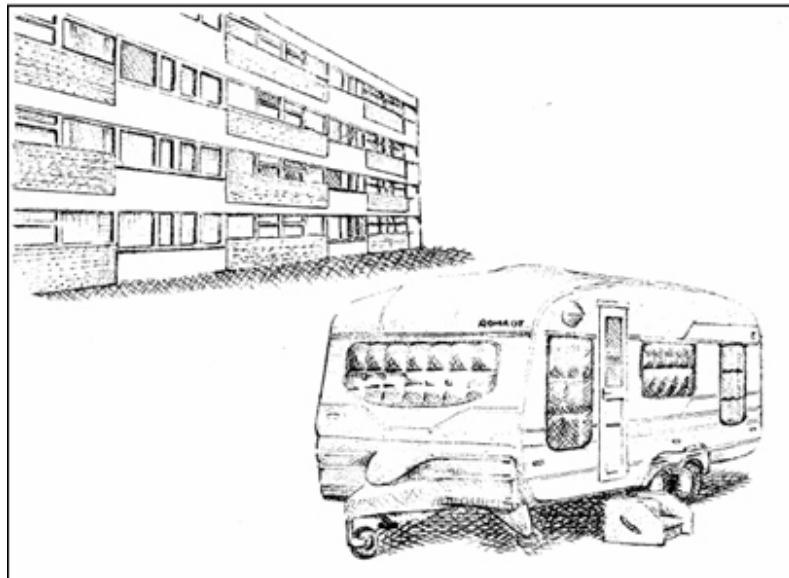


A Good Practice Guide for Involving Travellers in Accommodation.

Guidelines for Housing services on effective engagement and consultation with
Irish Travellers and Gypsies

Irish Traveller Movement in Britain



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When Gypsies and Irish Travellers live in or pass through over 90% of LA areas, they are not generally included in the overall vision that each LA has of its community, and from which its strategies flow. As a result their needs are not included in the authorities' corporate strategies, whether on land use, regeneration, housing, community cohesion, or equality. Only a quarter of LAs explicitly include Gypsies and Irish Travellers in their statutory race equality schemes.

(CRE Common Ground Report. 2006)

Forward

In the last few years an increasing body of evidence has been gathered by researchers to make a case for the severest levels of deprivation experienced by Gypsy and Traveller communities across a range of key indicators such as health, education, employment and accommodation. (Parry et al., 2004. Power, 2004. CRE, 2006) In their 2006 comprehensive study of Gypsies and Irish Travellers and equality issues, the CRE concluded that these communities have consistently been left out of corporate strategies of inclusion, equality and regeneration, with the result that they are not getting equal access to basic services and supports.

Travellers often exist in a sort of parallel universe within local communities in a context which undermines the government's community cohesion agenda. Largely left unmonitored by mainstream service providers who have little awareness of who these communities are, let alone how they can be best supported, patterns of systemic exclusion are left to repeat and replicate. This bleak scenario is not meant to deny that there are many examples of good practice shown by individual agents and services in working with Travellers, but all too often these efforts remain isolated and undervalued in the bigger political picture.

The implementation of responsible and fair accommodation policies has long been seen as critical to tackling the broader exclusion issues faced by Gypsy and Traveller communities. Responding to pressure to address the wide-scale shortage of Traveller sites, the government introduced changes into the *2004 Housing Act* – see Chapter 2. These require all Local Authorities to measure the accommodation needs of Travellers in their area and to devise appropriate strategies to address these.

In this context the present moment is opportune for housing officials and other key service providers at a strategic as well as at an operational level to re-evaluate both their standards of service and ways of engaging

these communities. Some Local Authorities (LAs) are planning to use the results of the Accommodation Needs Assessment to launch targeted strategies for meeting the needs of these communities. Others have already got this process underway.

A significant push for this has come from the work of the CRE in highlighting the Race equality duty for public bodies to include Gypsies and Travellers in their BME policy frameworks. This requires effective consultation with these communities as outlined in the amended Race Relations Act 2000. At a higher strategic level this means that the welfare of Travellers is linked into the relevant strands of Local Strategic Partnerships which are about building stronger and more cohesive communities through improving services and quality of life for all residents of an area.

This good practice has been designed as a framework to assist key service providers, such as housing, to involve Travellers in decision-making and planning through effective consultation and partnership work, in line with mainstream tenancy participation practice. Many of the recommendations made are based on general models of good practise in working with BME communities. The challenge for services is to lead this process fairly, creatively and with a full awareness of the barriers which have so often hampered working together in the past and which have contributed to the current context of disengagement.

In practical terms this will require a move away from services seeing the problem as a lack of capacity within these communities to engage. This will be replaced by an emphasis on services building their own capacities to adapt integrated, flexible and culturally sensitive service delivery models which can facilitate engagement.

Jenny Daly

Irish Traveller Movement in Britain

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Introductions

There is a general and striking lack of awareness among statutory and voluntary sector services regarding Traveller culture including accommodation needs. For instance the false belief that housed Travellers are no longer Travellers persists with no understanding of why people choose not to identify i.e. fears around discrimination and the wish to avoid hassle. Likewise there is little comprehension of how the lack of site provision forces many Travellers into houses and the cultural issues and barriers they may experience in adapting to this accommodation. Poor quality and inappropriate housing, isolation from family and difficulty in accessing support has had a very negative impact on the health of Travellers in houses.

Many Traveller sites are overcrowded and poorly managed. Most Travellers that live on sites are 'licenceses' as opposed to 'tenants' and so are not afforded the same statutory security or protection as those living in conventional housing. Models of tenant's participation that are increasingly prioritising other BME groups tend to ignore Travellers. In practise Travellers are rarely encouraged or supported to participate meaningfully in decision making or planning in relation to where they live. Moreover they often remain completely unaware of their rights.

It is very important that Travellers are targeted to become involved in accommodation management in the same way that other underrepresented groups are. There is a lot of potential for this such as site residents being supported to negotiate tenancy agreements and Tenant Participation compacts with housing services. The alternative is that Travellers remain disempowered and continue to be the objects of decisions made by housing services rather than partners in this process.

Ann-Marie O'Brien & Shirley Joyce
Community Development workers
Southward Traveller Action Group

This good practice guide offers a background to Gypsy and Traveller accommodation issues and sound advice on ways of increasing the participation of these communities in decision making processes. The historic and current lack of knowledge on Gypsy and Traveller culture is not the fault of the local authority worker on the ground but a product of years of marginalisation and a total lack of understanding of Gypsies and Traveller communities as recognised ethnic groups with cultural beliefs and proud traditions.

Effective partnership work between housing and planning services and Gypsies and Travellers can be developed through inter-agency forums as this good practice guide shows. These work well when they have become established with the involvement of relevant services and importantly the communities themselves also. The successful Derbyshire Gypsy and Traveller Needs Working Group is a case in point. Inter-agency forums are a valuable resource for all partners to build trust, cross cultural understanding and capacity. All of which are needed to deal with the unacceptable and systematic social exclusion that Gypsy and Traveller communities continue to face in the UK in 2007.

It is vital that services such as housing actively comply with their race relations duties and target Gypsies and Traveller communities in their strategic policies regarding equality, community cohesion etc. This will require vision and commitment from the top as well as the will to apply the principles of inclusion and equality that have been successfully used in relation to other minority groups.

Siobhan Spencer

Derbyshire Gypsy Liaison group

Origins

The project has been funded by an *Innovation into Action* (IiA) grant managed by the Chartered Institute of Housing for the *Communities and Local Government* department which aims to develop innovative ways of getting tenants involved in managing their homes. IiA was part of the Tenant Empowerment Programme which is now managed by the Housing Corporation.

Who is this good practice guide for?

This guide is aimed at workers in housing services at both a strategic and operational level whose remit takes in the support of BME groups including Irish Travellers and Gypsies, the promotion of tenancy involvement and social inclusion in general. This includes local authority housing services, arms length management organisations (ALMOs) and housing associations. Though there is an accommodation focus it is hoped that the learning contained in this good practice guide will be of use to a range of other statutory and voluntary service providers who wish to involve Travellers in developing their standard of service provision to these communities.

What does it offer?

Let us begin with outlining what it doesn't offer; that is, a quick-fix formula for solving unsatisfactory relations between service providers and Traveller communities and a magic wand approach to improving Travellers access to equality of opportunity and better services through involvement. What it does propose is the enhancement of practical knowledge of Travellers in relation to accommodation issues and guidelines for developing tenant's involvement processes with these communities through effective consultation and partnership. Partnership here is about working towards the attainment of agreed objectives and with clear expectations on all sides. It is based on relationships of mutual interest and respect where inequalities are acknowledged.

This is framed around a very brief introduction to the communities; a referencing of relevant policy and legislation; a discussion of key issues and challenges Travellers face in accessing suitable accommodation and support; an outline of statutory and voluntary sector service delivery models and a look at positive practice in involving these communities in improving services with a specific focus on Inter-agency partnership work with Travellers. Case studies are used to highlight both the intricacy of issues often involved in relation to Traveller accommodation and the complex responses required from services in trying to resolve them.

Questions are included throughout to maximise and focus the learning for individual services. At the end recommendations are made on practical measures for improving service provision to Travellers through processes of inclusion and engagement.

While the issues raised here reflect the experiences of Travellers and service providers in many parts of the country, it is important to remember that these communities, in common with all others, are not homogenous but complex and diverse. The needs of these communities will vary according to criteria such as income, family make up, local context etc. This means there is no one-template-fits-all solution. Likewise, the way that statutory and voluntary organisations are set up to respond to service needs of Gypsies and Travellers varies considerably from one LA to another.

Background

This good practice guide has evolved from the community development and policy work of the Irish Traveller Movement in Britain (ITM). Both have involved the facilitation of partnership between statutory and voluntary organisations and Travellers through Inter-agency forums. The aim of these forums is to improve services to the communities through fostering a better understanding by stakeholders of the multiple and complex exclusions experienced by many Travellers, encouraging joined-up responses and equally helping Travellers understand how services operate. Enabling Travellers to be part of, rather than the objects of, decision making processes has been a key feature of these forums. At a wider policy end this has been accompanied by targeting the inclusion of Traveller issues in local and higher governmental level agendas.

Consultation

This good practice guide has, as far as possible, drawn on existing research that has been carried out to date on the marginalisation of Gypsies and Travellers in the UK. This body of work exists in the form of research papers, reports and conference write ups. A list of works consulted can be found at the reference section at the end. This project has also made extensive use of the ITM's network of members and contacts across Traveller communities as well as relevant statutory and voluntary services. The different perspectives gained from these on what constitutes effective partnership between services and communities have formed the basis of this good practice guide. Through these an insight has also been gained on what makes initiatives succeed in some cases and fail in many others. Some of the good practice uncovered is featured in this guide. We fully acknowledge however the certain existence of many other examples of positive engagement and effective partnership models which aren't documented here.

As part of the more structured consultation process, a self-survey questionnaire was sent to a random sample of 120 LA housing services across a mix of borough, district and city authorities nationwide. It was requested that this be completed by an individual at senior level, with a strategic management role and with appropriate responsibilities for community involvement and working with excluded groups. A response was received from nearly a quarter of these and there were follow up phone calls made to services which indicated the most proactive responses to supporting these communities.

Some LA housing services have transferred their stock to Housing Associations. Recognising the increasingly central role of the latter in managing social housing, including from now on Traveller sites, a similar questionnaire was also sent to a sample number of housing associations. This included a proportion that have shown some awareness of the support needs of Traveller tenants in social housing stock or have indicated an interest in managing sites.

A number of focus groups were held with members of both Irish Traveller and Gypsy communities to explore perceived barriers to accessing suitable accommodation and support and ways of developing better working relations with housing services. Two Irish Traveller women were interviewed separately about their housing histories in this country one of which was developed into a case study.

Chapter 1 - Introduction to Communities

In the UK the term 'Traveller' is used to collectively describe English, Welsh and Scottish Gypsies, Irish Travellers, Scottish Travellers, Roma¹ – the name given to Gypsies from Eastern Europe, Fairground/ Show people, Circus people and New Travellers. This list is not exhaustive. The collective term above can be misleading as it suggests a uniform homogenous community rather than a group of communities which share some features and which are not fixed but contested and dynamic like all other communities. For the purpose of the 2004 Housing Act, the following inclusive definition of Gypsies and Travellers was adopted:

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism and/or caravan dwelling.'

For feasibility reasons this good practice guide focuses on the experiences of Irish Travellers and Gypsies, both officially recognised ethnic groups in the UK, which is not meant to take from the legitimacy of other Travellers. Unless otherwise specified the term 'Traveller' is used in connection with these two groups. It is hoped, however, that much of the learning can be adapted and applied to other communities who identify under the umbrella term of 'Traveller'. While it is acknowledged that Traveller groups have their own separate histories and traditions it is also true that there has been much historical overlap between them. Equally there is a lot of fragmentation in Irish Traveller and Gypsy communities between different family groups, and this undermines the cohesion implied by these collective terms.²

'Irish Travellers and indeed other Traveller groups, do not form discrete or homogenous ethnic categories in the sense that suit sedentary institutions and bureaucracies that tend to compartmentalise in order to generalise, but they can be better understood from without as 'a community of communities'. The extended family (or tribe) is the central organising unit while alliances (or disputes) within particular groups or with other extended families form the bonds or demarcations that link and divide these groups in a more general sense.'

Power. 2004:5

¹ There can be a tendency to confuse the terms 'Roma' and 'Romany'. The former refers to Gypsies from Eastern Europe and the latter to English, Welsh or Scottish Gypsies.

² For a recent and more detailed discussion of make up, origins and similarities/ differences between Traveller communities see *Here to Stay* (2006) by Colin Clark & Margaret Greenfields.

A baseline estimate for caravan dwelling Gypsies and Irish Travellers in England runs between 90 000 and 120 000 with up to three times as many living in houses. (CRE. 2006: 15) Official figures which are drawn up bi-annually by Communities and Local Government³ tend to be much lower than this, as they only count caravans, not people, and they do not take settled Travellers into account. This is significant, since in the UK the majority of Travellers are thought to live in houses. The process of shifting to a more sedentary way of life has been less of a choice than the result of successive legislation that has had the effect of criminalising nomadism. Despite this, travelling continues to be an integral part of Traveller cultures, informing a particular vision of the world, property, employment and life in general. The majority of settled Travellers have not relinquished their distinctive cultural identity and still aspire to a travelling way of life.

Gypsies or Romany Gypsies

Romany Gypsies make up the largest of the Traveller groups in the UK. In general the Romany Gypsy community do not accept the term of Gypsy being applied to anyone except those that have their origins from that community. They have a recorded presence in Britain for hundreds of years and they claim descent from Romany people who are believed to have originated from Northern India. Since 1989 they have been recognised as a distinct ethnic group according to the criteria set out in the 1976 Race Relations act. There is much literature available on their cultural distinctiveness, history, relations with other groups and social marginalisation, all of which are complex and beyond the scope of this guide. Apart from the importance of travelling, the pivotal role of family and a preference for self-employment over engagement in the waged labour market constitute key aspects of the cultural identity of Gypsy communities.

Traditionally Gypsies relied on the rural economy to make their living. Nowadays a large proportion of English Gypsies are still based rurally and live on privately owned or LA sites or in houses. Places such as Kent, Surrey, Sussex, Essex and Derby have long established Gypsy populations. There are also large urban based Gypsy communities in Derby, Doncaster etc. Though all Gypsies speak English they also have their own language called *Romani*. Religious faith occupies a central role in the lives of many Gypsies and Travellers. In more recent years many Gypsies in particular have converted to evangelical Christianity in the form of the Light and Life Gypsy Church. This Pentecostal Church has developed a large following and has around 20 churches in the UK.

³ Formerly the Office of the Deputy Prime Minister.

Irish Travellers

Irish Travellers are an indigenous nomadic minority group in Ireland and the UK. While Irish Travellers have been travelling and living in Britain for hundreds of years, the 1960s saw the arrival of increased numbers of Travellers in search of work. They were accorded minority ethnic status in Britain in 2000 according to the 1976 Race Relations act. They refer to themselves as 'Pavee' or 'Minceir', are native to Ireland and have been part of Irish and British society for centuries according to historical sources. The traditional language which many Irish Travellers speak among themselves is known as 'Cant' or 'Gammon'⁴, sometimes it is mixed with English. Irish Travellers speak English when engaging with non-Travellers. The age profile of Irish Travellers tends to be very young. It is common for them to marry at an early age and have big families which make for a growing population.

