

30  
years



COMMISSION FOR  
RACIAL EQUALITY

# Common Ground

Equality, good race relations  
and sites for Gypsies and  
Irish Travellers

Report of a CRE inquiry in England and Wales

## SUMMARY

## Introduction

Relations between Gypsies and Irish Travellers and other members of the public are a particular cause for concern, with people from these groups often leading separate, parallel lives. 'No Travellers' signs are widespread, media coverage tends to be hostile, proposals for authorised sites attract strong local opposition and the appearance of unauthorised encampments and developments causes considerable local tension.



Gypsies and Irish Travellers have the poorest life chances of any ethnic group today: life expectancy for men and women is ten years lower than the national average; Gypsy and Irish Traveller mothers are 20 times more likely than mothers in the rest of the population to have experienced the death of a child; and, in 2003, less than a quarter of Gypsy children achieved five GCSEs at A\*-C grades, compared to a national average of just over half.

Part of the reason for this is the significant shortage of authorised transit and permanent sites, with the government estimating that between 2,500 and 4,000 more pitches will be needed by 2007. Data collected by the Office of the Deputy Prime Minister (ODPM) show that in January 2004 there were 5,901 caravans on authorised public sites in England, and 4,890 on permitted private sites. However, 1,594 more were on land not owned by Gypsies and Travellers, without authorisation, and 1,977 on land owned by them, but developed without planning permission. Around half of the authorised sites were located in areas poorly suited to residential use, often close to motorways or major roads, rubbish tips, industrial activity or sewage works.

In October 2004, the Commission for Racial Equality (CRE) launched an inquiry to examine local authorities' arrangements for planning, providing and managing sites, in the context of their statutory duty to promote race equality and good race relations. In assessing the evidence the CRE looked in particular at how these arrangements affected race relations in local communities, and life chances for Gypsies and Irish Travellers. The inquiry also considered the question of conventional housing for Gypsies and Irish Travellers, and the role of the police in policing sites and managing unauthorised encampments. The issue of employment, and how site arrangements affect job opportunities, was

beyond the scope of the research, though this important area deserves attention in future.

This is a summary of the report of the inquiry, which has produced the first authoritative evidence of how far local authorities are meeting their statutory duty to promote race equality and good race relations in their work on Gypsy sites.

## Approaches to the research

The inquiry was based on three approaches to gathering evidence from individuals and organisations.

- A detailed three-part questionnaire was sent to all 410 local authorities in England and Wales, resulting in 236 responses (58%).
- A detailed on-site analysis was carried out in nine local authority areas, both urban and rural, with variously sized Gypsy and Irish Traveller populations. Relevant official documents were examined, followed by interviews with chief executives, councillors, officers working in planning, equality, press, legal, housing and homelessness, Traveller education, enforcement and site management. Local police officers, health staff and representatives of the voluntary sector were also interviewed and, in two-tier authorities, county council officers as well.
- A public call for evidence, supplemented by direct requests to Traveller Education Services and police forces, and visits to selected sites, resulted in 403 responses, from health and education providers, local support groups, Gypsies and Irish Travellers, other members of the public and various other interested parties.

## Legal and policy framework

Since April 2001, public authorities, including local authorities, police forces and parish and community councils (in Wales), have had a legal duty actively to promote race equality and good race relations. The basic aim of the duty, introduced in response to the Stephen Lawrence Inquiry, is to ensure that public authorities consider the implications of their work in all areas for different racial groups, and for relations between them, and take steps to improve outcomes.

Gypsies and Irish Travellers have been recognised by the courts to be two distinct ethnic groups, so have the full protection of the Race Relations Act. The courts have made clear that travelling is not a defining



characteristic of these groups, but only one among others. This is significant, because the majority of Britain's estimated 300,000 Gypsies and Travellers are thought to live in conventional housing, some by choice, some because of the severe shortage of Gypsy sites.



### Traditional fair.

The estimated 90,000–120,000 living in caravans travel to varying degrees; a small number are highly mobile, some travel only during the summer months and some travel little or not at all, but still want to live in a caravan, surrounded by their extended family. The shortage of authorised residential and transit sites means that many, including those who would prefer long-term residential accommodation, camp unlawfully, leading to regular ‘enforced’ nomadism through constant evictions. For those who do not travel, travelling is more a ‘state of mind’ than a day-to-day reality. The courts have ruled that nomadism and living in a caravan is a reflection of Gypsies’ and Irish Travellers’ cultural heritage, and not simply a lifestyle choice that can be ignored.

Recent changes in legislation and national policy on Gypsy sites give local authorities a new opportunity and obligation to deal with the shortage of sites through the systems they use to provide housing for the rest of the public. The duty to promote race equality and good race relations provides a positive framework within which to take this work forward, ensuring equality for all racial groups, and building well integrated communities. Integration is not about people giving up their cultural traditions and heritage, but about the community as a whole being enriched by diversity, and people from different backgrounds participating in community life together, and sharing equal rights and responsibilities.

