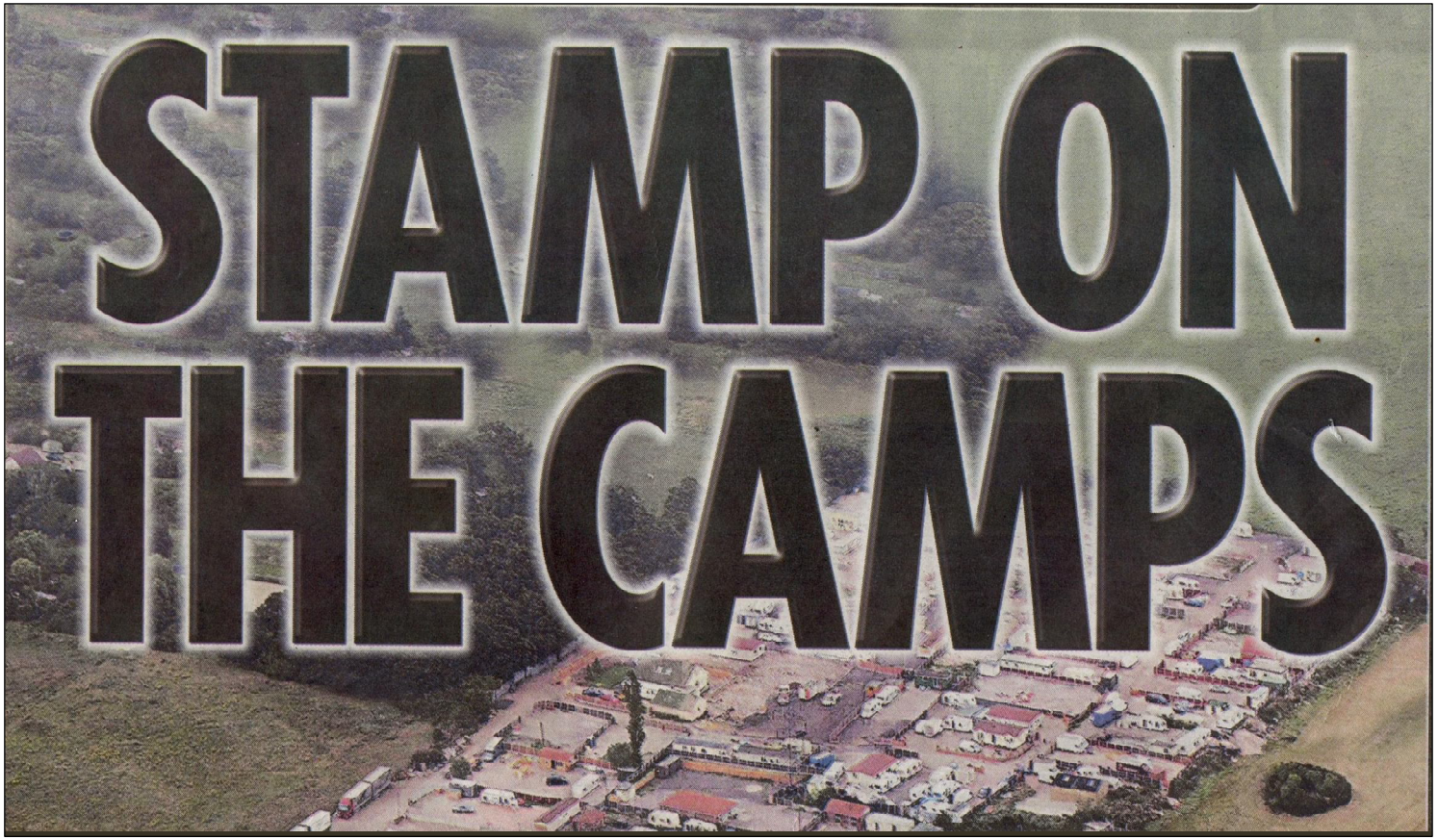
GYPSIES & IRISH TRAVELLERS CHESHIRE PRACTICE

Inspector Mark Watson
Head of Diversity Advisory Unit
Cheshire Constabulary

Aims of this Presentation

- Conflict Resolution…we know the answers…because we know the causes…
- National Context
- Impact of Gypsy / Travellers upon Cheshire
- So what did we do...Neighbourhood Policing and not just “policies on shelves”
- Use of Powers “Sec 61” etc
- Work with Local Authorities
- Where are we now?
- Summary

News?