Among Gypsy and Traveller communities it is those nomadic Travellers who are susceptible to the worst social exclusion and in the UK Irish Travellers make up a large proportion of these. Many Irish Travellers have tended to base themselves in cities. Because of the prohibitive cost of property in cities like London, they have had fewer opportunities to buy their own land for sites and have had to rely on LA run sites or live in houses. Irish Travellers are mainly Roman Catholics, though some have been drawn to evangelical Christianity in more recent times.

In 'Room to Roam: England's Irish Travellers' a 2004 study of the lives of Irish Travellers in the UK, Dr Colm Power points to a glaring paucity of knowledge, deep misunderstanding and lack of recognition of the specific culture, history and lifestyles of this ethnic group. The knock-on effect is a systemic lack of policies which address the needs of Irish Travellers and their extreme social marginalisation. As further testimony to this failure it is noted how they are frequently misperceived as a criminogenic as opposed to an ethnic group. It is a significant piece of research, given that prior to this period, the specific needs and issues of Irish Travellers had been afforded little attention, either viewed in the context of all Travellers or as a subgroup of the settled Irish population in Britain.

⁴ Academically known as 'Shelta'.

Finding out about Gypsy and Traveller communities in your area.

- Has the Gypsy and Traveller Accommodation Needs Assessment been completed for your area?
- Are you aware of the Traveller Education service in your area?
- Are there any other specialist statutory or voluntary sector teams/ individuals that work with Travellers?
- Is there a Traveller liaison officer⁵ in your area?
- Are there local authority or private Traveller sites in your area?
- Is there a Traveller Inter-agency or multi agency forum? (If so, what is the level of Traveller involvement?)
- Is cultural awareness training for Gypsies and Travellers available where you work?

⁵ Generally, a council-based employee who manages sites and unauthorised encampments

Chapter 2 –Legislative and policy framework

Race Relation Duties

Gypsies and Irish Travellers are recognised ethnic groups by law and are therefore protected under race relations legislation. This includes a general duty for public authorities to get rid of unlawful discrimination and to advance equality of opportunity and good race relations. Put plainly, this means it is illegal for any organisation or individual to discriminate directly or indirectly against Gypsies or Irish Travellers because they are Gypsies and Irish Travellers. (CRE. 2006: 19)

In addition Local Authorities are included in the list of public bodies required to produce a *Race Equality Scheme* (RES) which is effectively an action plan which sets out how a council will meet its general and specific duties to all relevant groups under the race relations legislation. This includes carrying out a proofing mechanism in the form of a *Race Equality Impact Assessment* (REIA), in order to weigh up likely effects a proposed policy will have on race equality and the promotion of race relations.

In practice, however, the invisibility of Travellers as white minority groups largely unmonitored and excluded from BME policy frameworks means that they continue to experience widespread discrimination at all levels of society. Moreover it is estimated that less than 30% of Local Authorities specifically mention Gypsies and Travellers in their RES. (CRE. 2006: 59) Similarly there is a marked absence of REIAs in relation to services and policies that are likely to impact on Travellers such as planning, site provision and homelessness.

CRE's Statutory Code of Practice on Racial Equality in Housing

The CRE's *Statutory Code of Practice on Racial Equality in Housing* aims to explain the provisions of the Race

Relations Act 1976 that are relevant to the provision of housing in England, Scotland and Wales. It aims to:

- Set standards for achieving racial equality
- Provide practical guidance that will help organisations and individuals involved in all areas of housing to avoid unlawful racial discrimination and harassment, promote equal opportunities for all, and encourage good race relations
- Help make sure that anyone who is considering taking a legal case, or who has concerns about the way decisions on housing matters have been made, understands the legislation, their rights, and what constitutes good practice in the field of housing.

The code applies to all providers of housing and related services in England, whether in the public, private, or community and voluntary sectors, including landlords, 'arms-length' housing organisations, large-scale voluntary transfer organisations, planning bodies, house builders, housing advice providers, private sellers and estate agents.

The code covers all forms of housing tenure, including caravan sites as well as 'bricks and mortar' housing. It also covers housing provided as part of an employment contract, for example tied housing, or housing provided for nurses, police officers or prison officers by their employers.

The code is a statutory code. This means it has been approved by the secretary of state and laid before parliament. The code's recommendations do not have the force of law, but they will be used by the tribunals and courts in considering any questions arising in proceedings brought under the Race Relations Act.

CRE Common Ground Report

On 15 May 2006, the Commission for Racial Equality published *Common Ground* – the findings of its inquiry into local authorities' race and community relations work around sites for Gypsies and Irish Travellers.

'Common Ground' made a number of detailed recommendations to help and encourage local authorities and public bodies in their work in relation to sites for Gypsies and Irish Travellers and support them in complying with their race equality duty in this area. If local authorities and public bodies follow these recommendations and statutory guidance they can have increased confidence that their practice will be in line with the race equality duty. The report made a number of recommendations relating to housing - both at a strategic level (for central and local government) and these ones for housing organisations:

The Housing Corporation should require all housing associations to include Gypsies and Irish Travellers in ethnic monitoring systems, and make sure all front line staff are able to provide services that are sensitive to Gypsies' and Irish Travellers' cultural needs.

The Housing Corporation should support and monitor the performance of registered social landlords in developing and managing Gypsy sites, and encourage them to do so in a sustainable way that fosters opportunities for interaction and promotes good race relations.

The National Housing Federation should include Gypsies and Irish Travellers in guidance on conducting race equality reviews of services, and advise member organisations to include Gypsies and Irish Travellers in their ethnic monitoring systems.

Registered social landlords should make use of new opportunities for developing and managing Gypsy sites, learning from the experiences of local authorities, and drawing on available good practice.

Accommodation policy

‘It is widely acknowledged that a range of accommodation is required for Gypsies and other Travellers, from permanent housing to temporary stopping places, to meet the needs and aspirations of individual families.’
(Niner. 2003: 158)

The question of Gypsy and Traveller accommodation has long been recognised as key to dealing with the broader issues of exclusion. The 1968 *Caravan Sites Act* placed a statutory obligation on LAs to provide adequate sites for Travellers in their area. Poor enforcement, however, meant that this duty was often ignored. The subsequent 1994 *Criminal Justice and Public Order Act* removed this statutory duty outright. Research carried out in 2003 for the then *Office of the Deputy Prime Minister* pointed to a serious shortfall in council site provision and the unsatisfactory location of roughly half of the existing sites.

In recent years strategic lobbying and community mobilisation, together with a growing body of research which has focused on structural inequality, have led to significant policy developments in relation to accommodation. The 2004 *Housing Act* conferred a statutory duty on all LAs to carry out a Gypsy and Traveller accommodation needs assessment and to develop appropriate strategies to meet needs identified which may include increased site provision. The secretary of state at Communities and Local Government has powers of intervention to direct LAs to identify land and follow through on site development where they are seen to be failing in their duties to do so. Significantly this piece of legislation also adopted a more inclusive definition of Gypsy Traveller, which acknowledged that the cessation of a nomadic way of life doesn't take away from a Gypsy Traveller's cultural identity – see Chapter 1.

‘Ministers are clear that the solution to the current problems of unauthorised camping has to be a balance between effective enforcement and more authorised site provision.’

Gypsy and Traveller sites grants guidance, Department of Community and Local Government

Gypsy Traveller Accommodation Needs Assessment (GTAA)

Local Authorities are expected to have their assessments completed by the end of 2007. The accommodation needs of a broad range of Travellers are to be taken into account. Evidence produced will then inform both the Regional Spatial Strategies (RSS) and local development frameworks. The success of the current accommodation needs assessments in coming up with more plausible population estimates in many areas rests largely on efforts to get in touch with housed Travellers. Widespread fears of racism from service providers have meant that the majority of housed Travellers choose not to identify which, as an invisible minority group, has compounded their invisibility.

While it is anticipated that this needs based approach will lead to the development of increased site provision, given the hostility in parts to local site developments, there will be a need for strong political will to ensure recommendations are implemented.

Some concern has been expressed about the government's lack of strong guidance and monitoring of assessments which could leave the way open for Local Authorities to come up with inaccurate and poor quality work. If the evidence produced is flawed and fails to reflect real accommodation needs, this will lead to continued under-provision and a missed opportunity. Notwithstanding the powers of the secretary of state to intervene, in some areas there have been questions over the level of effective enforcement. There are reports that certain LAs have gone against evidence based planning recommendations to develop new sites because of local opposition.

Getting the right balance between transit and permanent sites is seen as crucial to achieving fair and adequate provision. There are fears that some LAs will use the focus on fixed as opposed to transit site provision as an excuse to try and do away with 'nomadism' which has been an integral way of life for Traveller communities for centuries through taking much tougher measures against 'unauthorised' encampments. This has led to apprehension about the creation of sites as reservations which do not offer possibilities of travel and where Travellers will be effectively ghettoized. Alternatively concern has been raised at the prospect of an over emphasis on transit as at the expense of permanent sites resulting in families being forced to move on every 28 days to 3 months.

Traveller involvement in GTAA

There have been differing methodologies used to gather evidence across the country and the importance placed on consultation with communities has also varied considerably. In their 2006 good practice draft guidance the

CLG recommended Traveller involvement to be a key part of the methodology. The decision to involve Travellers in the research has been welcomed by communities and supporters as a practical means of empowerment, skills development and trust building. It is also felt to have significantly increased the quality of the findings and their credibility within these communities.

The assessment for the Cambridgeshire sub-region, completed in 2005, was the first to involve Gypsies and Travellers in the research process by training and paying them to carry out interviews in the communities. Academic Margaret Greenfields, who co-led the Cambridgeshire assessment with fellow academic Robert Home, has emphasized the necessity of close partnership work with Travellers at all stages of the research in order for credible data to emerge. Some other regions have followed suit and the Cambridgeshire model of assessment and capacity building is proving extremely popular with Gypsy and Traveller communities in areas where it has been adapted. With a lack of regulation from the top however, the findings of the assessments completed to date are regarded as very mixed, in terms of quality and accuracy, in reflecting community needs.

The largest Gypsy and Traveller accommodation needs assessment is currently being carried out across 32 of London's 33 boroughs, which have been divided into 5 subregions to facilitate project management and coordination. Travellers are participating in the research process. Focus groups have been set up with communities to give feedback on questionnaires etc. In addition, half of the interviewing team that will be going onto sites or speaking with housed Travellers will be made up of community members who will be trained and paid for their efforts. The rest of the team will comprise non-Travellers with the requisite experience and skills. In this way, fears about confidentiality within the community have been taken into account, as those being interviewed will have the choice of speaking to a Traveller or non-Traveller. Results for the assessment are provisionally expected for September 2007.

Accommodation Planning

The planning framework for developing and managing sites is still evolving following the 2004 Housing Act. In February 2006 *Planning Circular 1/06* replaced the previous circular *01/94* as a guidance for local authorities in the planning of Traveller sites. LAs are required to select suitable sites for public and private provision as part of their local development strategies or development plan documents (DPD). In the case of an urgent need for site provision being identified, the guidance advises local planning authorities to go ahead with the preparation of site allocation, simultaneous to or in advance of the strategy that emerges from the accommodation assessment.

Communities and Local Government (CLG) is currently developing a good practice guidance for both site design and site management. A government-led task group, which includes Gypsy and Traveller representatives on site provision and enforcement, was set up in Spring 2006. In addition the *Royal Town Planning Institute* has developed a 5-part good practice series on delivering satisfactory services to Gypsy and Traveller Communities. The 5 headings are: Communication, Consultation and Participation; Accommodation Needs Assessment; Accommodation and Site Delivery; Enforcement and Sources of Further Information and Advice.⁶

Statement of Community Involvement

The *Regional Spatial Strategy* (RSS), together with the *Local Development Framework* (LDF), are planning blueprints for physical and spatial development across the UK over the next ten to fifteen years. The locally-prepared LDFs are required to adapt a rigorous community involvement component, to be outlined in the compulsory *Statement of Community Involvement*. This document sets out how local communities can input into planning processes including local planning developments and planning applications. It places an onus on local authorities to engage with all local communities and in particular, ones that are hard to reach and not normally consulted in planning procedures. In practice, planning authority officers have pointed to a lack of resources and a tight time-frame as barriers to realising such ambitious consultation.

Security of Tenure

Security of tenure refers to a tenant's right to live in their home indefinitely as long as they keep to the conditions of their tenancy agreement. Council tenants in houses and flats have proper security of tenure provided by the Housing Act 1995. This means that, if their Council Landlord wants to get possession against them, he/ she would have to take them to Court and prove the facts. The tenant in question has the opportunity of putting forward their own evidence to counter that of the Council. Once the Judge has heard the evidence, they decide who to believe and whether it is reasonable to grant a Possession Order. A similar form of security of tenure is available to residents on mobile home parks who are protected under the Mobile Homes Act 1983. Local authority Gypsy and Traveller sites are specifically excluded from the protection of the Mobile Homes Act 1983.

⁶ See reference section at the back for more details on guidance mentioned.

In May 2004 the security of tenure case of Mr Connors came before the European Court of Human Rights. The European Court decided that the failure to provide proper procedural safeguards for Mr Connors was a breach of Article 8 of the European Convention (the right to respect for private and family life at home). They awarded him substantial compensation. Mr Connors had been evicted from an official local authority site in Leeds due to allegations of nuisance. Mr Connors categorically denied these allegations. However, due to the lack of security of tenure on official local authority sites, Mr Connors was not able to put his side of the case to the Court. The Judge had no other option but to grant a Possession Order.

In November 2004 the government indicated that they would have to change the law because of the European Court decision. To date there has been no action taken on this. Latest news from *Communities and Local Government* indicates they will be consulting on proposals for legislative change to address these issues shortly. In the meantime, Gypsies and Travellers on local authority sites remain in a strange state of limbo where, despite the decision in Connors – v – UK, they do not have property security of tenure. *The Gypsy and Traveller Law Reform Coalition* therefore proposed a bill called the Caravan Sites (Security of Tenure) Bill in 2006 which was introduced as a ten minute rule bill by Julie Morgan MP (chair of the all party parliamentary group on Gypsy and Traveller law reform). Though this bill will not reach the statute book, it is being used as a campaigning tool to continue to put pressure on the Government to change the law. Some LA landlords such as Durham county council are introducing security of tenure to site residents out of choice rather than waiting to be forced. For model tenancy agreement see appendix 1.

Gypsy and Traveller Site Grants (GTSG)

The site refurbishment grant was introduced by the then Office of the Deputy Prime Minister in 2001. In an extension of this, the government has made 56 million pounds available between 2006 – 2008 for new site development and the refurbishment of existing sites. The grant is paid through the regional housing boards and funded from the housing capital budget. Both RSLs and LAs can bid for this funding and if an RSL is successful it is paid through the Housing Corporation.

Housing Associations

Housing Associations that register with the Housing Corporation are known as Registered Social Landlords (RSLs). Until recently RSLs were not entitled to apply for grants from the Housing Corporation to develop and upgrade sites and only a small number of them were involved in site management. In 2006 this changed, however, and the government is now actively encouraging RSLs, including those with experience of supporting BME and special needs groups, to expand into this area. RSLs are now therefore eligible to apply

for 100% grants, payable through the Housing Corporation, for developing new sites. This is the same pot of funding mentioned above (GTSG), which for convenience purposes is made payable through the Housing Corporation when an RSL successfully applies.

In areas where LAs have transferred all of their stock, it is felt to be particularly important to engage RSLs in site management, as they are the ones with the current housing management expertise. Recognising that many RSLs are approaching this area with very little knowledge of Traveller communities and how sites operate, the Housing Corporation in collaboration with Communities and Local Government (CLG) is developing guidance on site design which will complement new guidance being prepared by CLG on site management. Both of these are due to be released as consultation documents in May 2007.⁷ In addition, the Royal Town Planning Institute has published a good practice series on improving service delivery to Travellers – see above.

Arms Length Management Organisation (ALMO)

Some Local Authority sites are managed by ALMOs, companies set up by councils after 2001 to take care of operational management of all or some of the area's housing stock. The management board of an ALMO is usually made up of about one third tenants, one third local authority nominees and one third independent members.