## The findings

### Good practice

We were pleased to find examples of good practice in each area of our research, as it was clear evidence that it is possible to overcome all the difficulties we found elsewhere. We found:

- local and parish/community councillors who give strong leadership on the importance of decent accommodation for all, including Gypsies and Irish Travellers, and encourage greater understanding of people's different circumstances;
- local authorities that maintain well-resourced and well-managed public sites, and make it easier for Gypsies and Irish Travellers to take part in the life of the community;
- local authorities that actively promote good race relations, and deal successfully with any problems that could lead to tensions between different sections of the community;



### Well managed rural site.

- local authorities that have made responsibility for Gypsies and Irish Travellers a routine part of their mainstream work, at both strategic and operational levels, and linked work on sites to their wider policies and plans for housing;
- local authorities that actively encourage Gypsies and Irish Travellers to get involved in local decision making and play a larger role in the life of the community, with positive results for community relations; and

- police forces that treat Gypsies and Irish Travellers as members of the local community and take steps to win their trust and confidence, leading in turn to a greater readiness among Gypsies and Irish Travellers to report crime and anti-social behaviour, and to give evidence that the police can use to take action.

### **An approach that improves race relations**

Tensions over several unauthorised encampments made it clear to the council that they needed a proper site. The leader of the council won cross-party agreement for this and officers found possible locations. The council approached the local parish council for support at an early stage. It then consulted local residents, including Gypsies and Irish Travellers, about the proposals, through small meetings chaired by a local faith leader. Residents were able to use drop-in centres to discuss any particular concerns with councillors. The council is now making plans for managing the site. It has recently published leaflets giving people factual information about Gypsies and Irish Travellers, to remove any misconceptions.

### **Race equality and good race relations**

- Gypsies and Irish Travellers live in or pass through 91 per cent of local authority areas in England and Wales, and 13 per cent of authorities say they are the largest ethnic minority groups in their area.
- Councillors and local authority staff in both urban and rural authorities appear not to understand that Gypsies and Irish Travellers are ethnic groups, and that they have particular cultural needs. This lack of understanding is particularly pronounced among parish and community councillors, many of whom also do not understand race equality and what the statutory duty calls for.

This council doesn't need twaddle like celebrating diversity. *Councillor*

- Local authorities with large ethnic minority populations have done more work on race equality than others. But Gypsies and Irish Travellers are not generally included in this work, because the focus tends to be on non-white ethnic minorities.
- Gypsies and Irish Travellers living in caravans tend to live in more rural areas, where the ethnic minority population is smaller, where there is less awareness of race equality, and where less work is being done to ensure that all ethnic groups benefit from public services.

## Community tensions and Gypsy sites

- Over two-thirds (67%) of local authorities say they have had to deal with tensions between Gypsies and Irish Travellers and other members of the public. They give three explanations for this:
  - 94 per cent of these authorities say unauthorised encampments are one of the chief problems;
  - 46 per cent point to planning applications and enforcement; and
  - 51 per cent speak of general public hostility.
- Community tensions mainly take the form of complaints by local residents to the council (61%), and hostile media coverage (43%).
- The most significant overall consequence of these tensions is public resistance to providing any more public or private sites.

### **Failure to deal with community tension and promote good race relations**

- Many authorities have not considered the possibility that tensions over unauthorised encampments and developments may be connected to their failure to provide and manage sites, blaming Gypsies and Irish Travellers instead for anti-social behaviour.
- Nearly half of local authorities (49%) with public sites say they have not done anything to promote good relations between Gypsies and Irish Travellers and others in the community.
- Nine out of ten local authorities reporting community tensions say unauthorised encampments are a cause, but only one in 10 authorities had identified unauthorised encampments as being relevant to race equality and race relations in their statutory race equality schemes.
- Even where there is evidence of work to promote good race relations, most of the examples are of one-off cultural events that have no direct bearing on the underlying causes of the tension.
- A small minority of Gypsies and Irish Travellers do behave anti-socially, for example by dumping commercial waste. These incidents tend to be the focus of media attention, reinforcing negative stereotypes and making it difficult for others from these groups to engage positively with the rest of the community.
- Many local authorities risk fuelling local tensions through their policies, actions and communication with the public, as illustrated by the following example.



### **An approach that damages race relations**

An unauthorised development had led to serious disquiet among local residents. Media coverage was hostile and the council had received numerous complaints from the public and reports of racist attacks on the site. The council provided very few public pitches, had a restrictive planning policy on private applications and a strong line on enforcement on unauthorised encampments and developments. It had not made any connection between its enforcement and site policies, and had not conducted a cost-benefit analysis of providing more sites against using enforcement. Councillors had made statements to the press, highlighting the need for law enforcement against the development, and the high cost to the public of taking such action. Local tensions were reported to have risen following this.

### **Local leadership and organisational arrangements**

#### **Lack of leadership**

- Many local authority and parish and community councillors give little or no leadership on the question of Gypsy sites. Not only do they not take action, but they actively resist providing sites, or services for sites, assuring their constituents that Gypsies' and Irish Travellers' needs will not be met.

