



## Race discrimination by service providers

Service providers are:

- Pubs, restaurants, shops, banks, and utility (gas, water or electricity) companies
- Someone you rent or buy a property from, such as, housing associations or site providers
- Doctors, hospitals and care homes
- Schools and education providers
- Transport providers including buses, trains and taxis
- Police, social services and local councils.

Services providers must treat all their customers equally. If you suffer unlawful discrimination, you have the right to complain.

### EXAMPLES OF UNLAWFUL DISCRIMINATION

- A Gypsy woman is closely followed by the security guard while she walks around a shop. The security guard does not follow anyone else in the same way.
- A Traveller family are booking a restaurant for dinner. The manager refuses the booking because, he says, *'we've had a lot of problems with Travellers recently'*.

### EQUALITY ACT 2010

The Equality Act protects you from discrimination by your service providers. The Act says that no one can be treated worse than another person whose circumstances are similar because of their:

- Race or ethnicity (including Gypsies, Roma and Travellers)
- Age
- Disability
- Gender reassignment

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- Marriage or civil partnership (only applies in employment situations)
- Pregnancy and maternity
- Religion or belief
- Sex
- Sexual orientation.

Any individual from a group protected under the Equality Act can take action in the courts against any person, business, or public body which has treated them unfairly.

This fact sheet focuses on the grounds of **race discrimination**.

## **THERE ARE FOUR MAIN TYPES OF RACE DISCRIMINATION:**

### **1. *Direct discrimination***

Direct discrimination happens when someone treats you differently which means you are treated worse than another person whose circumstances are similar to yours, just because you are a Gypsy, Traveller or a Roma person.

## **EXAMPLES:**

- A shop assistant will only let a group of Travellers into the shop one person at a time.
- A finance company refuses credit to a woman because she is a Gypsy and lives on a site.
- A wedding venue charges a Gypsy couple more than it charges other couples.
- A youth club has different opening times for Roma and non-Roma children.

### **2. *Indirect discrimination***

This happens when a service provider has a way of working or a rule which applies to everyone but which puts Gypsies, Travellers or Roma people at a disadvantage.

## **EXAMPLE:**

- A holiday park only accepts guests who are on the electoral register. This rule applies to all customers but as Gypsies, Travellers and Roma people are less likely to be on the electoral register, they'll find it more difficult to book a holiday.

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Indirect discrimination is unlawful unless the service provider has a good reason for the rule or way of working. This is known as **objective justification**. They would need to be able to prove this in court, if necessary. If the business owner or public body has a good reason for the rule or way of working, the treatment is not unlawful under the Equality Act.

Service providers can tell customers what standards of behaviour they want from their customers. For example, a 'smart' restaurant can require customers to dress smartly or a pub could have a rule that they don't serve people who are drunk.

Service providers cannot set rules of behaviour for customers or clients which have a worse impact on Gypsies, Roma or Travellers than on people who are not Gypsies, Roma or Travellers, unless they can **objectively justify** these rules.

### 3. **Harassment**

Harassment happens when someone makes you feel humiliated, offended or degraded. This could be through spoken or written words or physical gestures.

#### **EXAMPLE:**

- A Gypsy woman waiting to see her doctor overhears the surgery's receptionists making racist jokes about her. She feels humiliated and upset.

### 4. **Victimisation**

Victimisation happens when a service provider treats you badly because you complained about discrimination. It can also happen when you support someone who has made a complaint of discrimination.

#### **EXAMPLE:**

- A man is turned away from a pub because he is a Traveller. His friend, who is not a Traveller, complains that this is discrimination and as a result he is turned away too.

## WHAT CAN I DO IF I THINK I'VE BEEN DISCRIMINATED AGAINST?

You can complain to the person or business which has treated you unfairly. You could:

- Ask the owner for an apology
- Ask the owner to change their way of working so that other people don't have to go through what you did
- Make a complaint of unlawful discrimination in the county court under the Equality Act.

Traveller Movement made a complaint when we were turned away from [Wetherspoons](#) a few years ago – simply on the basis of Coronet manager's stereotypical and racist assumption that *'Irish Travellers and English Gypsies cause disorder wherever they go'*.

*"Going to court can be a long and stressful process. It can also be expensive. It's important to be aware that if you lose the case, you may have to pay the legal costs of the person or business you are suing."*

## STEPS TO TAKE IF YOU THINK YOU HAVE EXPERIENCED UNLAWFUL RACE DISCRIMINATION IN THE PROVISION OF SERVICES

Ask for the NAMES of the people involved: for example, the barman who refused you service and the name of his manager; the finance company which refused you credit; the name of the receptionists and the doctor's surgery where you were harassed, etc.

**RECORD** what happened: as soon as you can, write down or record on your mobile phone:

- When it happened
- What happened
- Who did it
- Where it happened
- The name and, if possible, the contact details of anyone who witnessed the incident.

### **REMEMBER THE 6 MONTH TIME LIMIT; ACT QUICKLY!**

Seek advice and take action promptly. You must bring your complaint to court within **6 months** less one day of the date of the act of discrimination. **Don't leave it to the last minute!**

You can make a complaint to the service provider yourself, or you can get advice from a solicitor, a community group, or the [Citizens' Advice](#). Traveller Movement can assist you to make a complaint and help you find further support. See the contact details below.