Supporting People (SP)

Supporting People is a national housing support commissioning and funding programme. SP identifies Travellers as a key vulnerable group in need of housing related support in its core strategy. In the last couple of years a number of specialist Gypsy Traveller housing support services have been commissioned by SP in partnership with LA and voluntary sector agencies. A lack of monitoring and awareness of housed Travellers in an area, however, continue to act as a barrier to setting up this type of targeted support. Accommodation-related support such as budgeting, filling out benefit forms and help in accessing services, etc., can be equally relevant for Gypsies and Travellers who live on sites. It is also important that mainstream housing support services are trained on the particular accommodation issues and support needs of Travellers.

⁷ Available on CLG website

Tenant involvement

The expansion of tenant participation in the management of homes has been a guiding force in the government's commitment to building stronger and more prosperous communities. Within the tenant's involvement framework housing services are expected to set up structures for getting tenants involved in how their homes and communities are being managed. Tenant involvement is one of the criteria for which housing services are assessed by the Audit Commission.

Tenant Participation compacts

Tenant participation compacts are locally negotiated agreements between councils and their tenants outlining how tenants will be involved in decision making in the running of their homes and issues that relate to them as tenants. These have played a key part in the shift towards local empowerment. The government has outlined the importance of targeting BME communities in participation processes. In addition Communities and Local Government has issued guidance on Tenant Participation Compacts. (2005)

Right to Manage

This refers to the right of tenants to manage their own homes through setting up a tenant management organisation. This process is facilitated by the *Tenant Empowerment Programme (TEP)* which provides advice and information and tenant empowerment grants to fund training etc. (also known as section 16 grants). The TEP is managed by the Housing Corporation on behalf of the Department of Communities and Local Government. A lack of literacy skills and confidence to get involved in such unfamiliar processes means that many Travellers are very reluctant to engage in this way.

Tenant involvement: Gypsies and Travellers

As indicated, Gypsies and Travellers have generally remained off the BME radar of many housing services and consequently have been overlooked by equality strategies and specific targeting for tenant participation, i.e. the tenant empowerment programme. Moreover, statutory management frameworks for conventional housing which promote tenant's involvement do not extend to Traveller sites. Travellers living on sites do not, for example, have the same security of tenure as residents of social housing. For the most part their contract with the council takes the form of a 'licence' as opposed to a 'tenancy' agreement which affords the residents less legal protection should a housing service decide to evict them. Most LA Traveller sites have not negotiated compacts with residents. Consultation and resident involvement are included in the CLGs recently produced draft guidance on management of Gypsy and Traveller sites mentioned above.

Self Build

This refers to the involvement of Travellers at the very beginning of the site development process. Travellers would be involved in the identification and design of sites as well as the physical implementation of the site which would give them a stronger sense of ownership and investment in the site. This sort of holistic approach could also lead to positive group development and bonding. Self build in relation to Traveller sites is still very much at the pilot stage of development.

Questions

- What results has the GT Accommodation Needs Assessment come up with in your area?
- How successful was the assessment in making contact with housed Gypsies and Travellers?
- Are Gypsies and Irish Travellers mentioned in your authority's Race Equality Scheme?
- Does your authority's Statement of Community Involvement mention consultation with Gypsies and Irish Travellers?
- Has a REIA been carried out to determine how housing and homelessness policies will impact on Gypsies and Irish Travellers in your authority?
- Has your organisation included two separate categories – 'Gypsy' and 'Irish Traveller' in ethnic monitoring forms?
- Does the Tenant Participation policy identify Gypsies and Travellers as communities to be engaged with and brought into involvement processes?

Chapter 3 – Accommodation – Introduction of Issues

‘Most policies seem to be developed without the involvement of Gypsies and other Travellers, either as individuals or through representative bodies or support groups. Only about a fifth of local authorities participate in working groups or other forums involving Gypsies and other Travellers.’ (Niner. 2003: 45)

Some key issues

Travellers in houses

- Inappropriate housing allocation
- Support needs
- Access to services
- Identifying
- Factors that lead to tenancy breakdowns
- Homelessness
- Health

Travellers on sites

- Lack of security of tenure
- Lack of Tenant Participation compacts
- Lack of statutory management framework
- Support needs
- Access to services
- High utility charges
- Quality of site management
- Homelessness
- Health

Where do Travellers live?

Gypsies and Travellers live in a variety of different types of accommodation: privately rented, privately owned, social housing managed directly by the council, an ALMO or a housing association; authorised council long term or short term (transit) sites⁸; private sites as well as on ‘unauthorised’ developments and ‘unauthorised’ sites.⁹ The housing context and support needs for Gypsies and Travellers tend to vary greatly according to availability of sites as well as other factors such as financial circumstances, connection to an area etc. A lot of Travellers prefer to rent privately because of the bureaucracy involved in accessing social housing.

⁸ There are currently very few transit sites in the country.

⁹ A Gypsy or Traveller site that has been set up on land that is not owned by them is referred to as an ‘unauthorised’ site or encampment. An authorised development describes a site that is built on land that is owned but without planning permission. The distinction between ‘unauthorised’ encampments and ‘unauthorised’ developments is important as it affects which legislation comes into play in the case of an eviction.

Choice Based Lettings

Choice based lettings (CBL) are seen as a way of allowing tenants more power in deciding where they live and are increasingly used as a means of allocating housing. The ins and outs of how CBL systems operate tend to vary from area to area. There is concern, however, that vulnerable applicants like Travellers may not understand or be aware of the process involved. Literacy issues, lack of understanding of procedures and problems in being able to carry out bidding can present serious barriers to Travellers exercising choice in this way.

‘There are real difficulties for Travellers accessing social housing. They generally don’t have enough points as they are deemed to have their own accommodation’ (West London partnership report 2004)

In spite of this mixed and complex accommodation picture the belief persists at a LA level that if there is not a site within their area then it follows that there will not be any Gypsies and Irish Travellers either. This pattern of thinking has been reinforced by the reliance on caravan counts by the CDG to come up with Gypsy and Traveller population estimates. Moreover the tendency to regard housed and mobile Travellers in mutually exclusive terms obscures the complexity and diversity of settlement and travelling patterns for many in these communities.

One consequence of this is a widespread failure among housing services to monitor Gypsies and Travellers in houses and to index these groups into relevant housing, homelessness and Supporting People strategies. (CRE, 2006: 211) Research indicates that Gypsies and Travellers are dealt with in an ad hoc and un-coordinated way across different departments, are absent from local strategic planning frameworks and not part of BME inclusion and race equality agendas. (Niner. 2003, CRE: 2006) Furthermore the link between suitable accommodation and related supports for Travellers and the problem of unauthorised encampments is very often not effectively made.

Travellers in houses

Gypsies and Travellers who live in houses in both the public and private sector remain for the most part an invisible entity with little recognition of particular requirements and cultural factors that should be taken into consideration in terms of housing allocation and meeting their support needs. The research that is available, which is backed up anecdotally, points to a very vulnerable housed Gypsy and Traveller population that can easily find itself culturally isolated, unsupported by services and often without the literacy skills and

knowledge required to successfully manage a tenancy. (Clark et al. 2006; Power. 2004)) A lack of literacy skills remains a consistent and estimable barrier to maintaining a tenancy at all stages of the process, from the initial application through to the renewing of benefit forms to the actual ending of the tenancy.

‘I’ll tell you another thing on the housing front, a lot of people do not realise they’ve got to end their tenancy and so they just up and leave and then they get a bad reputation because like any benefit is technically still paid on that house and it gets them into all kinds of problems.’

Gypsy woman in focus group discussion

Reasons for tenancy break downs

The reasons identified by local authorities for the ending of tenancies include: inability to settle into housing (79%); problems with neighbours (54%); isolation from family and friends (37%); desire to move to a caravan site (33%) and budgeting problems/ rent arrears (28%). Harassment was also mentioned. (Niner. 2003: 56)

Traveller Sites

Travellers live on both privately owned and Local Authority sites. In recent years LAs have been increasingly outsourcing the management of sites to Arms Length Management Organisations (ALMOs) or in lesser cases, Housing Associations, though this is set to increase. Some sites are leased to individuals to run. Like in mainstream social housing residents on LA-owned sites pay rent, council tax and service charges. Site management is not regulated in the same way as conventional housing, however, as there is no statutory management framework for sites. Sites are not included in the national Decent Homes for all programme for instance. This has led to much disparity in how sites are managed, from the level of onsite management presence through to resident’s involvement and standard of facilities and services. There is also concern around the comparatively high rent that residents on some sites pay as well as utility charges such as electricity. There is a related lack of consistency of housing benefit payments depending on what type of organisation manages the site.¹⁰

‘Licence fees charged to site residents vary very widely, and have no apparent relationship with site quality or services. There is no guidance to local authorities on how licence fees should be set, and different authorities clearly take different views in weighing affordability and the desire to cover as many running costs as possible.’ (Niner, 2003: 226)

¹⁰ For a detailed discussion of this issue, see ‘A single housing benefit control for Gypsy and Traveller Sites’ by the Department for Work and Pensions.

The CRE's recent scrutiny into local authority site management standards indicated very patchy practice with 'many examples of unsatisfactory arrangements for managing sites'. (CRE. 2006: 104) Issues revealed included inadequate facilities, poor management, disproportionately high rent in comparison to social houses and a failure to consult and involve residents on relevant site development matters

Security of tenure

The key issue in relation to site accommodation is that residents as 'licencees' do not have security of tenure. They do not have the same legislative tenancy rights as social housing tenants. Neither do Travellers have the option to buy their own home as they would if they lived in conventional housing. Communities and Local Government have indicated that they will be consulting on proposals for legislative change to address these issues shortly. Further information as to when exactly this will happen is unavailable.

Well-managed sites

Anyone who has visited local authority Gypsy and Traveller sites will have been struck by the variation in conditions, facilities and general ambiance that can exist. On well managed sites good relations are generally enjoyed between residents and manager. The manager may be a Gypsy or Traveller – though this in itself is of course no guarantee of effective management skills. There are clear procedures in place for dealing with issues such as repairs and there is an effective communication strategy between management and residents. Residents also have a sense of pride and ownership of the site and are involved through resident's groups or less formal structures in decisions related to it.

Poorly-managed sites

At the other end of the scale, sites which aren't well managed often project a 'them and us' divide. This can be seen through poor communication between management and residents and a lack of effective consultation. The resulting disempowerment of residents can lead to anger, frustration, indifference and low expectations of management and service providers. In this scenario of distrust and fractious relations, residents can feel as if they're being treated as children who cannot be relied on to take responsible decisions. Conditioned into dependency roles, they are seldom involved in community development processes to foster more ownership and social investment in the site. Conflict in the form of family feuding can also have serious repercussions on site dynamics and the general wellbeing of residents. For many sites the reality is somewhere in between these two extremes.

Sites versus houses

It is well-documented that a large number of Gypsies and Travellers would opt to live on a suitable site as opposed to bricks and mortar accommodation for cultural reasons if such a choice were available. Accommodation preference will vary, as it does across other communities. The experience of many Travellers is not an either/or but alternation between housed and site accommodation depending on a number of factors such as site availability, ability to maintain tenancy, supports required, education of children, health etc. In Case Study 1 (page 16), for example, we see how Mary, an Irish Traveller woman in her early 50s who has spent most of her life on the road, no longer wishes to live on a site because of the support needs of her two sons with learning issues.

Homelessness

‘Authorities must give consideration to the needs and lifestyles of applicants who are Gypsies and Travellers when considering their application and how best to discharge a duty to secure suitable accommodation, in line with their obligations to act consistently with the Human Rights Act 1998, and in particular the right to respect for private life, family and the home.’

Homelessness code of guidance for local authorities, July 2006. 16.38

‘Travellers also find it extremely difficult to go through the homelessness route as it is so drawn out and involves a lot of paperwork, interviews with officials and being asked personal questions which they find very intrusive.’

West London Partnership report: 5

The widespread shortage of site provision means that Travellers who present as homeless and who do not want to settle into bricks and mortar accommodation for cultural reasons will rarely be offered a pitch on a site by local authorities. Instead they are often allocated inappropriately sized and located accommodation in houses where they find themselves cut off from their families and communities as well as from much needed service support.

For a Traveller who has only known a caravan based lifestyle the social, psychological and physical adjustments involved in moving into a house for the first time can be enormous. These will include the challenge of negotiating the balance between respecting neighbours’ needs for peace and quiet and affording children some of the freedoms they would have grown used to on a site or travelling around. The upshot is that many Gypsies and Travellers find themselves caught up in a cycle of unsuitable temporary accommodation, where their support needs are not picked up on and which end in abandonment or eviction.

Either scenario jeopardises entitlement to future social housing as tenancy breakdowns are deemed to be caused by the tenants themselves, thereby relieving social authorities of their duties to provide housing. With a social housing stock high in demand, the criteria for meeting eligibility are very strict. Patterns of travel, propensity for self employment and reluctance to engage with official systems mean that there can be difficulty also for Travellers in proving the required local connection to an area in order to be eligible for social housing. The irony is that housed Travellers often end up being more mobile than their counterparts on sites.

Housing requirements of Gypsies and Travellers

Travelling in family groups with the freedom and space to pursue their livelihoods and interests continues to be a central part of Traveller cultural identity, despite the increasing difficulties in realising this way of life. As indicated there are very sizeable challenges involved for Travellers in adapting to living in a house for the first time. This is why the allocation of appropriate housing is crucial. The housing requirements for Gypsies and Travellers include:

- Large properties to accommodate large and extended families.
- Ground floor properties preferably with garden.
- Property at end of row with adequate space for parking to offset disgruntlement of neighbours about noise.

Even though there is a high demand for similar housing stock from other tenants who may also be from BME backgrounds and have particular support needs, specialist officers have pointed out that:

‘it was particularly important to offer Gypsies and Irish Travellers suitable accommodation and support if they were to sustain tenancies especially when families were moving into conventional housing.’ (CRE, 2006)

Anti-Social Behaviour Order (ASBO)

‘Civil-liberties activists are extremely concerned that orders are being sought to ‘gentrify’ areas and increasingly to suppress the young, the poor, the vulnerable and those who are not members of a particular form of sedentary society – in other words, people like Gypsies and Travellers who, as we have repeatedly demonstrated, are subject to victimisation and prejudice in many localities where they reside.’

Clark et al. 2006: 164

‘Variety and inconsistency in the process leading to an ASBO application, combined with a lack of detailed guidance when ASBOs were first introduced, have resulted in a lack of standard procedures for recording the ethnicity of the recipients, which makes the monitoring a challenge and reflects problems linked to the inconsistent processings of protocols around ASBOs generally.’

Runnymede. 2006: 2

LAs and Housing Associations have power to issue ASBOs or the less punitive Acceptable Behaviour Contracts (ABC) to tenants. The extent to which ASBOs are seen as a useful way of tackling anti-social behaviour varies greatly across LA areas. Receipt of an ASBO can be the first step in the eviction process for a family. Home Office guidance and Race Relations legislation require ASBOs to be monitored by ethnicity. In practice however the Home Office do not collect monitoring data centrally and this lack of enforcement means that monitoring tends to be very poor. At an anecdotal level however some support workers have indicated concern about the frequency with which housing services, including housing associations, issue ASBOs to young Traveller men on sites and in houses.

Some Travellers report feeling victimised because of who they are and targeted for eviction by other residents who invariably see them according their media image, that is, lawbreakers. This general anti Traveller prejudice comes out in racist taunts such as ‘Gypo’ or ‘Pikey’. Already targeted in this way, if there is a misdemeanor on the estate the Gypsy or Traveller family will often be the first visited by management and the authorities looking for the perpetrators.

The links between education, exclusion and anti-social behaviour is an area in need of research. What is emerging is a familiar pattern of Traveller boys dropping out of school in their early teens, hanging around estates and getting a name for themselves as troublemakers. The upshot is often the issuing of an ASBO and the likelihood of eviction for the whole family.

One Traveller woman criticized the quality of evidence used in the decision to issue an ASBO and also the role that other residents can play in this. She felt this process can be abused by some who use it as a means of getting rid of a family deemed undesirable from an estate based on prejudice and disapproval of lifestyle. She spoke of neighbours ganging up on her two young sons and conspiring to have the family removed through the ASBO route.

When a Traveller is given an ASBO the usual barriers of literacy and lack of trust in services can mean the family do not know how to contest the decision or who to turn to for help. Sometimes families can feel intimidated by housing services into signing ASBOs, unaware that they have the right not to sign and to get legal advice.

'I'm more or less under probation because of this anonymous call. That would be like me, if I didn't like my neighbour next door, picking up the phone and making an anonymous call, to get her thrown out of her house. Where are my rights? Who's going to protect me?'