News?

PEOPLE LIVE IN FEAR OF THE INVADERS

Police warn landowners over travellers

Gypsies bombed out by arsonists

Beware of working travellers warning

Knife wielding youths attack gypsies in Hyde Park

GYPSIES LEAVE EVEN MORE MESS

Travellers breach caravan defences

Travellers need to clear off

Winning the war against travellers

Gypsies leave devastation

TRAVELLERS DOG BIT ME ON THE ARM

PEOPLE LIVE IN FEAR OF THE INVADERS

Police warn landowners over Blacks

Jews bombed out by arsonists

Beware of working Irish warning

Knife wielding youths attack Jamaicans in Hyde Park

ASIANS LEAVE EVEN MORE MESS

Pensioners breach caravan defences

Gays need to clear off

Winning the war against women

Fat people leave devastation

QUADRAPLEGICS DOG BIT ME ON THE ARM

Ethnicity…

- Thanks to Jake Bowers for last 2 slides
- Gypsies and Irish Travellers are recognised as being racial groups for the purposes of these Acts. Discrimination against them is prohibited by law
- Romany Gypsies were recognised as a racial group in 1988, Irish Travellers in 2000

More ethnicity…

- Gypsies and Irish Travellers are two distinct groups with different cultural backgrounds
- Gypsies arrived in the UK in early 1500
- Irish Travellers first recorded around 1300
- Stereotypical – and potentially racist - myth that there are acceptable “real Gypsies” and unacceptable “modern” Gypsies…

Old v New…

Human Rights Act 1998

- Articles 8 and 14 are the most relevant to Gypsies and Travellers
- **Article 8** - The right for respect for private and family life and home
- **Article 14** - The enjoyment of the rights and freedoms set out in the act secured without discrimination

Race Relations (Amendment) Act 2000

- This act places 3 general duties on all public bodies
- To eliminate unlawful racial discrimination
- To promote equality of opportunity
- To promote good race relations

Promoting good race relations?

- **91%** of LAs in England and Wales have Gypsies and Travellers either living in them or passing through
- **76%** of LAs have policies on managing unauthorised encampments - only **27%** have policies on providing sites
- **49%** of LAs with authorised sites say they have done nothing to promote good relations between Gypsies and Travellers and the settled community

What happens if good race relations aren’t promoted..?

Accommodation – The Key…

- Lack of sites is the main reason Gypsies & Travellers turn up in places where people would rather they didn't…
- Local Authorities previously under a duty to provide sites (Caravan Sites Act 1968)
- "Duty to provide" repealed by the Criminal Justice & Public Order Act 1994

…so what has been done about it?

- Since 1994…not too much…
- Duty to be re-introduced – How?
- Housing Act 2004 – Assess level of need in every local authority area
- GTAAs complete by end 2008?
- Where need exists, must be provided for in Local Development Plans

The New Process

- Local Authorities assess need in their area
- Regional Planning Body decides total need for region
- Regional Spatial Strategy specifies pitch numbers for each Local Authority
- Local Authority identifies land to meet need in local plan

What do we want in an ideal world?

- Gypsies and Travellers and the settled community living peacefully together
- More sites in sustainable locations
- Enforcement systems that work fairly and are delivered effectively

And how do we get it?

- Strong local leadership
- Local Authorities at the forefront – POLITICAL WILL!
- Strategic & long term approach to site provision, linked to health / education
- Proactive work to build community relations / integrated communities

Impact upon Cheshire

- Encampments increasing year on year from 2000…all agency response???
- **2 incidents in 2003 changed everything…**
- April 2003 – “Slurrying” incident in Warmingham Lane, Middlewich.
- May 2003 - Ellesmere Port - Murder of 15 yr old Irish Traveller, Johnny Delaney

Neighbourhood Policing

- Right People, Right Places, Right Numbers
- Dedicated neighbourhood teams – visible and known
- Intelligence-led
- Joint action and problem solving with partners and the community – i.e. ALL of the community

GTLO role created…

- One PC originally
- Now 3 PCs for the force, one in each BCU area…
- PCSOs also used as Liaison Officers