If they want a place to stay, they should buy a house. If they say they can't afford it then they are no different from anyone else – it applies to everyone. *Parish councillor*

- Some parish and community councillors have set up, or played an active part in, local groups lobbying against sites.
- Most local and parish and community councillors make no effort to engage with or represent Gypsies and Irish Travellers, as they would other local residents, even when Gypsies and Irish Travellers have lived in or travelled through the area for many years. In some cases this is because many of them are not registered to vote, or do not exercise their voting rights.
- Local councillors with responsibility for equality usually leave Gypsies and Irish Travellers out of their brief, while those with responsibility for providing sites or enforcement usually fail to make the connection with the authority's policies on equality.
- Many councillors are reluctant to provide sites, or services for sites, without an explicit duty on local government to do so. They prefer informal and low-profile approaches, to avoid local criticism; for example



by ‘tolerating’ unauthorised encampments as an alternative to providing sites. Long-term ‘toleration’ of unauthorised encampments gives Gypsies and Irish Travellers somewhere to live, but without the security and services they would have on a permanent site, and without being able to contribute to the community, for example by paying council tax (which is only due after an unauthorised encampment has existed for 12 months). This only perpetuates tensions.

### **Weak organisational arrangements**

- Gypsy sites and services for sites cut across many departments, and across various tiers of authorities in each region, making the allocation of responsibility, and effective coordination of work, particularly important. However, many local authorities fail to coordinate the work of different departments, either at a strategic or operational level, or to plan which department should have overall responsibility for sites.

They put ‘responsibility for Gypsy sites’ in pest control ... it says a lot about how they see us. *Gypsy*

- Many local authorities fail to allocate responsibility for Gypsy sites and services for sites at a sufficiently senior level, or to make sure front line officers engage directly with Gypsies and Irish Travellers. The result is either the absence of a strategic approach to this area of work, resulting in unplanned and uncoordinated services, or the development of strategies without any front line contact with potential service users, so that the services provided do not meet actual needs.
- Where senior managers have been given overall responsibility for Gypsy sites and services, they often focus primarily or exclusively on enforcement, and the need for accommodation that gives rise to unauthorised sites in the first place remains unmet.
- Many local authorities employ Gypsy and Traveller liaison officers (GTLOs), who are responsible for adding value to services provided on sites. In practice, these and other specialist officers, such as Traveller Education Services, do more than this, finding themselves taking responsibility for providing basic services to Gypsies and Irish Travellers, such as advice on support for the elderly or on homelessness.

Whenever something has the word ‘Traveller’ on it, it lands on my desk. ‘It’s your job ... sort it out.’ *GTLO*

- Even when responsibility is allocated at both strategic and operational levels, there is often little connection between the two, particularly in two-tier authorities, where responsibility for key policies lies with the district council, but GTLOs, who work directly with Gypsies and Irish Travellers, are based in the county council.

## Strategies for Gypsy sites

### Lack of a coherent policy framework

- The absence of an overall policy on providing sites, and services for sites, means that local authorities' work tends to be ad hoc and reactive, shaped by public complaints rather than a long-term strategic plan. Such policy as does exist is not consistent, or linked with policy on mainstream services, such as social services and education. The approach stands in stark contrast to what authorities do in the case of social housing.
- While Gypsies and Irish Travellers live in or pass through over 90 per cent of local authority areas, they are not generally included in the overall vision that each local authority has of its community, and from which its strategies flow. As a result their needs are not included in the authority's corporate strategies, whether on land use, regeneration, housing, community cohesion, or equality. Only a quarter of local authorities explicitly include Gypsies and Irish Travellers in their statutory race equality schemes.
- Gypsies and Irish Travellers are left out of key strategies, partly because many officers and councillors overlook the fact that they are ethnic groups; partly because there is no information about their needs; and partly because these are associated principally with sites, and not with other basic services, in common with other members of the public.
- Far more local authorities have policies on enforcement than on providing sites; while 76 per cent have policies on managing unauthorised encampments, only 27 per cent have policies on providing sites, and many have no policies at all on managing public sites, in contrast to their approach to social housing.
- Policies on enforcement, planning (for all land use), provision of sites and social housing are not linked together, with the result that authorities cannot see how a decision taken in one area, such as to sell land or to evict an encampment, has repercussions for another, for example by reducing the land available for sites, or causing homelessness. In the absence of a considered communication strategy on Gypsies and Irish Travellers, conflicting messages emerge.
- Local authorities' policies on planning for and providing Gypsy sites (where these policies exist) tend to be informal and unfocused, in contrast with those on social housing; for example they use vague and sometimes contradictory criteria for suitable sites rather than identifying specific locations for sites. In contrast to strategies for social housing, policy on public sites is marked by generalities and the absence of any timetable, even when needs have been quantified.