Traveller woman whose son received an ASBO, questioning the quality of evidence used

Domestic Violence

Domestic violence is a crime that affects women, children and a much smaller proportion of men in all communities. Research tells us that one in four women will experience domestic violence at some time in their lives.¹¹ Women from close-knit family-centred communities like Traveller communities can experience particular difficulties in relation to domestic violence. There is a well documented link between domestic violence and tenancy breakdowns and homelessness for women in general, and Traveller women fleeing domestic violence may have additional and complex support needs. Despite the association with an abusive partner women in this situation may often be reluctant to leave a particular area because of the emotional and practical support provided by family locally. Alternatively, in some cases domestic violence disclosure can lead to a woman being ostracised by the support of some or all of her extended family.

Housing officers have statutory duties to provide emergency accommodation for women who are fleeing domestic violence while their case is being investigated. Some Traveller women who present to the Homelessness unit to escape domestic violence, complain that they are not believed and have to provide documented evidence such as a crime reference number before an application is even assessed. It is the statutory duty to provide accommodation while investigations are being carried out. Although other women will receive the same treatment, there can be a common assumption that a Traveller woman is lying which means more evidence is required and also more intervention from specialist advice agencies which are not always available.

¹¹ From Women's Aid website- http://www.womensaid.org.uk/landing_page.asp?section=000100010005
(Frequently Asked Questions)

One housing advice worker who works extensively with housed Traveller clients in London spoke of a Traveller woman fleeing domestic violence in London who was offered accommodation in Birmingham by her local London council. When she refused on the grounds that the upheaval of taking her kids out of the local school and leaving the support of her extended family would be detrimental, she was offered no alternative. She was told if her situation was that desperate she wouldn't be refusing the offer.

Health

For a Gypsy or Traveller, moving into a house after years of living on sites or on the road can be profoundly traumatic and problematic. The motivating factors for such a move often include gaining access to key services like health and education. The emotional toll of moving into a home can be very significant:

‘It is incontrovertible that significant numbers of Travellers who move into conventional accommodation experience claustrophobia, depression and mental health problems as a result of the abrupt transition to unsuitable and potentially hostile environments.’

Greenfields in Clark. 2006

Mental health problems such as these result from the pressures of trying to maintain a tenancy with little service support, being cut off from family support networks and adjusting to the lack of freedom associated with living in a house. Research indicates Gypsies and Travellers experience the poorest health relative to other minority ethnic groups in the UK. This can be seen across a range of indicators including the lowest life expectancy and the highest infant mortality rates of any group and high levels of depression, anxiety, and heart disease. Gypsies and Travellers often have difficulty accessing health care and may have to resort to using Accident & Emergency services for basic health care, with little follow-on continuity of care. Lack of monitoring means that many PCTs remain largely oblivious to healthcare needs of these communities.

‘The aspects of Gypsy Traveller health that show the most marked inequality are self-reported anxiety, respiratory problems including asthma and bronchitis, and chest pain. The excess prevalence of miscarriages, still births, neonatal deaths and premature death of older offspring was also conspicuous’

(Parry et al. 2004:

8)

Within these communities, Travellers that live in houses experience the poorest health, including mental health problems and longterm illness. (Parry et al, 2004) Many Gypsies and Travellers also face difficulties registering with local GPs which results in a disproportionate reliance on A & E services.

Accommodation

- Have key services such as mainstream housing support workers, Anti-Social Behaviour Action teams, domestic violence support workers received cultural awareness training on Traveller communities?
- Have a disproportionate number of Travellers received ASBOs in sites or houses managed by your service?
- What sort of licence or tenancy agreements exist on the local Traveller site(s)?
- Has there been any move to develop i) independent resident groups ii) tenancy agreements, iii) tenant participation compacts?

Healthcare

- Do you know about Gypsy and Traveller access/ barriers to culturally appropriate healthcare in your area?
- Has an assessment of Gypsy and Traveller health been carried out in your area in the last ten years?
- If so have its recommendations been acted on?
- What about in a neighbouring borough or district?
- Are you aware of the 2004 national study on the Health of Gypsies and Travellers and of its findings that Travellers have the poorest health status in the country? (Parry et al)
- Are there any specialist health workers who work with Travellers in your area?

Chapter 4 - Case study

Case study 1 – Accommodation history of Irish Traveller woman

‘Cold wintry nights we’d have to move on, you’d have to knock off all your heating and stuff and build it up again to keep the kids warm.’

Mary is an Irish Traveller woman in her early fifties.¹² She lives in a council house in London with her two grown up sons. Her housing history in both Ireland and England has been very varied. Born in Co. Antrim the first 5 years of her life were spent living in a bendy tent.¹³ Her father was a tinsmith and the family used to travel around the 32 counties to wherever he could find work. She got little schooling/ formal education and to this day she cannot read or write. From the bendy tent the family moved into wagons and then trailers and continued to travel despite being frequently moved on by the police. In Ireland she never lived in a house.

In her mid 20s she came over to London with her husband who was looking for work. Initially they were given temporary accommodation in a B & B. They moved out when her husband bought a trailer. They managed to get a pitch on an unauthorised encampment where they were one of 4 or 5 families staying there. At this stage she had six children. She remembers the site being subject to regular picketing and protests by neighbours and she remembers the police coming to get them out of their trailer in the middle of the night. This was during the mid 80s and she recalls how the site residents were unsupported by any council services. After they left the site they moved to a succession of stopping places in the vicinity before being moved on to find another. She remembers that there were a lot of Travellers at the time in the same situation.

Eventually when her youngest child was about 4 they agreed to move into a house because of all the disruptions and having to move during cold winter nights. Though in temporary accommodation, they ended up staying in the first house for 3 years before being moved into permanent accommodation. There she remembers getting some help from services, the kids used to get free meals at schools. Understanding from staff and their willingness to help her and the family was hit and miss. Mary recalls, ‘well you’d get some of them ok and more of them nasty’. She received support from the local Catholic clergy. They did settle in

¹² This is not her real name.

¹³ For images of what a bendy tent looks like see Keenan, J & D Hines (eds.) 2000. *In our own way - tales from Belfast Travellers*.

reasonably well to the new house but then her husband died and she and her family returned to Ireland for the funeral. They stayed in Ireland for a while. On their return they found other Travellers were squatting in the house in London. Rather than involving the council, when they refused to leave, she decided to take the family back to Ireland once more. In Ireland she travelled around staying with friends and family.

When she and her family returned to London some time after, her erratic housing records were examined by the local housing authority and she was deemed intentionally homeless, having abandoned the previous tenancy. Left to look after her two sons, one in his teens and the other in his early 20s, she remembers ending up in a squat with no running water, without benefits and living in extreme poverty. At this stage a community social worker with experience of working with Travellers became aware of her situation. Through the support of the social worker her two sons were assessed with learning difficulties. Despite the precariousness of Mary's living situation and her complex support needs housing services accused her of lying about her housing history and about the problems of her sons. It was only after successful advocacy by the social worker that they agreed to provide her with housing and she was linked up to the benefits to which she was entitled and her sons were provided with support from the Learning Disability team.

Her current housing contract comes to an end in 2007 and with the help of the same social worker she is applying for a transfer on general medical grounds relating to her sons' needs. Though she has enjoyed good relations with her neighbours on either side, who know she's an Irish Traveller, one of her sons has been bullied by the neighbours across the road, which has made life difficult. She is hoping for a ground floor place with a garden. Mary has no wish to return to living on a site because of the support needs of her sons. She is in regular contact with her children in London who come and visit her. She has another daughter back in Ireland.

On being asked if she identified as an Irish Traveller, Mary indicated that despite a pride in her heritage, she goes as 'Irish' as opposed to 'Irish Traveller'. It was not a question of encountering more or less prejudice as a Traveller in England or Ireland, but the lack of awareness of what it means to be a Traveller in England made it difficult in dealing with services like housing.

Key points that emerge from Mary's story are:

- Mary is now a housed Irish Traveller.
- The fact that she lives in a house doesn't affect her cultural identity and status as a Traveller.
- Very varied housing history in Ireland and England including living in a bendy tent¹⁴, wagon, on authorised/ unauthorised sites, camping at side of road, temporary and permanent accommodation and living in a squat.
- Large family – 6 children.
- Education exclusion
- No literacy skills
- Lack of knowledge around maintaining tenancy i.e. following procedures such as ending tenancy. Mary was unaware that she had made herself intentionally homeless.
- Cultural importance of funerals and how they can impact on accommodation situation
- Lack of trust in council services, i.e. didn't report squatters in house, returned to Ireland instead
- Coming up against prejudice of support services, i.e. accused of lying over housing history and learning Difficulties of her sons.
- Late assessment of her two sons with learning disabilities.
- Ad hoc nature of support received, depending on meeting sympathetic individuals such as local priest or particular workers, as opposed to informed staff following standard policies.
- Reliance on family for support and services with specialist knowledge of Traveller communities.
- Preference for living in house as opposed to site because of support needs of sons.
- Preference for identifying as Irish as opposed to Irish Traveller because of fear of discrimination. (feeds into lack of demographic information on Travellers and belief expressed by some services that they do not have any Traveller tenants)
- Difficulty in making homeless application. Not being believed by homeless officer.
- Different types of anti-Traveller prejudice in UK and Ireland. In UK more anonymity through less awareness of Irish Travellers but anti-Irish as well as anti-Traveller prejudice to deal with.

Chapter 5 - Statutory and voluntary support for Travellers

Local Authorities are structured in different ways and use a range of service delivery models to support the housing and related needs of Gypsies and Travellers in their area. The CRE groups the approaches taken by LAs to working with Travellers into 3 types:

- LAs that employ specialist front line staff but do not specify Travellers in corporate strategies.
- LAs that include Travellers in corporate strategies but which fail to translate these strategies into support for communities on the ground.
- LAs that include Travellers at a strategic level and which feeds into targeted operational support for communities.

(CRE. 2006: 49)

Achieving the optimal balance between a strategic and operational focus; that is, formulating high-level targeted policies and having the structures in place to implement them on the ground – see no. 3 above - is seen as ‘the ideal approach’. Depending on the make up and organisation of Traveller service support within a LA, there can be an emphasis on enforcement or, alternatively, a more supportive needs-and-rights-based approach to working with Travellers in the area. Research indicates that the choice of service with primary responsibility for managing sites has a bearing on whether an overall enforcement or provision ethos is followed:

‘When responsibility for providing sites was located in housing services, sites were seen as a type of accommodation, whereas when the responsibility was located in environmental health, they were perceived as an enforcement matter.’ (CRE. 2006: 38)

The number of specialist Traveller support services, their roles and responsibilities and the extent to which Traveller issues are mainstreamed varies greatly between LAs. There is also much variation in the way that statutory and voluntary sector agencies work in partnership to support these communities, i.e. combined projects, multi or inter agency forums etc.

List of Specialist statutory and voluntary support services for Travellers

Traveller Education Service (sometimes called Traveller Achievement Service)

Gypsy Traveller Liaison Officer, GTLO*

Specialist Health worker

Specialist advice/ support worker

(Supporting People) floating housing support worker.

Community social worker

Youth worker

Community development worker

Employment worker

* Generally council based employee who manages sites and unauthorised encampments.

This list is not exhaustive and supports vary, depending on local context, prioritising and resources, etc

Can you think of any other specialist statutory or voluntary sector services that support the needs of Travellers in your area?

Examples of statutory sector service delivery models

Partnership approach: Haringey Travelling People's Team (HTPT)

The team was set up in 1995 to address the support needs of Travellers in an innovative and joined-up way. The current make up of the team is a community social worker, a Traveller liaison officer and a housing support worker, currently funded by Supporting People. This type of joint statutory approach to working with Travellers which may be the only one of its kind in the country has been singled out as a model of good practice. (Clark. 2006:151) The team work in partnership with other statutory and voluntary agencies and their work includes:

- Welfare rights and tenancy support
- Community development
- Youth project in conjunction with voluntary sector organisation
- Running driver theory classes for men and women
- Site and unauthorised encampment management
- Facilitating access to services

- Joint case work with mental health, child protection and disability teams

Supporting People (SP)

Traveller floating housing support worker

Supporting People with its remit to provide support for vulnerable people to maintain their tenancies, is ideally placed to target the support needs of Travellers, both on sites and in temporary housing. Moreover, Travellers are identified as a target client group in the SP framework. Following needs mapping, some councils have collaborated with SP to set up specific Gypsy Traveller housing support services. These are generally 2-year funding programmes, after which the service would be mainstreamed by the provider organisation, pending a positive evaluation.

Developments like this have been welcome but in many areas, however, Gypsies and Travellers making the transition from mobile to settled accommodation continue to go unsupported, and familiar patterns of tenancy abandonment, evictions, family strain and mental health issues re-emerge. When evidence suggests there is not a need for a specialist Traveller housing support worker, it is important to develop the capacity of mainstream housing support workers to work more effectively with Travellers whom they are likely to encounter as part of their client group even if they don't identify as such.

Case Study 2: Floating housing support service for Travellers in Ealing

The North West London borough of Ealing has a longstanding Traveller population, the majority of whom are of Irish origin. In 2006 Ealing council recognised a lack of a strategic policy for providing services to Travellers in the borough. The housing strategy section within the council carried out a Gypsy and Traveller housing needs assessment, with the help of the local Traveller education service, who facilitated contact with the community. The lack of suitable tenancy support was identified as a problem for many housed Travellers

The housing strategy team in partnership with Supporting People formulated a process for providing accommodation support for this section of the community which resulted in the commissioning of a *Traveller floating housing support service*. A key challenge to the development of this new service was to ensure that it was strategically connected to other relevant council and voluntary services and monitored effectively. For the initial 2 years the contract to run the service has been awarded to a partnership between a well-established

ALMO and a specialist voluntary sector advice agency with much experience of working with Irish Travellers. At the end of this period the decision will be made by the providers to mainstream the service into their existing provision depending on performance indicators etc

Chapter 6 - Developing models of involvement

Responses from housing services

Barriers identified by LA housing services to more effective partnership with Travellers

1. Lack of Trust on both sides
2. Lack of political will
3. Lack of resources, competing priorities
4. Lack of cultural understanding and recognition
5. Lack of evidence of needs
6. Lack of appropriate site provision
7. Unwillingness of Travellers to engage with services
8. Unrealistic expectations of both sides

In the consultation with LA housing services, the most common barrier to effective partnership work with Gypsy and Traveller communities was seen as a mutual lack of trust. Other lacks that were identified as barriers in relation to these services were: political will and commitment, resources, cultural knowledge and overall awareness of complexity of issues that affect Gypsies and Travellers when it comes to accommodation. The shortage of suitable site provision was also raised. So too was an unrealistic expectation on both sides. One response referred to Travellers as ‘a small and fragmented group’, which adds to the challenge for housing services to develop the appropriate community knowledge. Another housing strategy officer called for:

‘more strategic planning by LAs with the aim of engaging/ empowering Gypsies and Travellers to get involved in local governance, community bodies, involve them in local strategic partnerships, community safety forums and other key decision making structures.’

The perceived lack of ‘willingness of Travellers to be more open’ and a desire to ‘keep themselves to themselves’ which projects some of the problem onto the communities was also noted. Finally the accumulation of broken promises from service providers, as outlined in one response, recalls the central absence of trust which was identified in most of the responses.

The majority of LA housing services that responded indicated that they were considering the development of a targeted strategy to support the accommodation needs of Gypsies and Travellers with many awaiting the results of the local *Gypsy and Traveller Accommodation Needs Assessment* before this got underway. If these assessments have been carried out to a satisfactory standard with the necessary level of consultation, they should be able to provide the evidence of needs identified by a number of LA respondents as a significant obstacle to better practice in working with Travellers. Most services we heard from indicated that they were not satisfied that they were doing enough to get Travellers involved in partnership work to improve services and promote the social inclusion of these communities.

Responses from Housing Associations

‘Management issues can be particularly challenging for ALMOs or RSLs which inherit poorly managed sites where neglect and conflict have prevailed over a number of years.’ RSL manager
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As indicated housing associations that register with the Housing Corporation are known as RSLs. With their housing management experience RSLs are being seen as future key players in the management and development of Traveller sites. Communities and Local Government is currently collaborating with the Housing Corporation on putting together a guidance package around site design and management for housing associations which is due to be issued as a consultation document May 2007. To encourage their involvement RSLs can now apply for site development and refurbishment grants.