The role of the GTLO

- Unauthorised Encampments
- Develop links with both domiciled and roadside Traveller communities
- Develop working relationships with partner agencies
- To keep up to date with new legislation and be “Single Point of Contact / Expertise” for each Area

GTLO functions…

- Proforma…
- Records of Encampments
- Link to Cheshire Chief Exec’s Advisory Group
- Link to Cheshire Gypsy / Traveller Coordinator
- PARTNERSHIP & COMMUNICATION

Unauthorised Encampments

- County wide protocol via Chief Exec's Group
- GTLO will advise
- General Police Approach (Collective Trespass Policy)
- Police have historically led in Cheshire, other authorities now on board

First Actions…

- Duty Inspector & GTLO informed of the encampment, will visit within 24hrs whenever practical
- TPT will be deployed on receipt of a call
- GTLO will assess the situation, liaise with the landowner / LA / SLG and monitor.
- Information considered, decision made and evidenced
- Sec 61 not the default response – prompt use may be justified, but not routine

Section 61, CJ&PO Act 1994

- If the Senior Police Officer present at the scene reasonably believes that two or more persons are trespassing on land and they are present there with the common purpose of residing there for any period and that reasonable steps have been taken by or on behalf of the occupier to ask them to leave and either:
- any of those persons has caused damage to the land or to property on the land or used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or agent of his,

OR

- those persons have between them six or more vehicles on the land,
- he may direct those persons, or any of them, to leave the land and to remove any vehicles or other property they have with them on the land.

CLG Guidance re Sec 61…

- A senior police officer then considers whether it is appropriate to use the power, based on various factors

- whether there are there other activities on the encampment, such as serious breaches of the peace, disorder, criminal activity or anti-social behaviour which would necessitate police involvement under their wider powers

CLG Guidance continued…

- given the impact of the unauthorised encampment on the environment and the local settled community, is it reasonable and proportionate to use police powers?
- is action by the police legally sustainable?
- are sufficient resources available?

Section 62 A-E, CJ&PO Act 1994

- Power to Remove Trespassers - Alternative Site Available
- A Senior Police officer can use this power to direct a person to leave land and remove any vehicle or other property with them on that land
- As with section 61 certain conditions have to be met before the direction can be given

Sec 62 Criteria…

- At least two persons must be trespassing & have between them at least one vehicle
- They must be present on land with the intent of residing there
- The occupier of the land must have asked the police to remove them
- **IN ADDITION, it must appear to the Senior Officer, after consultation with the local authority, that there are relevant caravan sites with suitable pitches available for the trespassers to move to…**

Sec 62 Criteria…

- …But there aren't, so we cannot use this power currently…
- Until now!

Cheshire Encampments

- 2005 – **259 encampments** in total county-wide
- In excess of 4,000 vehicles involved
- Average duration? 5-7 days each
- 2006 – **317 encampments**
- How many problematic..?

Cheshire Encampments

- 2006 – **317 encampments** in total
- Then "Temporary Provision of accommodation" – Halton Area…now new Transit site
- 2007 – **255 encampments**
- 2008 – Another "Temporary Site" in Ellesmere Port…
- 2008 – **97 encampments…**

The Solution…

- Local Authorities to be proactive in the development of new sites and encampment management
- Site provision will reduce unauthorised encampments and developments
- If sites exist, police will be able to use Sec 62A if required
- Much easier to “police” communities when you know who / where they are!
- LAs work made much easier in same circumstances

The Solution…

- Sites will be self funding – Gypsies & Travellers will be paying appropriate local taxes for services
- Community tensions should reduce
- Community Cohesion – do people know what it means?
- COMMUNICATION – Tell everyone what you are doing – proactive press releases and meeting attendance

Most important bits…

- General background of the issues – most marginalised group in society
- Why we have unauthorised encampments & developments
- Accommodation is the key – and will be cost effective too
- PARTNERSHIP approach with good COMMUNICATION
- People, not policies, make the difference

Most important bits…

- Consistency of approach and staff where possible
- Get your local Gypsy & Traveller Community on board
- Partnership
- Communication
- Education
- Understanding
- Trust

Give me a ring…

Mark Watson

Inspector

Head of Diversity Advisory Unit

Cheshire Constabulary Headquarters

Winsford

Cheshire

Tel : 01244 612466

Email : mark.watson@cheshire.pnn.police.uk