### Poorly informed policies

- Policies on Gypsy sites (when they exist) are not informed by public consultation or information about people's actual needs for services. Most authorities do little to fill gaps in information, nor do they use the evidence of community tensions to shape their policies.
- The vast majority of local authorities do not collect ethnic monitoring data on the outcomes of their services for Gypsies and Irish Travellers in their area, despite CRE advice to include sub-categories for Gypsies and Irish Travellers in their local ethnic monitoring systems.
- Authorities collect some information about Gypsies and Irish Travellers through the Traveller Education Service and the biannual caravan count, but this is not generally used to inform or plan their services.
- Few local authorities have assessed the way their policies on Gypsy sites will affect race equality, in line with their statutory requirements; none have even considered their effects on race relations, even though two-thirds report tensions in their areas on this subject.
- Only 34 per cent of local authorities have carried out an assessment of Gypsies' and Irish Travellers' need for accommodation, and 28 per cent have no plans to do so. This means they are unable to develop informed site policies, or deal with unauthorised encampments and developments, which result from unmet needs.
- Only nine per cent of local authorities that have changed their unauthorised encampment policies since May 2002 (when the specific duty to produce a race equality scheme came into force) first assessed their likely effects on race equality and race relations; and only six per cent have monitored their effects since that date.
- Many local authorities do not consult proactively on Gypsy site policies, leading to local frustration that people's concerns are not being listened to. Others call large public meetings, which make it difficult to explore legitimate concerns, deter those who are in favour of providing sites from speaking out, make Gypsies and Irish Travellers who attend feel intimidated and determined to avoid them in future, and damage community relations.

I had to have a police escort out of one meeting. After I tried to say 'these are human beings; they need decent accommodation,' I was heckled, shouted down and threatened ... I was in tears, I hadn't realised how much hostility there was. *TES officer*

- Two-thirds of authorities do not adapt their consultation methods to avoid the barriers that some Gypsies and Irish Travellers face, such as low

literacy levels. Many also consult national Gypsy and Traveller organisations rather than engaging with local people from these groups.

## Providing services

### Sub-standard and uncoordinated services

- Gypsies and Irish Travellers do not have parity of standards with other service users in the services they receive. In the absence of a broad strategy, services for Gypsy sites, such as repairs and basic facilities, tend to be ad hoc, reactive and poorly coordinated. The main service departments, such as housing and homelessness, fail to tailor their services to Gypsies' and Irish Travellers' particular needs in the same way as for other members of the public. The poor quality of many services is evident in all the areas listed below.

### Sites

- Many sites are located in polluted environments, far away from local services. Pitches are often overcrowded and facilities are well below the standard expected in social housing. Some GTLOs meet the shortage of sites by 'tolerating' overcrowding in the absence of any alternative.
- Only two-thirds of authorities with public sites have arrangements to monitor the quality of their services; in practice, inspections tend to be informal, unplanned and triggered by complaints from site residents.
- Many local authorities bring in outside site managers without agreeing basic service standards that will promote equality of opportunity and good race relations, or checking that this is happening.
- Some authorities have an allocation policy for public sites, but in practice leave it to site residents to allocate pitches. This can mean that families are turned away even though they meet the formal criteria. The justification for this approach is to ensure good relations among site residents, but it can result in racial discrimination against either Gypsies or Irish Travellers, since a site may end up controlled by a single ethnic group.



**Local authority site under flyovers in urban area.**



## Planning

- Planning applications for Gypsy sites are significantly less likely to be approved than those for other types of development. Many local authorities say this is because the sites may be in unsuitable locations, or because of weak applications. But they do little to help Gypsies and Irish Travellers with their applications; only a fifth offer advice on where to buy land, the problem being exacerbated by policies that do not make clear which land would be suitable.
- Few local authorities have a policy for identifying, and dealing with, objections to planning applications that are or may be racist. This means racist representations are reaching planning committees, in breach of guidance from the Royal Town Planning Institute.

## Unauthorised encampments

- Many local authorities do not provide basic facilities on unauthorised encampments, such as waste disposal, with obvious consequences for site residents, the environment and the wider community.
- Some enforcement officers press for evictions without first consulting specialist health and education officers, which means they cannot carry out the necessary welfare checks. In response, health and education workers provide basic services to those on encampments without reporting them to enforcement officers.
- Just over half (51%) of local authorities have used bailiffs to evict Gypsies and Irish Travellers from unauthorised encampments since April 2001,



**Eviction from an unauthorised encampment carried out by private bailiffs.**  
*Photograph provided by the Welwyn & Hatfield Times newspaper*

but over two-thirds of these authorities (62%) have not mentioned their responsibilities for good race relations, and for avoiding discrimination, in the contracts they have drawn up.

### **Housing**

- Although the majority of Gypsies and Irish Travellers are believed to live in conventional housing, no one is sure how many actually do, or what their particular needs might be.
- Housing services are usually tailored to the needs of different clients, but this is rarely the case for Gypsies and Irish Travellers. Many authorities recognise that they would rather live on sites, but since there are not enough of these, they do little to make the accommodation they can provide more suitable, for example by providing tenancy support to those who have recently moved from sites. As a result many Gypsies and Irish Travellers find it difficult to keep up their tenancies, leading to a cycle of eviction, from housing to homelessness and unauthorised encampments, and to eviction again.
- Housing services are not dealing appropriately with allegations by Gypsies and Irish Travellers of racial harassment, or with complaints about and by Gypsies and Irish Travellers of anti-social behaviour. The tendency is to conflate the two, with complaints of racial harassment by Gypsies and Irish Travellers being presumed without further investigation to be based on anti-social behaviour.