Of course many RSLs will already have Traveller tenants in their mainstream housing stock, though their levels of awareness of them and the potential supports they require is often very low. Some RSLs have, however, developed good working practice when it comes to recognising these communities and their needs – see case studies below. Even those RSLs which are starting to pick up on support needs of Travellers in houses, however, can often be at a loss as to how to engage these communities and establish the trust required to promote involvement.

Barriers identified by Gypsies and Travellers

In the focus groups Travellers spoke about a lack of cultural awareness among housing staff on who Traveller communities are and how to understand their accommodation requirements. Fears around negative stereotyping and discrimination mean a lot of Travellers will choose not to draw attention to themselves and hide their identity in official forms - see ethnic monitoring below. One Irish Traveller woman made the point that her children were expert at switching accents and 'pretending to be English', depending on the context because of fears of being targeted as different and inferior. In general privacy is something to be guarded, and given the hostility and suspicion with which Travellers are often viewed by many outsiders, it is seen as critical to community preservation.

In addition widespread experience of inappropriate housing and inadequate support has taught Travellers to expect the worst from housing services and makes it unlikely that they will enter easily into engagement processes. Illiteracy or semi-literacy because of a lack of school-based education remains a significant impediment. As well as the practical problems posed there can be a lot of embarrassment in revealing literacy difficulties.

The frequent turnover of staff in some housing services was also mentioned as a hindrance when it comes to establishing the necessary trust for communities to develop good working relationships with workers and services.

Furthermore, as in other communities, a lot of people don't necessarily want to participate. They are busy with their own lives and don't have the time or aren't interested in attending meetings and being available for consultation. As one activist put it, 'people can't be bothered with politics because at the end of the day that's what it is.' Meetings can be seen as synonymous with talkshops. The comment was made that while there does seem to be a lot happening at the moment, 'it's when we see results that's when we start feeling that things are moving. Talk is cheap.'

The feeling of being isolated within housing estates because of cultural differences, or that families are targeted unfairly as troublemakers by other residents and are at the receiving end of racist abuse, can make Travellers extremely reluctant to get involved in mainstream Tenant or Residents groups.

‘There is a TMO office, it’s our local tenants’ Management organisation, based on the estate where I live. But I don't feel comfortable approaching them because this one particular lady that was making allegations against my sons is on the committee.’
Traveller woman

Summary of barriers

- Lack of cultural awareness and understanding of accommodation issues among housing services
- Fears of discrimination discourage Travellers from identifying
- Lack of credible monitoring data and needs mapping
- Importance of privacy within communities
- Experience of inappropriate housing allocation and inadequate service support
- Illiteracy or semi literacy
- Lack of time or interest or both
- Difficulty in establishing relationships of trust with some services because of quick turnover of staff.
- Lack of faith in processes of engagement with mainstream services
- Experiences of isolation in conventional housing and of being targeted by other residents

Developing Involvement strategies for Gypsies and Travellers

‘Tenant participation is not an objective that can somehow be achieved once and for all. It is an organic process. Housing organisations have to be prepared to review and change structures as the levels of participation change and the individuals involved learn and develop’.

‘Developing Good Practice in Tenant Participation’

Understanding the context and setting realistic goals

In the case of Gypsies and Travellers there is a need for housing services to be aware of the historic context of disengagement between these communities and official administration systems. As the responses above bear true this has given rise to an extreme wariness on both sides. The widespread exclusion - through a complex combination of being excluded and self-excluding - that Gypsies and Travellers have experienced from mainstream service provision means that there is a need to incorporate a realistic set of objectives and time-frame into an involvement strategy.

Community Development Approach

Setting out a strategy for involving Gypsy and Traveller communities in accommodation management processes should borrow from mainstream practice for working with other BME and underrepresented groups such as direct targeting, effective consultation and understanding the barriers that impede participation in the first place. Much of this is about following standard principles of community development, i.e. empowerment, consultation and participation.

Targeting Travellers living on sites for involvement

As indicated, Gypsy and Travellers who live on LA sites are significantly disadvantaged in terms of statutory tenancy rights compared to social housing tenants. Most Gypsies and Travellers who live on sites have 'licence agreements' which do not offer them the same basic protections (for example, against eviction or harassment) as those afforded by tenancy agreements. Even if contracts are referred to as 'tenancy agreements', they aren't necessarily regulated and do not have to conform to a minimum standard of protection.

Factors that undermine involvement

There are many factors which mitigate against Travellers becoming involved in site management issues. In contrast to mainstream housing there is no statutory framework for the management of sites. Management organisations are therefore not under the same obligations to consult with residents on site-related issues that are required in the case of social housing tenants. The upshot is that the extent to which site residents have a say in site management issues, from setting out licence agreements to repair works, can vary greatly.

Disputes on sites can divide families and create an intimidating atmosphere for all on the site. There may be some members of a family who haven't spoken to other members for years, even though they live on the same site. This will have implications for site dynamics and the extent to which residents will feel safe to get involved.

Similarly the political organisation of sites means that one or two families may dominate and if they don't buy into engagement processes with management, services etc. it may be difficult for other residents to get involved.

Furthermore, if Travellers, especially those on the lower rungs of the power and influence ladder, are seen to be too articulate, confident or forthcoming in engaging with management or services this can be interpreted as having ideas above their station which can lead to resentment and hostility from other residents.

Promoting Involvement on sites: site refurbishment grant

Notwithstanding the complexity and endurance of these barriers, a good incentive is highly effective in promoting involvement. The refurbishment grant¹⁵ has proved a useful mechanism for developing consultation and mobilising residents, both in the initial application stage and subsequently in deciding how funding should be spent. The stages of the process go from initial one-to-one consultation to the formation of a group to discuss the grant application and expenditure, which can then evolve into a formal or informal residents' group after the refurbishment has been completed. Through the residents' group Travellers can play a more active part in decision making, rather than decisions being taken by management on their behalf.

One possibility is for residents to use this structure to negotiate tenancy agreements and tenant participation compacts with management. Having a community development or tenant involvement officer to facilitate this process can be instrumental. In Case Study 3 below we see how this role is filled by Travellers themselves. It is important to note the difference between a residents or tenants group which is led by residents and involves them setting the agenda and taking control and a residents meeting which is led by the management service and attended by residents. Though the latter can be used as a stepping stone to the formation of a residents group.

Questions to consider in the setting up residents groups on site

- Is there an existing residents group on site?
- Is it well supported by residents?
- Is it dominated by particular individuals or families?
- Are there less formal groups, such as a women's sewing group or a young women's healthcare group?
- Is there any forum for men on the site to get together, i.e. youth group, driver theory classes, football training?
- Is there a community development worker on the site?
- Is there a tenant's participation or involvement worker and/or policy employed on the site?
- Does the site management team use community development approach to tenants' participation?

¹⁵ The refurbishment grant was introduced by the then Office of the Deputy Prime Minister in 2001. In 2006 it was extended to cover new site development as well as refurbishment and £56 million was made available over a 2 year period.

Targeting housed Travellers for involvement

The task of getting housed Gypsies and Travellers involved will be different and more challenging than Travellers based on sites. Unlike residents on a site who may be ignored but are at least visible, housed Gypsies and Travellers are for the most part hidden and undocumented. Yet it is estimated that the majority of Gypsies and Travellers live in houses, including many in social housing. As we know, most housing services have a very low level of awareness and cultural knowledge of Traveller tenants in their housing stock.

It may sound obvious then, but the first step towards engagement with these communities is to acknowledge their existence. From there, housing services need to establish a current profile of housed Travellers, develop effective consultation and build a strategy together. A Traveller Inter-agency forum that includes Travellers can be a useful way for developing knowledge and trust between services and the communities, though this can take time, and can face similar challenges in getting Travellers involved – see next chapter.

Steps towards engagement

- Build up practical and current knowledge of these communities and their accommodation context in the area.
- Consult specialist statutory or voluntary services on best ways of consulting the community (How do they want to be involved? What's stopping them? What will involvement mean?)
- Consult with community
- Come up with a joint strategy.

Key questions for building a profile of Travellers in your area

- Has the Gypsy and Traveller accommodation needs assessment been completed in your area?
- Have its findings been accepted by stakeholders including Travellers as a true reflection of accommodation needs?
- How successful has it been in identifying housed Travellers in the area?
- Are they accessing key services in the area?
- Is there a specialist floating housing support service for Travellers?
- Are mainstream floating support services identifying the needs of Travellers?
- Are Gypsies and Irish Travellers being ethnically monitored by key services?

Resources to help you

Results of Gypsy Traveller accommodation needs assessment

Though the GTAA have focused on coming up with the accommodation needs of Traveller communities, in some areas a more holistic approach to need has been taken and information has also been gathered on health and other support needs of Travellers.

Traveller Education service

There is a Traveller Education service attached to the majority of Local Authorities in the country. These services tend to vary in capacity and structure and sometimes they go under another name such as Traveller Achievement service. Their role is to work with schools and communities to develop access to education and raise standards of achievement against targets set in Education Development plans. Through many years of providing a flexible education support model for young Travellers and their families, many Traveller Education staff have been successful in establishing relationships of trust with Traveller families. Traveller Education services will generally have a good knowledge of community demographics in an area.

Other specialist Traveller services

Across the statutory and voluntary sectors these can include specialist Health workers, GT Liaison officers¹⁶, Traveller floating housing support workers and community social workers etc. In the voluntary sector there are a number of organisations geared towards supporting Traveller communities either through advice and advocacy or as second tier organisations with a policy focus. Again the key here is the trust these organisations have built up with communities over time through case work, drop in services, specialist classes i.e. driver theory etc. Across both sectors there will be community development and involvement workers and youth workers that have developed good working relationships and specialist knowledge of these communities. In addition members of local clergy may be playing an important informal support role.

Note

As indicated many specialist staff such as Traveller Education workers have established trusting relationships with these communities over the years. They will have seen various reports published and initiatives started which have done little to tackle the hardship experienced on the ground. Do not be surprised if they react to

¹⁶ Gypsy Traveller liaison workers work with Travellers on sites but will have general knowledge of population in area.

new proposals or strategies with a degree of jadedness. They may also be protective of raising expectations within the communities and wary of the time, knowledge and goodwill of Travellers being abused or 'plundered' by consultation that doesn't lead anywhere. Finally they may be under time pressure with their own work of teaching or managing.

Case Study 2

Ealing Homes Tenancy involvement team

'The same principles of consultation should be used with Travellers on a site as with residents of a housing estate'. Community involvement officer with Ealing Homes.

An Arms Length Management Organisation in West London with responsibilities for managing the local Traveller site, has used the site refurbishment grant to develop processes for consultation, planning and decision making with residents. When it was agreed that the ALMO would bid for the grant the community involvement (CI) team was tasked with carrying out an initial consultation with residents around the type of improvements they would like to see on the site. Visits were made to all plots and interviews done with at least one member of each 'household' over a three day period. Part of this process involved the interviewers filling out a questionnaire based on responses from residents. This was to ensure that all answers were documented and all residents were asked the same questions. Following the success of the £400,000 application further meetings were arranged with residents whose answers were again recorded in questionnaires by the CI officer.

Work is due to begin on the site in April/ May 2007. A user group made up of residents will attend regular site meetings with the contractors as well as the CI workers to ensure they are fully informed and that disruption on site is kept to a minimum. Out of this process it is anticipated that the user group will be supported to evolve into a more permanent residents' group on the site in order for residents to play a more active part in influencing decisions that directly or indirectly effect them.

This means they will have an opportunity to get into a position where they can influence the decision making processes affecting their homes. They will also have access to funding for the development of the group.

Using the refurbishment grant as a hook to develop this process has been key. Other projects being developed with residents is the location and design of a new childrens play area on site, funded by Big Lottery and a community photographic project and exhibition.

Case Study 3

Southwark Traveller Action Group

‘Opportunities need to be built in at all stages of the development process for Travellers, to shadow development workers, to gain experience in managing projects and in lobbying service providers and strategic bodies, and to be employed to work within the community’.

This was one of the recommendations of a 2000 report on the needs of Travellers in the London borough of Southwark in response to the multiple levels of exclusion identified. Based on the findings of this report, the locally-based *Southwark Traveller Action Group* (STAG) has adopted a strong community development approach to empower and develop skills of local Travellers in order to improve work prospects and quality of life. Courses and drop-ins for Travellers are organised in the community centre where the STAG team is based. Project staff include 2 community development workers and a health worker as well as a manager. They have also developed close links with local FE colleges where young women and men from the community have been attending courses.

Any new initiative or project comes from needs identified by the community and the workers pride themselves on close consultation work with both site-based and housed Travellers. Courses have been organized around IT training, literacy skills, health and beauty, and Irish dancing, depending on the level of interest. The project provides some benefit advice and also tries to link the community up with mainstream services when it is appropriate. They have also held some cultural awareness workshops for some council service staff. A key to the project’s empowering approach has been the employment of two Traveller women as community development workers and it also offers work placement opportunities for Travellers.

One of the current projects is facilitating representatives from each of the four council sites along with the council to develop a *Tenant Participation Compact* for site residents. These are written agreements between the council and residents, outlining how Travellers can become more involved in the management of their homes. Though they are common for housed tenants, compacts are still relatively unknown for Travellers on sites who do not have the same security of tenure as housed tenants, and can often remain unaware of their rights.

Case study 4

Durham County Council Traveller Liaison team (TLT)

‘There is a synergy between how the authorised sites are managed and the policy towards unauthorised encampments.’

Traveller liaison team manager

Travellers make up the largest minority ethnic group in Co. Durham. Recently the county council has made a provisional commitment of a significant sum of money to refurbish the 6 sites in the county¹⁷. This announcement came following strategic lobbying by site residents with the support of the County Traveller Liaison Service. The process involved site residents writing letters of complaint to the council’s chief executive on the living conditions and lack of facilities on the site. The effort and commitment of an informal residents group which meets weekly on one of the sites has been key to the success of the application.

The formation of this group was facilitated by the council’s community development team working with the TLT. Initially residents got together for a coffee morning once a week to discuss the grant application. From this it has developed into an informal residents’ group which discusses site-related issues. Meetings continue to be facilitated by a community development worker from the council, and the TLT are invited to attend or make a request to attend when the need arises. It is a flexible arrangement and during the summer when families are often travelling the meetings tend not to take place. The TLT have also made efforts to keep residents who may be travelling in the county informed of meeting developments when appropriate. The development of tenancy agreements for residents which will introduce security of tenure for site residents is currently underway.

¹⁷ The council directly manages one of the sites, 3 are managed by district councils and the management of the remaining two has been leased out.

In addition the team have provided cultural awareness training to mainstream council services. In the last five years the service, which is responsible for all the council sites as well as unauthorised encampments in the county, has grown from a single worker with an enforcement brief to a team of 4 workers who have adopted a strong rights-based approach to supporting the needs of Travellers in the county. The council's strategy for the provision of Travellers in the county underlines the pro-active role of the TLT in promoting the inclusion of Travellers in site management matters:

'Durham County Council Traveller's Liaison service is committed to tackling racism directed against Gypsies and Travellers. It recognises that Gypsies and Travellers have a unique and rich cultural heritage, and are one of Britain's oldest ethnic groups. The Travellers' Liaison Service acknowledges the contribution that Gypsies and Travellers make to society, and seeks to promote respect and understanding to their way of life.' (p.7)

The same strategy states that the council 'welcomes people who live a nomadic lifestyle' (8) and outlines the county policy towards stopovers as 'one of acceptance'

The service Manager, who also manages the welfare rights service, believes that there is a crucial link to the way official and unofficial sites are managed.

See Appendix 1 for a Model Licence Agreement.

This model licence agreement was put together by the Travellers Advice Team at the Community Law Partnership in Birmingham and is based on new tenancy agreements drawn up by Oxfordshire county council for six Traveller sites in 2005.

Chapter 7 – Ethnic Monitoring and Consultation

Ethnic Monitoring

‘Ethnic monitoring can tell you whether you are offering equality of opportunity and treatment to all ethnic groups. It can also tell you why you are falling short of this ideal. You can then concentrate on finding solutions and making changes rather than using guesswork.’

CRE

Ethnic monitoring is important for a number of salient policy and service delivery purposes. This includes playing a crucial role in the identification and development of culturally appropriate services for severely marginalized ethnic groups like Irish Travellers.

