

# Briefing on Gypsies and Irish Travellers

## INTRODUCTION

No one knows how many Gypsies and Irish Travellers live in England and Wales. Estimates put the number living in caravans in the UK at between 90,000 and 120,000 (Niner, 2002), while up to three times this number may be living in conventional housing (Ivatts, 2005). The reason we do not have accurate data on Gypsies and Irish Travellers is that they are not included as separate categories in the census, and spot counts of caravans by local authorities on two days of the year do not yield reliable data.

There is evidence of widespread public hostility towards Gypsies and Irish Travellers, who often lead separate lives:

- illegal 'No Travellers' signs can still be seen in shops and pubs;
- Gypsies and Irish Travellers often have difficulty getting planning permission for private sites;
- Gypsy and Irish Traveller children are often bullied and harassed at school by other pupils (Derrington and Kendall, 2003), and
- there have been growing numbers of reports of racist graffiti and attacks, as well as one of a petrol bomb being thrown onto a site.

It is hardly surprising, then, that less than a quarter of Gypsy children obtained five GCSEs at A-C grades in 2003, compared with just over half of all pupils. Life expectancy for these groups is about 10 years lower than the national average.

## DEFINITIONS

Romany Gypsies are thought to have lived in England since the early 1500s, and Irish Travellers since the 1800s. We have records of Roma in Greece and Turkey around 1000AD, while Irish Travellers have been known as a distinct group since 400AD.

Since the landmark case in 1988 of *CRE v Dutton*, Romany Gypsies, who form the majority of the estimated 300,000 Gypsies and Travellers in Britain, have been recognised in law as a distinct ethnic group for the purposes of the Race Relations Act 1976. Irish Travellers were similarly recognised as a distinct ethnic group in the *O'Leary v Allied Domecq* case in 2000.

This means that all Romany Gypsies and Irish Travellers, whether they are nomadic, partly nomadic, or settled in housing or caravans on public or private sites, are protected from unlawful racial discrimination and harassment, and that public authorities bound by the duty to promote race equality must take account of their interests and needs when carrying out their functions.

Other Travellers, such as 'New' Travellers and 'Occupational' Travellers are not separate groups under the terms of the Race Relations Act 1976, but are considered to be social groups.

## **LOCAL COMMUNITY TENSIONS OVER GYPSIES AND IRISH TRAVELLERS**

Unauthorised encampments and proposals for new Gypsy sites can sometimes lead to considerable local tension, resulting in complaints to the council, petitions, angry public meetings, demonstrations, graffiti, and, occasionally, violence.

There is also evidence of more widespread misunderstanding and prejudice about Gypsies and Irish Travellers. More than one-third of the adults who took part in a MORI poll admitted to being personally prejudiced against Gypsies and Irish Travellers; this was a higher proportion than admitted prejudice against any other group, including asylum seekers and refugees.

Local and national media reports have both reflected and exacerbated local tensions over Gypsies and Irish Travellers. Occasionally, as in the media campaigns leading up to the 2005 general election, these reports can lead to an increase in racially motivated attacks towards these groups.

Some local authorities have found ways of dealing with these tensions, including:

- Reaching cross-party consensus and providing clear community leadership on the question of Gypsy sites
- Arranging meetings with individuals who are particularly affected or exercised by local Gypsy sites
- Dealing with the root causes of public concern, such as rubbish on unauthorised encampments, or reports of crime on sites
- Producing myth-busting publications
- Working with local media, to give them accurate information, and encourage balanced reporting

## **MYTHS AND REBUTTALS**

### **Gypsies and Travellers are outside the law – enforcement of planning and criminal laws doesn't apply to them**

Some Gypsies and Travellers set up sites on land they own before applying retrospectively for planning permission. It is lawful for anyone to apply retrospectively for planning permission, and many planning applications, including some Gypsy site applications are passed in this way.

If a site development has not received planning permission, the council can take action to enforce the law. The government has advised local authorities to take account of all relevant factors, and to make a proportionate decision. It can take some time to enforce planning law, but there are now new enforcement powers that cover all types of development.

In the event of damage or criminal behaviour by someone on an unauthorised encampment, the police have civil powers to evict the entire encampment. Unfortunately this can lead to the mistaken belief that everyone on the encampment has committed a crime, even if only a small number of people on the site were responsible.