### **Policing**

- Police forces do not always use a focused, case-based approach to dealing with crime or anti-social behaviour among Gypsies and Irish Travellers on sites, as they do with incidents involving other members of the public. Some take a blanket approach to policing sites and managing unauthorised encampments, for example by conducting mass raids, or by evicting an entire encampment. This means that the group as a whole pays the price for the behaviour of a few individuals, and those responsible are not held accountable individually for their actions.
- The failure of some police forces to deal effectively with crime affects both site residents who may be victims and their neighbours. Gypsies and Irish Travellers have made clear that they want the police to do a better job of identifying and punishing individual offenders in their communities, and protecting them in these situations.
- Few police forces have tried to build trust and confidence among Gypsies and Irish Travellers, drawing on their experience with other ethnic minorities, even though they recognise that lack of confidence can be a real barrier to collecting the information that would help them to target their policing work better.

- Some forces or officers act in a way that undermines the joint protocols agreed by local authorities and police forces to manage unauthorised encampments. For example, despite agreeing to ‘tolerate’ an encampment, some pay repeated visits to ‘encourage’ Gypsies and Irish Travellers to move out, as an informal alternative to eviction, and follow them to make sure they leave the area.

We’re between the devil and the deep blue sea, we’re supposed to be citizen focused, reflecting the view of the community. If we really reflected the views of the community we would be to the right of Genghis Khan ... the community are not with us. *Police officer*

### **Anti-social behaviour**

- As with crime, some local authorities and police forces do not deal with anti-social behaviour on sites by focusing on the individual incident, and either fail to investigate the incident properly or take a blanket approach. As a result, the individuals who refuse to accept social responsibility, for example by dumping commercial waste indiscriminately, are not held responsible. The collective labelling of Gypsies and Irish Travellers, in particular, by local media, and significantly also by some local councillors, leads some Gypsies and Irish Travellers to believe there is little point in trying to distinguish themselves from the actions of a troublesome minority, and creates barriers to engaging with other members of the public.

### **Monitoring performance**

- Local authorities have little information about the quality of the services they provide for sites, or what changes might be needed, because, in contrast to social housing, they have no local performance indicators on site location, design, quality or management, whether the services are provided in-house or outsourced. They also have no data that could throw light on any disparities in the outcomes of their services, since they do not use separate categories for Gypsies and Irish Travellers in their monitoring systems, or make up for this by looking for the information in other ways.
- The absence of data means that problems are either not recognised or dealt with much later, often when a situation is out of control, leading to extreme measures, such as closing down a site.
- Many local authorities have not made arrangements for their specialist officers to be properly managed, or introduced formal reporting mechanisms. This is made worse by the absence of corporate support, or a councillor with formal responsibility for Gypsies’ and Irish Travellers’ wellbeing.

- The performance indicators for housing, homelessness or planning do not refer specifically to Gypsies and Irish Travellers.
- The government, the Audit Commission and other regulatory agencies and inspectorates do not set national performance indicators on services for Gypsies and Irish Travellers.

## Conclusions

### A vicious circle

- The approach taken by most local authorities to discharging their responsibilities to Gypsies and Irish Travellers drives and perpetuates a vicious circle of failure to provide services, and poor race relations.
  - Over two-thirds of local authorities have experienced tensions in their communities over sites, authorised and unauthorised, or admit to general public hostility towards Gypsies and Irish Travellers.

There are no restrictions, nothing applies to them [Irish Travellers]...  
They take advantage of nicer society. *Local resident*

- The irresponsible behaviour of a small minority of Gypsies and Irish Travellers entrenches public hostility towards these groups as a whole, and damages community relations.
- Most local authorities do little to find long-term solutions to the underlying problems, or to encourage all parties to be more understanding of each other. Large public meetings turn into rallies urging a full stop to providing sites, while ill-considered media statements by some councillors inflame the situation even more.
- The result is mounting tension and hostility, putting councillors under intense public pressure not to provide sites or services for sites. Many councillors find themselves caught in a 'catch-22' situation: public anger about unauthorised encampments and developments – the visible consequence of unmet need for sites – erects a political barrier to dealing with the primary cause of the problem, which is the shortage of sites.

People who elect councillors are residents; with Travellers, very few have, or bother to use, a vote. Our natural inclinations are to protect the rights of residents. *Leader of the council*



- Many councillors find themselves unable to give strong local leadership on these issues, and respond to pressure either by doing as little as possible to tackle the shortage of sites, or by actively resisting the provision of sites and services. Often this goes hand in hand with ‘informal’ methods of providing for Gypsies and Irish Travellers that allow councillors partially to meet immediate needs without attracting public criticism.
- This perpetuates the shortages of sites (and the probability of unauthorised encampments and developments) and leads to inadequate resources for managing public sites, and unauthorised encampments – the source of tensions in the first place – completing the vicious circle.