Power. 2004: 102

Introduction

Some housing services indicated that they include or are about to include separate Gypsy and Irish Traveller categories in their ethnic monitoring forms. The vast majority, however, do not. The CRE have advocated strongly for public sector organisations to include two separate categories in their monitoring as the first step in developing a demographic knowledge base of Gypsies and Irish Travellers. Solid and current information on the numbers of Gypsies and Travellers using a particular service can ensure it is tailored to the specific needs of these communities. Monitoring and needs mapping are key strands to developing a targeted support strategy. In the case of Gypsies and Travellers this is not a straightforward process, as we see below.

Identifying: A vicious circle

Even when given the opportunity to do so Gypsies and Irish Travellers will often prefer to identify as white British or Irish¹⁸ and keep their cultural heritage hidden, despite their pride in it. This reluctance to self identify can be a source of confusion to people from outside the communities and seen as a barrier to meeting their needs by service providers. Issues around identity are complex but the main reason that Travellers do not define themselves as such is a fear of discrimination. Institutional prejudice is felt to be so entrenched that if they identify as Gypsy or Irish Traveller their chances of receiving decent accommodation, support and

¹⁸ It is not unusual for Irish Travellers to identify as white British as they feel identifying as either ‘Irish’ or ‘Irish Traveller’ could hinder their application.

equal treatment will be hindered. Even if they do not come up against blatant discrimination, negative community stereotyping and cultural ignorance are so rife that it is felt that simply sidestepping the issue altogether makes life easier. The association of systematic monitoring with the catastrophic fate that Gypsies and Travellers met during the Holocaust cannot be discounted as a deterrent either.

Nonetheless the responsibility lies with services to take the lead here. By including separate categories for these groups on monitoring forms, they are at least being given the opportunity to identify if they so choose. They are also seeing that their identity is being legitimised in an official way.

In reality there is such a general dearth of cultural knowledge and understanding that it is not uncommon for service providers to regard housed Travellers as a contradiction in terms. There can be the belief that unless Travellers are living on sites or are on the road their cultural identity somehow evaporates once they enter housed accommodation.

The net result is a vicious circle of Travellers opting not to identify, which reinforces lack of awareness among service providers. What is needed is for service providers to improve their overall knowledge and awareness of these communities and their support needs and to be more proactive in encouraging Travellers to identify, with an assurance of culturally sensitive support when they do. It will also require engagement with local Traveller communities to explain why it is necessary and what information will be used for. Given the historic and even current context instilling confidence in communities to identify will take time and will be dependent on services demonstrating a commitment to carrying out their equality and race relations duty with respect to Travellers.

‘I didn’t want myself being singled out and I didn’t want my kids being singled out in the schools. I’ve one little girl and she said to me, ‘no Mammy don’t put me down as a Traveller because my friends might see it in school.’ So while we’re living in the settled people’s community, I still let my children know where their roots are from, they come from the Traveller society and I don’t ever want them to forget that because at the end of the day, that’s like forgetting their nanas and their granddads.’

Housed Traveller woman on why she chooses not to identify as Traveller in official forms

What's needed to encourage Travellers to identify:

- Introduction of ethnic monitoring for Gypsies and Irish Travellers for housing and other key services. This should be two separate categories in the White Other category.
- Cultural awareness training on Gypsies and Travellers for service staff.
- Engagement with Traveller communities to inform on the benefits of identifying and ensuring process and objectives are clearly understood.
- With the appropriate level of cultural awareness training staff should have the confidence to broach identity issues with clients using discretion and sensitivity. As mentioned it is important that clients are given the full range of options including specific categories for 'Gypsies' and 'Irish Travellers' and every encouragement to identify.

How services choose to lead on this ie whether it is felt to be appropriate to ask clients or not will need to be discussed at an internal policy level. While it is not generally considered good practice to ask anyone outright if they are from any particular group, given the background of not identifying among Gypsies and Irish Travellers and the resulting under representation of these groups, it is important that services try to break this cycle of ignorance which results in the failure to meet support needs.

In this context asking someone if they identify as a 'Gypsy' or 'Irish Traveller' is like asking them if they are 'Scottish' or 'Kurdish'. It is also important that staff do not apologise for asking this question, if the client says he/she is not a Traveller or even takes offence at the suggestion. It is merely a question of ascertaining ethnic identity in order to identify possible support requirements. Questions such as 'Do you mind if I ask if you are a Gypsy or Traveller?' should also be avoided because they are inherently racist.¹⁹

- Inclusion of Gypsies and Travellers in housing services promotional literature, showing them in a culturally positive light and in the same context as other BME groups.
- References to Gypsies and Travellers should be spelt with capital letter in the same way as Scottish or Somali.
- Carry out a Race Equality Impact Assessment on the monitoring process to find out if it is achieving desired outcomes.

¹⁹ See 'Ethnic Group Statistics: a guide for the collection and classification of ethnicity data'. ONS

CONSULTATION

‘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 organizations rather than engaging with local people from these groups.’ (CRE, 2006: 12)

‘Many Travellers and Gypsies have limited reading and writing skills so I felt it was important to carry out oral consultations rather than use a questionnaire’ Site facilities officer

Consultation

Effective consultation is a crucial part of engaging with any community. In line with good community development practice, consultation should involve more than one and ideally three purposeful interactions between those carrying out the consultation and those being consulted. This will allow for an introduction to the issues involved; a chance to listen to the opinions and concerns of those being consulted and the opportunity to go back to verify changes and seek amendments before any final decisions are taken. Consultation will not be meaningful if it is rushed. There are many different types of consultation but experience points to face-to-face contact as most effective with Gypsies and Travellers. Reasons for this include theirs being an oral based culture and also because of widespread literacy difficulties.

If services are serious about breaking down barriers and developing more informed opinions then there is a need for open mindedness, a willingness to listen and to take on board issues brought up by those being consulted. Consultation that is seen as tokenistic and devoid of any commitment to act on what comes out of it will only serve to reinforce cynicism and undermine trust building.

Similarly when the consultation has been completed it is vital to feedback to communities any changes that have resulted from the process. It is important for communities to be made aware of how their involvement has impacted (or not) on these changes. Effective post consultation communication will serve to develop trust in future consultation.

Framing consultation

In setting out to meet these communities it is important to explain clearly the point of the consultation, i.e. is the action going to go ahead anyway, or will its progression be based on the outcomes of the consultation. It is also critical to frame the objectives realistically and avoid creating expectations that are over-ambitious and cannot be met within the scope of the project. This will be detrimental to the building of trust and future consultation. It is also worth bearing in mind that in the past the communities may well have had negative experiences of consultation with services. There may have been a lack of clarity around the point of the consultation with a result that false expectations were raised which led to disappointment and increased scepticism of mainstream services.

In order for services to carry out effective consultation with Travellers it is important that participants discuss and agree the following:

- A shared understanding of the purpose of the consultation
- A clear programme of work
- A set of goals and an outline of actions to achieve them
- An accompanying timescale based on realistic expectations
- A method of evaluating the work

(Cronin. 2003)

Where to start

Ascribed gender roles within traditional Gypsy and Traveller communities mean that it will be easier to set up a single gender group. Women are generally more willing to engage in community development consultation processes than men, so it is good to start with them. A different tack will be needed to get a group of men together. Effective consultation requires hearing from different voices within the community, including men and women and young and old. Remember that there can be a lot of fragmentation within these communities and Gypsies and Travellers living on sites will not necessarily have the same perspective as those living in houses. Needs are likely to vary according to accommodation type and rural/ urban context.

Setting up consultation – key points

Golden Rules: Explain clearly point and constraints of consultation and listen

- Be guided by a service/ person who has the trust of communities, i.e. Traveller education service, specialist support organization/ worker, local clergy.
- Find out if there is an existing group of community members around whom you could organise consultation, i.e. drop in service, IT training, driver theory classes.
- It is best to have a woman facilitator consulting with a group of women and vice versa for men.
- Get the right hook. Be clear on what consultation is about – practical outcomes that people can relate to (steer clear from policy jargon – see below)
- Avoid creating false expectations.
- Choose suitable venue that is already used by members of community, i.e. Traveller education service.
- Make sure time of meeting is amenable to Travellers (remember while you are being paid for your endeavours, your consultees are not – see below)
- Adopt informal approach (communities have little experience of public sector practices and procedures – no need for formal agendas or power point presentations)
- Provide refreshments and snacks

Payment

There are arguments for and against paying people to take part in a consultation.

Services carrying out the consultation are generally paid a salary and expenses through their work so the argument for payment says it is only fair that those being consulted are reimbursed for their time also. Payment can be in the form of expenses such as transport and childminding and/or a fee or voucher for taking part. If consultation is part of a wider engagement process then payment may be in the form of qualifications and training, having continued involvement etc.

Those opposed to payment argue that it can compromise the consultation process and motivate people to take part for the wrong reasons. This is a key issue which needs to be framed within a wider discussion of equality and power issues. Debate around it should be part of initial strategy development, rather than an afterthought.

Questions to bear in mind in examining power and equality issues

- Who is benefiting from the consultation process and how? (i.e. is exercise mainly about services getting to tick boxes or is it part of a wider strategy?)
- To what extent are power differentials in the form of skills, confidence, resources etc. taken into account by service providers wanting to consult with communities?
- What do communities think about payment?
- Are communities suffering from consultation weariness?
- Is feedback included in the consultation strategy?

Language as a barrier

Terms like 'service provision' 'social inclusion' and 'community cohesion' are part of the everyday vocabulary of statutory and voluntary service providers. Let's face it - we would feel naked if these words suddenly ceased to have currency in our work and everyday lives.

It is important to remember however that for anyone who does not work in these sectors and particularly those who may not read and write, these words carry little weight and meaning and can in fact end up blocking communication and understanding. This is not an issue that is particular to Gypsies and Travellers and should be part of general good practice working with community groups.

The message is to keep it plain. For some service providers this can present serious problems. Try not to use these terms and instead express the ideas in plainer English for a whole day, and see how you fare.

Useful issues to consult around

- Awareness of rights
- Issues around maintaining a tenancy (compacts etc.)
- How racism manifests itself i.e. 'no Traveller' signs, not being served in pubs etc.
- Quality of services received by Travellers, such as housing support
- Expectations of services
- How services communicate with communities (clarity of information, literacy issues etc).
- Confidence to identify as Gypsies/ Travellers (Is culture known/ valued?)

Information gathering versus Action

For service providers who do not have a history of engaging with Traveller communities in their area, the temptation may be to immediately embark on an elaborate report on how communities are faring across a range of measures locally. This will involve a clamour to find elusive Travellers to consult with as well as often unattainable facts and figures to gauge the levels of inclusion/ exclusion these communities experience. In reality many Travellers have learnt to be cynical about such projects. Many have experience of previous reports for which they may have been 'plundered' for information which produced hard-hitting findings and exhaustive recommendations but ended up gathering dust and not being acted on. This is not meant to dismiss the importance of information gathering but a reminder that it is not an end in itself and that it does not have to happen at the expense of simultaneous action on the ground.

Do not forget that valuable learning in relation to good practice can also be gleaned from looking at relevant work carried out in neighbouring local authorities or wider afield. It is a good idea to talk to your counterparts in other housing services. They may not consider their endeavors to engage with these communities as highly successful but if they are further down this road, much can be learnt from their successes and failures. If you are the tenancy participation manager in a housing association which is new to working with and supporting these communities, find out if there are other HAs with more experience in this area.

Chapter 8 – Traveller Inter-agency forums

‘Develop strategic policy to maximise Inter-agency working between the education service (including monitoring elective home education) and for example, housing, social services, parks and libraries, learning and Skills Council, health and police’

Recommendation in letter to directors of children’s services by Andrew Adonis, Parliamentary Undersecretary of State for Schools – November 2006

‘In the experience of ‘Safer Communities Initiative’, the most productive work in promoting good race relations tends to be done when groups work together in partnership, as members of ‘multi-agency forums’, where representatives from both the statutory and community sectors – local authorities, the police, local racial equality organisations, and the media – as well as Gypsies and Irish Travellers themselves, can discuss their concerns.’

CRE: Safer Communities Initiative, 2006

The positive role of inter-agency forums in developing a partnership approach to improving services to Gypsies and Travellers has become increasingly highlighted. There tends to be a range of differing models in use in terms of stakeholders involved; objectives and level of participation, if any from Gypsies and Travellers. With regards to outcomes, approaches such as these at the very least enable networking and information sharing and more ambitiously have the potential to effect change in service provision and community involvement at a strategic level.

It is important to be clear however on differing goals and agendas of initiatives such as these. Some of them involve the coming together of services only and tend to focus on particular cases. Others are more about addressing strategic change within services and how they engage with these communities and respond to their needs. In turn some are more grassroots led and organised around the community whereas others do not prioritise involving the community in this way. A few forums have been successful in negotiating an effective and workable balance between strategic level change and involving the community. In roughly half of the LA areas we contacted there were Traveller Inter-agency type forums set up, though with differing levels of Traveller involvement.

What we refer to as ‘Traveller Inter-agency forums’ which have a strategic focus and aim to get Travellers involved are the subject of discussion here. Traveller Inter-agency forums are about bringing together relevant statutory and voluntary sector agencies with Gypsies and Travellers to foster a better understanding of needs and to develop a partnership approach to tackling social exclusion and improving services to these communities. Some forums with a strong strategic focus consist of senior managers from key services, whereas others comprise more medium-and-operational-level staff or a combination of both. The success of Inter-agency forums in realising their potential depends largely on getting the right people from key services on board, stakeholder commitment and critically, involving the community at a meaningful level.

Terms of Reference

Given the variety of contexts in terms of provision and how local communities and services are organised, there is no prescriptive blueprint for setting up a Traveller IA forum. One of the first tasks any forum will face however will be to set out clear and robust terms of reference which outline objectives, format, membership and structure. It is worth considering the following points when drawing up the terms of reference.

Tips for setting up a Traveller Inter-agency forum in your area

- Make sure you have the support of senior staff members from relevant services across the LA, PCT and voluntary sector. It is important to aim high when the forum is being set up and to get in contact with the head of service. If they cannot attend the meetings, ask them to nominate someone to represent the service. Keep the head of the service on your contact list so that you can forward on minutes.
- It is important that the forum isn’t isolated from strategic decision making structures within the borough but rather linked up to relevant strategic partnerships in the area.
- It is recommended to have two lead services, one from the statutory sector i.e. one with an equality and diversity remit and one from the voluntary sector to manage the forum and ensure sustainability. (It will not always be possible to have a voluntary sector organisation in this role)
- Study the recommendations of the CRE Common Ground report (2006) in relation to good practice for Local Authorities. This can offer useful guidance on duties and responsibilities.
- If services are reluctant to engage in the forum, remind them of their duties under race relations legislation. Whichever service has charge of Racial Equality and diversity should be able to help here.
- Enlist the support of local councillors.
- Decide from the start to make the forum Traveller-inclusive (this can take different forms – see below). This will need a workable strategy, setting out clear steps on consultation and participation, identifying

barriers and ways of overcoming these and pegging actions to particular individuals and services. It will also require funding.

- Develop a sustainable funding strategy to support Traveller involvement. This can cover travel expenses, childcare costs and attendance.
- Let the agenda be directed as much as possible by the communities. The key issues as identified by services and the communities themselves do not always coincide.
- The involvement of Traveller Education services and other specialist agencies that have managed to establish relationships of trust with communities is vital to getting Travellers involved.
- Choosing an appropriate venue to hold meetings will play an important part in making Travellers feel welcome to join.
- Avoid focusing exclusively on the issues of Travellers that live on sites. Remember that if there are LA or private sites in your area, this makes it even more likely that there will also be Travellers who live in houses close by. If you have no information on housed Travellers, set out to develop a profile of them – see Chapter 5. The accommodation needs assessment should be a useful tool in this.
- Discuss whether the forum is going to look at the needs of all Travellers or focus on a particular group. This will depend on the make up of the local Traveller population.
- Rotating tasks such as facilitation of meetings and minute taking make for a more democratic forum with a more developed sense of shared ownership and investment.
- Develop a monitoring and performance review strategy which asks the question after an agreed period, ‘what has changed because of the existence of this forum?’

List of key agencies to get involved in an Inter-agency forum

Traveller Education service

Racial equality council

Diversity and equality officer in the PCT

Health Promotion

Specialist health visitors*

Supporting People

LA Housing strategy

LA Planning

LA Environmental health

Gypsy Liaison officer

Relevant voluntary sector organisations

Specialist services or workers i.e. *Traveller health nurse, Traveller floating housing support service or specialist voluntary sector organization.*

Safer Neighbourhood Police team

Community Safety team.

Local council for voluntary service

Organisation that manages Traveller site(s) for council i.e. ALMO or housing association.