## **Gypsies and Travellers get special treatment – they get sites where no one would get houses**

Most Gypsy site applications fail to get planning permission first time around, and many are also unsuccessful on appeal. There is no comprehensive data on this, but the information available suggests that Gypsy site applications have a lower chance of approval than others.

## **Gypsies and Travellers choose to travel – it is just a lifestyle choice; if they want somewhere permanent to live, why don't they settle down in a house?**

The courts have confirmed that, for many Gypsies and Irish Travellers, living in a caravan is not a 'lifestyle choice' but a result of their social and cultural heritage and an essential part of their ethnic identity. This is true whether they are nomadic or settle for long periods in one place.

Most Gypsies and Irish Travellers in England are believed to live in houses. While some choose to live in conventional housing, others may feel they have no alternative, because of bad health or educational needs. Little research has been done, but there are reports that many, particularly those who have recently moved from sites, find it difficult to settle in housing, and to keep up the tenancies.

Some who live on sites travel more than others. A minority travel regularly for work and cultural reasons, but might stay in one place between periods of travelling. Others rarely travel, but live in a caravan with family and friends.

## **If we provide sites, we'll attract Gypsies and Travellers from around the country**

Gypsies and Travellers travel for various reasons, sometimes economic and sometimes family-related. There is no evidence that provision of a site in a certain area leads to greater demand. However, just as other ethnic groups are not equally distributed around the country, so Gypsies and Travellers are concentrated in certain parts of the country. Councils need to respond to the needs in their communities, however large or small they might be.

## **Gypsies and Travellers contribute nothing to society – they don't pay tax and are work-shy**

Gypsies and Travellers who live on council or privately-owned sites pay council tax, rent, gas, electricity and other associated charges. These vary from site to site, but are often higher than comparable charges for conventional housing. Those living on unauthorised encampments do not pay council tax, but equally they do not receive standard services. This is not because they are avoiding paying the tax, but because encampments need to be in place for one year before tax becomes payable, and most encampments are far more temporary in nature.<sup>1</sup>

Many Gypsies and Travellers work, but there are no national employment figures, since these groups are not included in the Labour Force Survey, and no comprehensive research has been conducted. Traditionally, Gypsies and Travellers were a key part of the rural economy, working as seasonal agricultural labourers, basket makers and horse dealers, and selling goods door-to-door. Following mechanisation, many of them moved into areas such as gardening, motor trade and scrap metal dealing. A steadily increasing number are now finding employment in other sectors.

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1. For council tax to be charged, an occupation must be established by the valuation office agency to be non-transient, and registered and banded accordingly.

## All Gypsies and Travellers dump rubbish and are dirty

Unauthorised encampments can be bad for the environment when refuse and commercial waste pile up and there are no rubbish collection facilities. For this reason, even where sites are unauthorised, many councils provide skips for domestic rubbish, and portable toilets. They have also helped Gypsies and Travellers who have reading and writing difficulties to apply for waste collection licences.

## All Gypsies and Travellers are criminals – they steal and trespass on other people’s land

Criminal justice agencies do not collect information about Gypsies and Irish Travellers as separate ethnic groups but there is no evidence that offending is any higher among these groups than among others.

Setting up an unauthorised encampment on someone else’s land is not in itself a crime. Either the council (under section 77 of the Criminal Justice and Public Order Act 1994) or the police (under section 61 of the Criminal Justice and Public Order Act 1994) can serve the trespasser with a notice. The occupants of the encampment will only have committed a criminal act if they breach the terms of the notice.

Many Gypsies and Travellers feel they have no choice but to set up unauthorised encampments, because there is no other accommodation. It has been estimated that there is currently a shortage of between 2,500 and 4,000 pitches on public sites in England alone. Unauthorised encampments lack both the security of permanent accommodation and access to essential services. Those living on unauthorised encampments face constant eviction, and therefore enforced mobility.

## FURTHER INFORMATION

- **The Gypsy and Traveller Law Reform Coalition (GTLRC)**  
<http://www.travellerslaw.org.uk>
- **The Irish Traveller Movement**  
<http://www.itmtrav.com>
- **The Gypsy Council**  
8 Hall Road, Averley, Essex RM15 4HD. Tel. 01708 868986
- **Friends, Families and Travellers**  
<http://www.gypsy-traveller.org>