## Legal and social consequences

- The way most local authorities provide Gypsy sites, and services for sites, benefits no one: Gypsies and Irish Travellers are unable to find suitable accommodation or services and everyone suffers from the environmental and financial consequences.

### **Risks of failing to comply with the new national requirements for Gypsy sites**

- Under the new national policy framework for providing sites, local authorities have to assess needs in their area, identify specific locations for sites in their plans and consult the public at an early stage. While this should lead to a significant increase in sites, objections to authorities’ proposals may also rise when possible locations are identified.
- Implementing the new policy will not be easy and local authorities can expect to come under intense public pressure to resist meeting their responsibility. The findings indicate that, unless they break with the approach they take at present, many will find it difficult to overcome the hurdles.

### **Risks of failing to comply with the duty to promote race equality and good relations**

- Most local authorities do not consider how their mainstream or targeted policies and services affect Gypsies and Irish Travellers, or how the way they manage these services affects the rest of the community, and race relations. None of these issues are taken into account as a matter of course in planning or evaluating services.
- The failure to collect relevant data and monitor the effects of their policies means that local authorities are ignorant of any disparities between different ethnic groups in the outcomes of their services. This,

together with their more active disregard of the evidence of community tensions, suggests that many are at serious risk of not complying with the duty.

### **Barriers to integration**

- Many Gypsies and Irish Travellers live alongside, but apart from, others in the community. Mutual misunderstandings and stereotypes abound, often fuelled by the media, with resentment and hostility becoming the only currency in which any exchange takes place between Gypsies and Irish Travellers and the rest of the community.

Gypsy gang builds 16-home 'estate' on beauty spot *Media headline*

Gypsies invade another English village overnight, and there seems to be nothing anyone can do to stop them *Media headline*

Clear the gypsy minefield *Media headline*

- Integrated communities depend on equality, participation and interaction; most local authority areas are a long way from achieving any of these as regards Gypsies and Irish Travellers; the focus remains mostly on what divides people, rather than on what unites them.
  - The services Gypsies and Irish Travellers receive from their local authority are manifestly less favourable than those the wider public enjoy, while some police forces fail to protect Gypsies and Irish Travellers, or to enforce the law against them in a balanced and proportionate way.
  - Gypsies and Irish Travellers are not involved in local decision making, partly because they have little confidence in the processes, partly because the arrangements for consulting them have not been designed to include them, and partly because councillors have little direct contact with them.
  - The only visible sign of interaction between Gypsies and Irish Travellers and other members of the public is the heated discussions about sites, and the conflicts over unauthorised encampments and developments. Rarely do these sections of the community come together over the everyday business of living. Many Gypsies and Irish Travellers are reluctant to engage with the local authority or the rest of the community, which remains entrenched in its hostility towards them.

## The way forward

Our goal is to replace the vicious circle of unmet need and public hostility that this inquiry has identified with a sustainable approach to planning, providing and managing Gypsy sites in England and Wales. To that end, the recommendations that follow, inspired by the CRE's vision of equal rights and responsibilities, equal participation and positive social interaction, are designed to achieve the following core objectives:

- effective implementation of the new national policy framework on assessing need, providing and managing sites, planning and enforcement, to ensure sufficient, good, legal sites;
- positive engagement and good relations between Gypsies and Irish Travellers and other members of the public;
- strong local leadership on equality and Gypsy sites from local and parish and community councillors, and leadership by Gypsies and Irish Travellers;
- quality services, both mainstream and those developed for Gypsies and Irish Travellers in all types of accommodation, through coordinated strategies linked to front line operations;
- a strong evidence base for developing policies and services;
- a robust performance management framework for Gypsy site services, setting standards comparable to those in conventional social housing;
- targeted and proportionate policing on Gypsy sites, earning the confidence of site residents and other members of the public; and
- achievement of these objectives through full and effective implementation of the statutory duty on public authorities, including local authorities and police services, to eliminate unlawful racial discrimination and promote equality of opportunity and good race relations.

Our recommendations go beyond the roles of local authorities and the police, identifying the important roles that other local, regional and national organisations, and Gypsies and Irish Travellers themselves, must also play to ensure progress in this area.

The main recommendations are listed below. For the full list, see [www.cre.gov.uk/GTinquiry](http://www.cre.gov.uk/GTinquiry)

## Main recommendations

### Governmental organisations

#### The government should:

- Develop a realistic but ambitious timetable for local authorities to identify land for sites, and where necessary establish them, and make sure it is met. Local planning authorities should also be required to include reports on the progress they have made in identifying sites in their annual monitoring reports on their local development frameworks.
- Require regional housing boards and regional planning bodies (and any merged bodies) to make the promotion of race equality and good race relations integral to their work on allocating land for Gypsy sites. This should include their work with individual local authorities on developing housing strategies, and finding land for sites, and their consideration of funding bids for Gypsy sites.
- Develop key performance indicators for public sites, which set standards for quality and management that are comparable to those for conventional accommodation.
- Produce up-to-date guidance for local authorities on designing and managing sites for Gypsies and Irish Travellers.
- Consider developing a national framework for encouraging and supporting local authorities and mainstream voluntary organisations to take the initiative in promoting social integration and civic participation, including strategies for preventing and resolving conflict.
- Fund the development of a toolkit for resolving conflict, for use by local authorities in relation to sites, pilot the toolkit and distribute it to local authorities.
- Require local authorities to monitor and provide data on planning applications, outcomes and enforcement, and on housing and homelessness, by racial group, using two separate categories for Gypsies and Irish Travellers.
- Require police forces to collect information on Gypsies and Irish Travellers, as two separate ethnic categories.
- Issue guidance for local authorities on developing homelessness strategies that consider Gypsies' and Irish Travellers' needs for accommodation, advice and support.
- Ensure that, in areas of work that affect Gypsies and Irish Travellers, including work to tackle social deprivation and to promote community