Local councillor(s)

Faith leaders

Domestic violence co-ordinator²⁰

Citizens Advice Bureaux

** It's important to address both physical and mental health issues of communities.*

It won't be possible to get all those listed above involved, choose the most relevant services for your area making sure that those with remits for education, health, equality etc. are represented

As we have seen the organisational structure of services vary, depending on the area. It is important to effect the right balance between services with a caring ethos whom Travellers trust, and services whose remit is concerned more with enforcement. The commitment required from the services above will vary and depending on the agenda it will not be necessary for them all to be represented at every meeting.

Can you think of any other agencies or individuals to target in your area?

Getting Travellers involved

Developing a Traveller involvement strategy is an important part of Traveller Inter-agency forums. This will require consultation, creative thinking, commitment from all partners and time. Involvement can take different forms. Starting points will vary depending on actual levels of trust, dialogue and involvement between services and the community such as the existence of a strong residents group on site or recognition of housed Travellers in the area. It is necessary to be clear from the outset about whose interests are really being served

²⁰ Domestic violence is a very sensitive issue within any community and care will be needed in negotiating involvement of DV worker in the forum.

by the involvement of Travellers. If the motivation extends merely to a tick box exercise, then this should not be confused with developing effective partnership.

An important question to consider is the incentive; in other words, what is in it for them? Traveller IA forums need to be about offering real outcomes for Travellers who participate, be it the chance to take part and be listened to, an opportunity to influence decisions, training, remuneration for their time, or all of the above. For services, the incentive is about meeting statutory race relations and equality duties as well as the desire to tackle the exclusion of these communities. Travellers themselves, however, will be approaching it from a different perspective and the point of taking part in forums may be much less clear.

In common with other communities, there are all sorts of complex reasons why Travellers may be reluctant to get involved in initiatives like these. Many Travellers are too busy with work responsibilities, including childcare, to be able to give the time. In general the more formal the approach taken, the more difficult it will be to get Gypsy and Traveller communities to join the process. Many Travellers have little experience of engaging in formal, bureaucratic meetings and they do not see how they are relevant to the issues they face in their daily lives. Another unappealing aspect of this type of process is the length of time and discussion it can take for what are perceived as real outcomes to emerge. Even if a woman is interested in getting involved the decision may be out of her hands.

Only a minority of Travellers finish formal education, which means literacy problems are commonplace. At meetings Travellers may struggle to keep up with agendas and follow minutes which stymies participation and undermines confidence. Apart from this obvious practical hindrance, there is also the embarrassment of being exposed as lacking those basic skills that are taken for granted in this type of setting. There is also the key issue of payment referred to above. For agency staff, attending meetings is part of their daily work, for which they are paid. Travellers, on the other hand, are expected to give their time voluntarily.

Equally it is important to note that many mainstream services have a very poor record of engaging with Travellers, owing largely to a complete lack of cultural understanding of these communities. This has often meant that the attitudes of service staff towards these communities have been informed by societal prejudices and negative stereotypes rather than cultural awareness. The upshot has been the build up of wariness and mistrust on both sides. A traditional fear of agencies, such as social services and police, for example, means that many Travellers would feel very uncomfortable at the prospect of sharing information with them.

List of barriers to getting Travellers involved in IA forums

- Travellers are generally unfamiliar with bureaucratic meeting procedures and may be intimidated by formal approach. Meetings can also seem dry and tedious.
- Meetings can seem irrelevant to issues Travellers face in their lives so they do not see the point in attending.
- Travellers are not paid to attend meetings, unlike organisation staff who are paid through work.
- Difficulties in reading and writing.
- Lack of confidence.
- Legacy of hostile relations between Travellers and mainstream services in particular deep-rooted mistrust of agencies such as police and social services.
- Hierarchical power structures mean that women who are interested in getting involved may be prevented from doing so.
- ‘Who do you think you are?’ Travellers may encounter resistance within their own communities to what can be perceived as colluding with services (that are traditionally mistrusted) and getting ideas above their station.
- Travellers may have unrealistic expectations of what Inter-agency work can achieve. If they don’t see changes on the ground after a certain period of time, they can lose patience with the process and disengage.
- Travellers will not be encouraged to participate if they do not see the point and feel they are only being asked for tokenistic reasons.
- An individual or small group of Travellers may not feel comfortable attending meetings when they are significantly outnumbered by service providers.

It is important to bear in mind that many of these barriers are complex and long-standing, having developed over generations and it would be unrealistic to think they can be done away with in a short period of time. There are practical ways, however, that Inter-agency forums can facilitate the involvement of members of these communities.

Ways of overcoming barriers

- It is vital to have on board agencies or individuals who have the trust of the communities, to broker engagement and lend credibility to the forum, i.e. Traveller education service, specialist support workers, etc.
- An idea for raising confidence and interest within communities as well as general awareness of Traveller issues, would be to organise a cultural event such as a film screening to launch the forum or a Traveller involvement strategy.
- In trying to get Travellers involved, it is important not to create false expectations and to explain the type of outcomes that can be hoped for, as well as the uncertainty and potential slowness of the process.
- Adopt as informal an approach as possible to the meetings.
- Get Travellers involved in drafting the terms of reference to ensure that they have a stake in the objectives and that the forum will be relevant to them.
- Arrange for expenses, including travel and childcare, to be covered for Travellers taking part.
- Develop a funding strategy to pay for Travellers to attend meetings in line with other services involved.
- Explore the need for creating a community development post with responsibility for developing pathways for Travellers to become involved in forum type initiatives.
- Make sure the forum has a training strategy to develop skills for Travellers taking part. These might include public speaking, literacy skills, computer skills, committee-meeting skills and minute-taking. There will be a need to consult with Travellers on what training is of interest to them.
- Make sure participant services have a full understanding of Traveller cultural issues and organise training around this if needed.
- Organise meetings around convenient times and locations for Travellers.
- Choose a venue where you know Travellers will feel comfortable.
- In writing up the minutes, adopt as basic a format as possible in view of literacy issues. It may also be possible to copy the minutes to an audio format.

Subgroups

As mentioned above involvement can take different forms. The first step will be consultation and finding out what are considered the key issues by the community or communities. If it is not initially possible to get Travellers around the big table, there are other ways of encouraging their input through the development of smaller subgroups, such as ones on health and education etc. These smaller groups can meet in-between and outcomes can then be fed into the bigger Inter-agency meetings by community representatives. Unlike the bigger IA meetings where there will be a greater ratio of services to Travellers, these subgroups should be

Traveller-dominated with Travellers setting the agenda as much as possible. Services that already have good links with the communities can set up and facilitate these meetings. In time these groups can aim to become Traveller-led. As mentioned, it is important that Travellers can see practical outcomes to getting involved, and so an initial project for one of the subgroups might be to organise first aid training or driver theory classes, depending on what is seen as priority.

Funding

The development of a sustainable funding strategy will need to go hand in hand with the fostering of community involvement. It is a good idea to get services who are part of the forum to investigate internal funding possibilities within their own organisations. In this way knowledge and experience of local funding opportunities can be pooled. It will also be worth contacting your local funding advice and information service. At an initial stage it will be necessary to at least cover childcare costs of Traveller participants. At a more ambitious level and where there is a need identified, funding could be targeted to employ a community development worker to work with the community to facilitate the development of structures for involvement. This approach has been successfully used in the Surrey Traveller Community Relations Forum below.

Issues around representation

Travellers that live on sites will have different issues and support needs to Travellers that live in houses. It is important that the forum tries to work with both sections of these communities. Forums that concentrate exclusively on sites run the risk of becoming very localized and may end up focusing on the issues of a few families.

Fragmentation within communities means that there is a need to engage with as wide a range of voices as possible. This is not always straightforward, especially in a site context where one or two families may dominate and undermine the involvement of others, especially if these families do not buy into the process. While representation is a key issue in the mobilisation of any community, it is important to strive for a representation of general issues faced by Travellers, rather than honing in on the particular experiences of one or two families.

Traveller families tend to organise themselves in different ways to settled communities. They tend to see strength in numbers and if there is an important meeting it is likely that a big group will attend rather than sending one or two representatives. In addition if you are trying to organise representatives of the

communities at forum meetings, there is a need for awareness around the extent to which they are speaking for others and equally the levels of reporting back of the matters raised at the forum to the wider communities. There is also the question of accountability and the extent to which Travellers as representatives see their role as being accountable to the communities whose views they are supposed to be communicating.

Referring to issues of representation which are common to a range of minority groups, an experienced project co-ordinator, who is also a Gypsy, warns against the danger of over-reliance on a small pool of 'professional Travellers' who are repeatedly called on to represent the community. The resulting impression can be of a static community and a failure to grapple with the complexity of issues and the multiple voices in these communities.

- What do you know about the ways that Traveller and Gypsy communities organise themselves politically or socially in your area?
- What role do gender and age play in this?
- What do you know about formal/ informal networks or groups in your area?
- Is there scope for community development work in strengthening these structures?
- How can the forum assist in this?

Tokenism

With an increasing emphasis on consultation and getting Travellers involved on the one hand, and the length of time it takes to build trust on the other, there is a real danger that services will engage with Travellers in a superficial and tokenistic way. This is not always intentional and can take different forms, such as inadequate consultation, inviting Travellers to meetings but not facilitating their involvement in decision making processes, not supporting their training requirements, etc.

Case Study: Surrey Traveller Community Relations Forum

The Surrey Travellers Community Relations Forum (STCRF) was set up in 1996 under the auspices of the Safer Surrey Community Partnership. Its aim is to bring together key statutory and voluntary sector agencies with Gypsies and Travellers, to foster better understanding, and to develop a strategic approach to addressing key areas of exclusion experienced by Travellers across the 11 boroughs of the county. From the beginning, the support of a powerful steering group including borough council chief executives and the deputy chief

constable, as well as successful funding bids, have been key to the success of the forum in meeting its objectives

Quarterly forum meetings take place at different venues across the county. There are also four subgroups that meet in the interim and feed back into the bigger forum. These are: health and welfare, education, management (planning and property) and a steering group for the Traveller liaison project. The education subgroups has been active in promoting adult literacy, health and safety, and first aid, for instance. Other projects have included community mentoring and producing Traveller-written education booklets. The health and welfare subgroup has produced a Traveller information pack which has been distributed to services in the county and beyond. More recently, first aid training has been organised for Travellers. The subgroups are also active in applying for funding to sustain projects.

A key to the success of the forum has been its record in involving Travellers. Hilda Brazil, a local member of the Gypsy community, has been employed as a community liaison worker for the last few years. (what year exactly) Funding for this post initially came from the Youth Offending Team and more recently from 'Connexions'. Hilda leads the education subgroup and has played an important role in developing trust from the communities in this type of partnership process.

Linda Goodman, who was instrumental in the setting up of the forum, sees the question of involving Travellers as an issue of equality. Services are paid to take part in meetings and in order to expect a commitment from Travellers, many of whom are unwaged, they need also to be paid. Participating Travellers receive an allowance of £25 for attending meetings. Ten years on, Linda is not complacent about what the forum has achieved to date and admits that funding is an ongoing issue. In terms of a developmental life-cycle for the forum, she stresses the importance of handing over leadership roles to Travellers. The subgroups, for instance, should be about developing the capacity of community members in this way.

She sees the success of the forum in the close personal links which have been forged between participants across cultural divides, but this has taken time. Sometimes it's not about doing away with barriers but negotiating ways around them. She notes how, despite literacy issues, Travellers have learnt to manage meetings expertly. 'Even if they can't read agendas or minutes they're not wrong-footed or embarrassed by them.'

Traveller Inter-agency forum in London

The ITM is currently facilitating a number of Traveller IA forums in London. These are taking place in Barnet, Brent, Ealing, Hillingdon, Harrow, Lewisham. For information on these contact the ITM or the Traveller Education services in these boroughs. Similar initiatives are taking place in other boroughs also such as Sutton.

Conclusion

This good practice guide aims to be a resource for housing services to develop their knowledge of Gypsy and Irish Traveller accommodation issues and to guide them in ways of engaging more effectively with these communities in line with their statutory duties. Developing ways of involving Gypsies and Travellers in processes of tackling the social exclusions they face is central to what is offered here.

For housing service, this means prioritising ways these communities can be facilitated to become more involved in decision making and planning in terms of how their sites/houses are managed. There is a need for housing services to directly target Gypsies and Travellers in their tenant-involvement strategies. This will involve building trust, developing cultural awareness, learning from specialist Traveller services and applying basic community development principles of consultation and empowerment.

As we have seen, Gypsies and Travellers live in a range of different types of accommodation. In spite of this mixed picture, statutory and voluntary services continue to equate Traveller accommodation issues principally with sites. This focus misrepresents the reality of accommodation for a majority, if unknown²¹ number, of Gypsies and Travellers in England, who have moved into houses mainly because of the serious shortfall in sites, which has effectively prohibited a nomadic lifestyle. It has also been noted how the support needs of Travellers who live on sites and in houses can differ significantly. A reluctance to identify as Travellers because of fears of prejudice has led to a failure among services to pick up on the support needs of many housed Travellers in particular.

In this context the responsibility is on services to develop a partnership approach in improving their capacity to meeting the support needs of Gypsies and Travellers and crucially, to involve the communities in these processes. Traveller inter-agency forums can be effective models for building cross-cultural trust and for addressing specific exclusion issues in a co-ordinated and strategic way. Their success depends on the level of support they receive from services, in terms of commitment and resources, and how they are linked into wider community strategies and frameworks within the area.

This doesn't set out to be a definitive guide on the accommodation context of Gypsies and Irish Travellers in England but it is hoped that an insight into key issues will be gained. Equally it is hoped that this knowledge will allow for more informed practice in engaging with these communities and developing strategies to work

²¹ The majority of Gypsies and Travellers are thought to live in housed accommodation (Ivatts, 2005 *from scrutiny report 192/ 262*)

with them and involve them more effectively in planning and decision making for improved accommodation.

Recommendations

Local Authorities and strategic inclusion

(The first three proposals below are based on recommendations from the CRE's 2006 *Common Ground Report* which it is recommended that managers of all services including housing, study in order to improve their understanding of Gypsy and Irish Traveller communities and develop more effective and co-ordinated strategies for working with them)

- There is a need for LA as a whole to make sure the needs of Traveller communities are recognised and included in Local Strategic Partnerships and other relevant corporate strategies such as the Race Equality Scheme. (CRE. 2006: 52)
- At a service level it is imperative that Travellers are included in BME and equality frameworks and there is an active awareness of race relations duties to respond to the needs of these communities.
- The CRE's recommendation that a councillor at cabinet level and a senior officer, 'no less than assistant director level', should be appointed to coordinate the authority's work with Travellers on sites needs to be extended to take in Travellers who live in houses also. (2006:52)

Gypsy Traveller Accommodation Needs Assessment

- Make sure that Travellers are involved in a meaningful way in the accommodation needs assessments. Develop a methodology which aims to involve them as much as possible in the research process through effective consultation and training and paying them to work as interviewers when appropriate.
- Make use of the findings of the accommodation needs assessment, providing it is of sufficiently high quality, to develop an understanding of Traveller communities in the area including who they are? where they live? the extent to which they are accessing services, types of support needs etc.

Accommodation

- Efforts should be made by housing services to improve their overall knowledge and awareness of Traveller communities in their housing stock and what their support needs are – see above.

- Carry out needs mapping to determine if there is a case for a specialist Traveller accommodation support service. Supporting People will be key partners in this.
- Housing services which manage Traveller sites should introduce security of tenure. Site residents should be involved in this process.
- Housing management services should support the development of independent resident groups on sites and also encourage and support the involvement of housed Travellers in resident groups.

Training

- In order to ensure that Travellers are not being unfairly targeted for ASBOs, it is important that Anti Social Behaviour Action Teams and mainstream housing support workers receive cultural awareness training so that the needs of vulnerable Traveller families can be better understood and supported. Work with specialist services and where possible the communities to develop cultural awareness training for staff.

Developing models of involvement

- Developing tenant involvement strategies for Travellers should make use of mainstream practices for engaging with other BME and under represented groups such as targeting, developing trust and capacity of services and communities to work together, understanding the barriers, effective consultation, monitoring etc.
- Use refurbishment grant as an incentive to develop residents groups on sites if they don't already exist. Work towards making these independent of management. Use community development approach to negotiating Tenant Participation Compacts and Tenancy Agreements.
- Not everyone is willing or able to get involved in engagement and consultation processes with service providers. It is important that consultation is not tokenistic and that there is an awareness of barriers that may prevent people from getting involved i.e. lack of time, confidence, skills (illiteracy).

