1:13pm
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