cohesion, issues concerning Gypsies and Irish Travellers are recognised and resourced in the same way as for other groups.

### **Government offices for the regions should:**

- Ensure, on behalf of the secretary of state, that regional spatial strategies and local development frameworks take proper account of the need to provide accommodation, and that local authorities provide or facilitate suitable sites, and work with upper tier authorities to coordinate provision across regions.

### **Local authorities should:**

#### **Leadership, strategy and practice**

- Develop a holistic corporate vision for all work on Gypsies and Irish Travellers, and anchor it within the community strategy, the local development framework and any other relevant strategy, including the race equality scheme.
- Review all policies on accommodation for Gypsies and Irish Travellers, to ensure a long-term, coordinated and strategic approach that promotes race equality and good race relations. This should include policy on planning and providing sites, managing authorised and unauthorised encampments and conventional housing, and be supported by data collection and consultation with local communities. Strategy on accommodation should be linked to wider service areas, such as health and education, and to a communications strategy.
- Designate a councillor at cabinet (or equivalent) level, and an officer at no less than assistant director level, to coordinate the authority's work on sites (authorised and unauthorised), to make sure it is consistent across departments, and is linked to its work on equality.
- Develop a robust performance management system for all aspects of services for Gypsy sites, within a wider accommodation framework, including providing and managing sites, and managing unauthorised encampments. Include these functions in internal reviews of services.

#### **The duty to promote race equality and good race relations**

- Add two separate categories for Gypsies and Irish Travellers in all ethnic monitoring arrangements, and take steps to encourage them to provide information about their ethnicity.
- Make sure the duty to promote race equality and good race relations, and issues relating to Gypsies and Irish Travellers, are written into all partnerships with the police, and providers of education and health services, and into all relevant procurement arrangements, including those with external trainers, site managers and bailiffs.

### **Public sites**

- Conduct a reliable and full assessment of the need for residential and transit sites (as required by the Housing Act 2004), by making sure that questionnaires take account of Gypsies' and Irish Travellers' cultural traditions, and that staff responsible for the assessment have been trained to understand the needs of these groups, both on sites (including private and public sites, and unauthorised encampments) and in housing.
- Review the quality of sites, and arrangements for managing them (including allocation policies, repairs services and the costs of utilities), to ensure that they are providing essential services, and at standards comparable to those in conventional social housing.
- Consult everyone concerned at the earliest stage of developing a site, and make sure all stages of consultation on unauthorised encampments, and proposed public and private sites, allow Gypsies and Irish Travellers, as well as other members of the public, to take full part, are effectively chaired, and contribute to better relations between different groups.
- Develop formal policies on pitch allocations for all new sites, similar to those for conventional housing, and draw up a reasonable timetable for extending the policies to existing sites.

### **Planning**

- Refer to Gypsies and Irish Travellers in the statement of community involvement (which explains how all groups will be consulted on planning policy), and take practical steps to get them meaningfully involved, where possible building on existing relationships.
- Give specific advice to Gypsies and Irish Travellers, at an early stage, on the most suitable land for residential use, and on how to prepare applications, and help them to find the information they need to support their application.
- Develop an internal policy on how to handle racist representations, and make sure officers know how to use it, so that only material considerations relating to the application are presented to members of the planning committee.
- Monitor all planning applications and instances of enforcement action at every stage, by type and racial group, including Gypsies and Irish Travellers, as two separate categories, in order to assess the effects of policies and practices on different racial groups.
- Consider using the overview and scrutiny committee, or any other suitable formal mechanism, to assess the effects on race equality and race relations of any major decision to enforce planning requirements on Gypsy sites.

### **Unauthorised encampments**

- Review and monitor policies for dealing with unauthorised encampments, to make sure they promote access to services for occupants, and good race relations between them and other groups; in doing this authorities should focus in particular on providing basic facilities, assessing welfare needs and communicating effectively with the public.
- Make sure the duty to promote race equality and good race relations is built into any contracts for managing, or evicting from, unauthorised encampments; and that contractors are given clear guidance on how this might affect their policy and practice, and monitored on their compliance with the guidance.

### **Housing**

- Conduct research to identify the numbers and needs of Gypsies and Irish Travellers in conventional housing, and explicitly include these groups in relevant housing policy (including housing, homelessness and supporting people strategies), with links to site-related services.
- Formally record, investigate and monitor all reported incidents of racial harassment made by Gypsies and Irish Travellers in conventional housing, take steps to encourage reporting and develop targeted preventive strategies.