Monitoring

- Develop strategies to encourage members of these communities to identify with a guarantee of culturally sensitive support when they do. These will include the introduction of ‘Gypsy’ and ‘Irish Traveller’ categories in monitoring forms and educating service staff and communities on the importance of monitoring. In addition ensure that these communities are represented in promotional literature which shows them in a culturally positive light on a par with other communities.

Consultation

- A sensitive, clear and carefully thought out approach to consultation with communities which acknowledges the levels of exclusion and the widespread mistrust that Travellers have developed towards many services needs to be taken. Advice should be sought around this from services that have been more successful in establishing trust with communities.
- Feedback should be given on all consultations so that communities are made aware of how their involvement has impacted on change.

Traveller Inter-agency Forums

- In order to develop strategically it is important to enlist the support of senior staff members from relevant services across the LA, PCT and voluntary sector. Key participants include the Traveller Education Service, Racial Equality council, housing services, PCT, local councillors etc.
- Make sure forum is not operating in isolation but linked into relevant strategic partnerships such as Local Strategic Partnership.
- Appoint two lead agencies, one from the statutory and one from the voluntary sector to facilitate the running of the forum. It can also be a good idea to rotate key responsibilities such as chairing and minute taking within the wider group.
- Focus on the needs of all Travellers in the area including housed Travellers. This may involve needs mapping.

- Develop a Traveller involvement strategy as a key part to inter-agency work. If you are about to set up an IA, ensure that this is one of key objectives. If IA is already in existence, revisit the terms of reference and develop a strategy around this if there isn't one already.
- Develop a funding strategy to support Traveller involvement. This should look at identifying barriers and ways of overcoming these such as covering expenses, training opportunities and payments for Travellers to take part in meetings.
- Make sure that Travellers are involved in setting the agenda for Traveller inter-agency work. If Travellers identify discrimination as one of their main concerns, organise a meeting around this where Travellers will have the opportunity to talk about the types of discrimination they face and how it affects them. Make sure relevant agencies like the Racial Equality Council, the police etc are also present.
- Where possible liaise with regional partnerships to develop collaborative strategies on improving services to Travellers.
- Monitor and review performance.

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²² Now Communities and Local Government.

Appendix 1

New Gypsy/ Traveller Site Tenancy Agreement

The model tenancy agreement below was put together by the Travellers Advice Team, Birmingham, following on from the successful amendments to the new licence agreements in the case of the six sites owned and managed by Oxfordshire County Council.

All licence agreements and all matters appertaining to Local Authority sites, must now be seen in the context of the May 27th 2004 decision of the European Court of Human Rights Act in *Connors - v - the UK*. In this case, the European Court of Human Rights Act held that it was incompatible with Article 8 of the Convention for a Traveller family to be evicted on 28 days' notice where the underlying reason was nuisance allegations, which the family contested. The Court stated:- "the power to evict without the burden of giving reasons liable to be examined as to their merits by an independent tribunal has not been convincingly shown to respond to any specific goal or to provide any benefit to members of the gypsy community" (paragraph 94). They further stated:- "the Court finds that the eviction of the applicant and his family from the Local Authority site was not attended by the requisite procedural safeguards, namely the requirement to establish proper justification for the serious interference with his rights and consequently cannot be regarded as justified by a 'pressing social need' or proportionate to the legitimate aim being pursued" (paragraph 95).

I would strongly argue that, since any Local Authority is a public body and accordingly required by the Human Rights Act 1998 to act compatibly with the Convention, in the light of *Connors* a Local Authority would not be acting compatibly with the Convention if they did not introduce Security of Tenure in any new agreements they provide. It seems to me to follow on from that that other issues such as succession, assignment and the right to exchange would have to be dealt with. I therefore detail below what I believe would be suitable clauses to include within an agreement and to bring in these terms.

It is noted that Oxfordshire County Council, with great foresight, has, in July 2005, introduced a clause in their new Gypsy/Traveller site agreements that brings in security of tenure as well as making clear the Local Authority's repairing obligations and bringing in a right to succession.

Security of Tenure

Following on from what I say above about Connors, I strongly feel that Local Authorities would be obliged to include security of tenure in any new licence agreement. I therefore suggest the following clause:

‘The Council reserves the right to take possession proceedings against you if you are in breach of a clause of this Tenancy Agreement or if one of the grounds specified in the Schedule to this clause applies. The Council must first terminate your tenancy agreement by giving at least 28 days notice terminating on a Monday or on the normal rent payment day. You do not have to leave the pitch unless the Court makes a Possession Order against you. The court will only make such an Order if any of the grounds set out in the schedule to this agreement Part 1 (discretionary grounds), Part 2 (suitable alternative accommodation grounds) or Part 3 (discretionary and suitable alternative accommodation grounds) are proven. The court will only make an Order under the discretionary grounds where the Court decides that it is reasonable to do so.

Schedule

Part I

Grounds on which Court may order possession if it considers it reasonable.

Ground 1

Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has been broken or not performed.

Ground 2

The tenant or a person residing in or visiting the pitch –

- (a) has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality, or
- (b) has been convicted of –
 - i) using the pitch or allowing it to be used for immoral or illegal purposes, or

- ii) an arrestable offence committed in, or in the locality of, the pitch.

Ground 3

The pitch was occupied (whether alone or with others) by a married couple or a couple living together as husband and wife and –

- (a) one or both of the partners is a tenant of the pitch,
- (b) one partner has left because of violence or threats of violence by the other towards –
 - i) that partner or
 - ii) a member of the family of that partner who was residing with that partner immediately before the partner left and,
- (c) the Court is satisfied that the partner who has left is unlikely to return

Ground 4

The condition of the pitch or of any of the common parts has deteriorated owing to acts of waste by, or the neglect or default of, the tenant or a person residing on the pitch and, in the case of an act of waste by, or the neglect or default of a person lodging with the tenant or a sub-tenant of his, the tenant has not taken such steps as he ought reasonably to have taken for the removal of the lodger or sub-tenant.

Ground 5

The condition of furniture provided by the Landlord for use under the tenancy, or for use in the common parts, has deteriorated owing to ill-treatment by the tenant or a person residing on the pitch and, in the case of ill-treatment by a person lodging with the tenant or a sub-tenant of his, the tenant has not taken such steps as he ought reasonably to have taken for the removal of the lodger or sub-tenant.

Ground 6

The tenant is the person, or one of the persons, to whom the tenancy was granted and the Landlord was induced to grant the tenancy by a false statement made knowingly or recklessly by –

- (a) the tenant, or
- (b) a person acting at the tenant's instigation.

Ground 7

The tenancy was assigned to the tenant, or to a predecessor in title of his who is a member of his family and is residing on the pitch and a premium was paid in connection with that assignment. In this paragraph 'premium' means any fine or other like sum or any other pecuniary consideration in addition to rent.

Ground 8

The pitch was made available for occupation by the tenant (or a predecessor in title of his) while works were carried out the pitch which he previously occupied as his only or principal home and –

- (a) the tenant (or predecessor) was a secure tenant of the other pitch at the time when he ceased to occupy it as his home,
- (b) the tenant (or predecessor) accepted the tenancy of the pitch of which possession is sought on the understanding that he would give up occupation when, on completion of the works, the other pitch was again available for occupation by him under a secure tenancy, and
- (c) the works have been completed and the other pitch is so available.

Part II

Grounds on which the Court may order possession if suitable alternative accommodation is available.

Ground 9

The Landlord intends within a reasonable time of obtaining possession of the pitch –

- (a) to demolish or reconstruct the site or part of the site comprising the pitch, or
- (b) to carry out work on that site or on land let together with, and thus treated as part of, the pitch,

and cannot reasonably do so without obtaining possession of the pitch.

Ground 10

The Landlords is a charity and the tenant's continued occupation of the pitch would conflict with the objects of the charity.

Part III

Grounds on which the Court may order possession if it considers it reasonable and suitable alternative accommodation is available.

Ground 11

The pitch was let to the tenant or a predecessor in title of his in consequence of the tenant or predecessor being in the employment of the Landlord and that employment has ceased, and

The Landlord reasonably requires the pitch for occupation as a residence for some person either engaged in the employment of the Landlord, or of such a body, or with whom a contract for such employment has been entered into conditional on a pitch being provided.

Ground 12

The pitch has features which are substantially different from those of ordinary pitches and which are designed to make it suitable for occupation by a physically disabled person who requires accommodation of a kind provided by the pitch and –

- (a) there is no longer such a person residing on the pitch, and
- (b) the Landlord requires it for occupation (whether alone or with members of his family) by such a person.

Ground 13

The Landlord is a Housing Association or a Housing Trust which lets pitches only for occupation (whether alone or with others) by persons whose circumstances (other than merely financial circumstances) make it especially difficult for them to satisfy their need for a pitch, and –

- (a) either there is no longer such a person residing on the pitch or the tenant has received from the Local Housing Authority an offer of accommodation in premises which are to be let as a separate pitch under a secure tenancy, and

(b) the Landlord requires the pitch for occupation (whether alone or with members of his family) by such a person

Ground 14

The pitch is one of a group of pitches which it is the practice of the Landlord to let for occupation by persons with special needs and –

- (a) a social service or special facility is provided in close proximity to the group of pitches in order to assist persons with those special needs,
- (b) there is no longer a person with those special needs residing on the pitch, and
- (c) the Landlord requires the pitch for occupation (whether alone or with members of his family) by a person who has those special needs.

Ground 15

The accommodation afforded by the pitch is more extensive than is reasonably required by the tenant and –

- (a) the tenancy vested in the tenant by virtue of succession, the tenant being qualified to succeed by virtue of the tenancy agreement, and
- (b) notice of the proceedings was served more than 6 months but less than 12 months after the date of the previous tenant's death.

The matters to be taken into account by the Court in determining whether it is reasonable to make an order on this ground include-

- (a) the age of the tenant,
- (b) the period during which the tenant has occupied the pitch as his only or principal home, and
- (c) any financial or other support given by the tenant to the previous tenant.

Part IV

Suitability of Accommodation

For the purposes of Parts II and III, accommodation is suitable if it consists of premises –

1. Which are to be let as a separate pitch under a secure Gypsy/Traveller site tenancy and, in the opinion of the Court, the pitch is reasonably suitable to the needs of the tenant and his family

2. In determining whether the accommodation is reasonably suitable to the needs of the tenant and his family, regard shall be had to –

- (a) the nature of the accommodation which it is the practice of the Landlord to allocate to persons with similar need;
- (b) the distance of the accommodation available from the place of work or education of the tenant and any members of his family;
- (c) its distance from the home of any member of the tenant's family if proximity is essential to that member's or the tenant's well-being;
- (d) the needs (as regard extent of accommodation) and means of the tenant and his family;
- (e) the terms on which the accommodation is available and the terms of the secure tenancy.

3 (1) A certificate of the appropriate local Housing Authority that they will provide suitable accommodation for the tenant by a date specified in the Certificate is conclusive evidence that suitable accommodation will be available for him by that date.

(2) The appropriate local Housing Authority is the authority for the district in which the pitch of which possession is sought is situated.

(3) This paragraph does not apply where the Landlord is a local Housing Authority.

For the purposes of this schedule, the masculine (he or his) is taken to include the feminine

I would suggest that the same arguments as to the Connors case, can apply to other issues that are not as yet included in the agreement. The principle of the Connors case is that Gypsies and Travellers on official sites should have the same rights and obligations as secure tenants in Local Authority housing. I therefore suggest below clauses designed to take account of succession (modelled on Housing Act 1985 Section 113), repairs (modelled on Landlord and Tenant Act 1985 Section 11), assignment and the right to exchange (modelled on Housing Act 1985 Section 92).

Succession

‘Upon the death of the licensee, the Council will allow one succession to the licence. the person entitled to succeed to the licence will be:

- (1) The spouse of the licensee or, where the licensee has no spouse;
- (2) Another member of the licensee’s family.

In both cases, the successor must have been occupying the plot/pitch as his or her only principal home at the time of the licensee’s death. In the case of family members other than spouses, the potential successor must additionally have lived with the licensee throughout the 12 month period ending with the licensee’s death. The person is a member of the family within the meaning of this clause if -

- (a) He or she is the spouse of that person, or he or she and that person live together as husband and wife or
- (b) He or she is that person’s parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.

For the purposes of this clause -

- (i) A relationship by marriage should be treated as a relationship by blood;
- (ii) A relationship of the half-blood should be treated as a relationship of the whole blood;
- (iii) The stepchild of a person shall be treated as his or her child;
- (iv) An illegitimate child shall be treated as the legitimate child of his or her mother and reputed father’.

Repairs

(1) With regard to the amenity block, the hardstanding on the pitch of a secure Gypsy/Traveller site tenant and any fences or walls supplied by the Local Authority to the pitch and with regard to the roadway and other common parts of the secure Local Authority Gypsy/Traveller site, the Local Authority will:-

- (i) Keep in repair the structure and exterior of the above (including drains, gutters and external pipes);

(ii) Keep in repair and proper working order the installations to the pitch and to the site for the supply of water, gas and electricity (where those are supplied by the Local Authority) and for sanitation (including basins, sinks, baths and sanitary conveniences, but not other fixtures, fittings and appliances for making use of the supply of water, gas or electricity, where those are supplied by the Local Authority);

(iii) Keep in repair and proper working order the installations on the pitch and on the site for space heating and heating water (where those are supplied by the Local Authority).

Assignment

‘Assignment of a licence is not permitted except in certain circumstances. Assignment will be allowed pursuant to an Order of the Court. Assignment will also be allowed (subject to the current licensee giving the Council four weeks notice):

- (i) If it is to someone who qualifies as a ‘successor’ (see clause above);
- (ii) If it is pursuant to the ‘right to exchange’ (see clause below)’.

Right to Exchange

‘All [] Council licensees have the right to exchange their licences with another [] Council licensee on another Gypsy or Traveller site. Upon notification by both licensees concerned at their wish to exchange, [] Council has 42 days in which to consent, and can only refuse consent on one of a specified schedule of grounds. [] Council loses the right to reply on any of the grounds unless they reply within 42 days.

If there are licence fee arrears or another breach of a term of the licence agreement, [] Council can require the arrears to be reduced to a nil balance or the breach to be remedied, before giving consent.

[] Council may not attach any other conditions to any consent given.

The grounds for refusing consent are:-

- (i) One of the licensees is under a Court Order to give up possession;
- (ii) Proceedings for possession have commenced or a notice terminating the licence has been served in the case of at least one of the licensees concerned;
- (iii) One of the pitches would be too large for the other licensee who wishes to move there or otherwise is not reasonably suitable for that licensee's needs;
- (iv) One of the pitches was let in consequence of employment;
- (v) One of the pitches is designed for a physically disabled person and, if the licensee who wishes to move there moved in, there would be no such person in occupation;
- (vi) One of the pitches is designed for an elderly person or a person with special needs and, if the licensee who wishes to move there moved in, there would be no such person in occupation'.

If dealing with Local Authorities who also have housing (i.e. Local Authorities other than County Councils) this clause could also be adapted to provide for exchange for Gypsies or Travellers between Council housing and a pitch on an official site. I see no reason why this should not also apply.

Appendix 2

Contacts

Irish Traveller Movement

The Resource Centre
356 Holloway Road
N7 6PA
Tel: 0207 6072002
Fax: 0207 6072005
Email: info@irishtraveller.org.uk

Friends, Families and Travellers

Community Base
113 Queen's Road
Brighton
BN1 3XG
Tel: 01273234777
Email: fft@communitybase.org
<http://www.gypsy-traveller.org>

Derbyshire Gypsy Liaison Group (DGLG)

Ernest Bailey Community Centre
Office 3,
New Street.
Matlock
DE4 3FE
Tel: 01629 583300
Email: info@dglg.org

The Gypsy Council

Anne Bagehot
Tel: 01708 868986
Email: thegypsycouncil@btinternet.com
www.thegypsycouncil.org

London Gypsy Traveller Unit

6 Westgate Street
E8 3RN
Tel: 020 8533 2002
Email: Lgtu@aol.com
www.lgtu.org.uk

National Association for Teachers of Travellers

Ginny Harrison White
Traveller Education Service
16 Carlyon Road
St Austell
PL25 4AJ
Tel: 01726 77113

Email: gharrisonwhite@cornwall.gov.uk
www.natt.org.uk