### **Promoting good race relations and integrated communities**

- Encourage dialogue and positive interaction between Gypsies and Irish Travellers and other groups, through effective engagement with leaders and members of all communities.
- Actively promote better public understanding of Gypsies and Irish Travellers, and the consequences of unmet need for sites; and take steps to counter stereotypes in the media and in public perceptions.
- Encourage and support mainstream voluntary organisations to build bridges between Gypsies and Irish Travellers and other members of the public.

### **Police forces should:**

- Include Gypsies and Irish Travellers in mainstream neighbourhood policing strategies, to promote race equality and good race relations.
- Target individual Gypsies and Irish Travellers suspected of anti-social behaviour and crime on public, private and unauthorised sites, and not whole communities, and work with people from these groups and local authorities to develop preventive measures.

- Treat Gypsies and Irish Travellers, both when they are victims and suspects, as members of the local community, and in ways that strengthen their trust and confidence in the force.
- Provide training for all relevant officers on Gypsies' and Irish Travellers' service needs, so that officers are able to do their jobs more effectively, and promote good relations between all groups in the community they serve.
- Review formal and informal procedures for policing unauthorised encampments, to identify and eliminate potentially discriminatory practices, and ensure that the procedures promote race equality and good race relations.

**Parish and community councils should:**

- Make sure councillors represent all groups in their local community, and are aware of the statutory duty to promote race equality and good race relations, and its practical implications in relation to Gypsies and Irish Travellers.

## Inspectorates

**The Audit Commission should:**

- Include consideration of Gypsies and Irish Travellers in all relevant aspects of its audit and inspection work, including comprehensive performance assessments, paying particular attention to questions of leadership, training, provision and management of services, and local authorities' relative expenditure on providing and managing legal sites and on enforcement.

**The planning inspectorate should:**

- Take into account, when making decisions on Gypsy site planning appeals, whether there has been a material breach of the RRA by the local authority in exercising its planning functions (including both the discrimination provisions of the law and the duty to promote race equality and good race relations).

**Her Majesty's Inspectorate of Constabulary should:**

- Include Gypsies and Irish Travellers in all relevant inspections of police performance.



## Other organisations

### **The Local Government Association and the Welsh Local Government Association should:**

- Consider the supplementary guidance local authorities may need on providing sites (and on enforcement), with special attention to their effects on community relations.
- Identify and develop strategies to meet training needs in local authorities arising from the new national policy framework on providing sites, and from the statutory duty to promote race equality and good race relations, including training about Gypsies and Irish Travellers.

### **The Association of Chief Police Officers should:**

- Identify and publicise good practice in dealing with crimes against Gypsies and Irish Travellers, and crime and anti-social behaviour on all sites, and in managing unauthorised encampments in a way that promotes race equality and good race relations, drawing on any good practice developed with other ethnic minority groups.

### **The Royal Town Planning Institute should:**

- Make race equality and planning for Gypsy sites a specific part of the continuing professional development programme for all planning officers.
- Supplement its guidance on ‘racist representations’ with specific advice on handling applications for Gypsy sites.

### **The Improvement and Development Agency should:**

- Develop, within existing modules of its leadership academy programme for councillors, a specific strand on political leadership, achieving cross-party consensus, and engaging with local communities in the context of Gypsy sites.
- Develop job-specific training for local government officers on Gypsies’ and Irish Travellers’ interests and needs, including an understanding of how the duty to promote race equality and good race relations applies to these groups.

### **The Improvement and Development Agency (or Audit Commission) should:**

- Develop a library of local performance indicators on the provision and management of sites, for use as benchmarks of good practice by local authorities.

**The National Association of Local Councils and One Voice Wales should:**

- Raise awareness among parish and community councils of their statutory responsibilities for promoting race equality and good race relations in relation to Gypsies and Irish Travellers, and support and advise them.

**The voluntary sector**

**Independent funding bodies should:**

- Consider the importance of including Gypsies and Irish Travellers in initiatives to promote equality and social integration when allocating funds to voluntary and community organisations.

**The National Council for Voluntary Organisations should:**

- Include Gypsies and Irish Travellers in relevant work programmes and training, and encourage mainstream voluntary organisations to involve members of these groups in their work.

**Voluntary organisations working with Gypsies and Irish Travellers should:**

- Encourage Gypsies and Irish Travellers to register to vote, and to exercise their voting rights.

**Gypsy and Irish Traveller representatives should:**

- Engage with mainstream voluntary organisations to explore ways of increasing social interaction and participation.
- Consider further ways of entering into constructive dialogue with local authorities, to make sure Gypsies' and Irish Travellers' needs are understood and met, and to demonstrate their commitment to participation.



**COMMISSION FOR  
RACIAL EQUALITY**

www.cre.gov.uk

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## **CRE mission statement**

We work for a just and integrated society, where diversity is valued. We use both persuasion and our powers under the law to give everyone an equal chance to live free from fear, discrimination, prejudice and racism.

