

REVIEW OF SERVICE PROVISION FOR GYPSIES AND TRAVELLERS - REPORT

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CHAIR'S INTRODUCTION

This is the first policy review of the Equality of Opportunity Committee and we have started with a complicated and difficult subject.

There can be no doubt that in many respects Gypsies and Travellers are one of the most discriminated against groups in Wales. The stark realities laid before the Committee by a group of young people from the Gypsy-Traveller community brought home the challenges we face in making a real difference to their lives.

The report makes a series of important recommendations. Many will not lead to change overnight, but we must put in place the building blocks for finally delivering equality in service provision for Gypsies and Travellers.

We are very grateful to all those who have contributed to the review. The willingness of others to share their experience and expertise has been invaluable. In particular we would like to thank our expert advisers; those who have given evidence at our meetings; the large number of people who have made written contributions; service providers, many of whom attended our seminar in Swansea and of course the Gypsies and Travellers themselves who have spoken to us on site visits and in formal Committee meetings.

1. Executive summary

- 1.1. This report represents the Equality of Opportunity Committee's initial findings from its first Policy Review of service provision to Gypsies and Travellers. The terms of reference for the Review are detailed at Annex A of the report, and the methodology is detailed in Chapter 3. The Review gathered evidence from a wide range of sources and sought the views of Gypsies and Travellers and service providers.
- 1.2. This Review has highlighted the difficulties of addressing the needs of a group of people that is not homogenous or easy to define. The report begins with a general overview of definitions of Gypsies and Travellers, including definitions in law, and the limited information that is available about the demography of Gypsy and Traveller communities in Wales. Annex F provides details of a survey undertaken among local authorities across Wales, and Annex C gives details of expenditure.
- 1.3. The report also states what the Review has revealed about the level of discrimination and prejudice against Gypsies and Travellers in Wales, and their lack of involvement in decision-making and policy development.
- 1.4. Delivering equality of opportunity to Gypsies and Travellers in Wales should be considered in the light of the Assembly's statutory equality duty, which we believe is a powerful mechanism for improving their circumstances. Underlying all the analysis and recommendations in this report is an intention to give practical effect to the duty, which makes no distinction between the different groups who make up Gypsy and Traveller communities. Detailed information about the powers and responsibilities of service providers is given in Annex B of the report.
- 1.5. The Review focused in particular on the provision of accommodation, health and education, and detailed consideration is given to these areas in the report. The report makes a series of important recommendations that are set out in the relevant sections of the report.
- 1.6. The Review report considers previous policy on site provision and barriers to building new sites. It examines the planning system, and areas to consider when planning future provision. Addressing the long-standing problems of providing suitable accommodation for Gypsies and Travellers is identified as critical to improving service provision in other areas. Barriers to accessing mainstream health services are considered, along with appropriate styles of health service provision and ways to provide a healthier living environment and improve the health indicators of Gypsy and Traveller communities. The current provision of education services to Gypsies and Travellers is examined in the light of LEA's duties. Barriers to provision have been identified and the report outlines a number of ways to overcome those barriers.

- 1.7. As the Review has progressed it has become clear that many of the problems faced by Gypsies and Travellers are inter-linked, and many of the solutions cut across the different areas of service provision. Therefore the final section of the report sets out the main conclusions of the Review and draws together a number of cross-cutting issues.
- 1.8. The Committee is under no illusions that change will happen overnight. There are many areas where further detailed investigations will be necessary and follow-up work by the Equality of Opportunity Committee or subject committees will be needed. To assist this process, a detailed list of all the Committee's recommendations are also contained in an implementation plan at Annex E of the report. The implementation plan suggests how the recommendations should be taken forward, where responsibility for implementation should lie, and what the time frame should be.

2. THE REPORT

2.1. The terms of reference for the review were agreed on 30 January 2002 and are at Annex A.

2.2. This report represents the Committee's initial findings from its review. There are many areas where further detailed investigations will be necessary, and follow-up work by the Equality of Opportunity Committee or subject committees may be needed.

2.3. The report is broken down into the following broad sections:

- General overview – background information on Gypsies and Travellers, statistical information, legal definitions, an overview of relevant legislation and information about the level of discrimination and prejudice
- Detailed consideration of the three key areas the review focused on: accommodation, health, education
- A final section setting out the main conclusions and drawing together a number of cross-cutting themes
- Annexes containing further detailed background information

2.4. We are aware of the depressing familiarity of much of what our report contains to anyone with an interest in this policy area. The issues are well known and understood, as are many of the solutions; the problem has always been with delivering those solutions.

Definitions used in the report

2.5. Gypsies and Travellers are not a homogenous community. A range of groups, with quite different backgrounds, are caught within the description 'Gypsies and Travellers'. This would include:

- Gypsy-Travellers (i.e. Irish Travellers, Scottish Gypsies/Travellers and English Gypsies and Romanies and Welsh Gypsies)
- New (Age) Travellers
- Occupational Travellers (fairground, circus and waterway communities)

2.6. The cultural, historic and social traditions of these groups are now quite separate and distinct.

2.7. Within the first grouping of Irish Travellers, Scottish Gypsies/Travellers, English Gypsies and Romanies and Welsh Gypsies there is also significant diversity.

2.8. The primary focus of this report is the first group – Irish Travellers, Scottish Gypsies/Travellers, English Gypsies and Romanies and Welsh Gypsies – as the majority of the evidence that we have gathered relates to them. There are many issues common to all types of Gypsy or Traveller, and a large number of the Committee's recommendations will be applicable to all,

nonetheless further work on the specific needs of New (Age) and Occupational Travellers will be necessary.

2.9. Where the report refers to Gypsy-Travellers it means traditional Travellers, e.g. Irish Travellers, Scottish Gypsies/Travellers and English Gypsies and Romanies and Welsh Gypsies. References to the whole Traveller community, including New (Age) Travellers and Occupational Travellers, will be indicated by reference to Gypsies and Travellers. Where a point relates to specific groups, such as Occupational Travellers or Irish Travellers, they will be specifically identified in the text.

2.10. In referring to the non-Gypsy and Traveller population, we have adopted the accepted terminology of 'the settled community'.

2.11. The important issue of definitions in legislation is explored in more detail in Chapter 4 of this report.

Discussion of legal issues and legislation

Please note that we have tried to summarise the legal position in a number of areas, but the report is in no way intended to be a complete authoritative statement of the law.

3. METHODOLOGY

3.1. We gathered evidence for our review using a range of techniques, the main methods are summarised below:

Site visits

3.2. We undertook visits to a range of Gypsy-Traveller sites around Wales. This included visits to old and new local authority sites, a privately managed site and an unauthorised site.

3.3. The visits gave us an insight into conditions on sites around Wales, but more importantly they provided an opportunity for members of the Gypsy-Traveller community to discuss the issues which are important to them.

3.4. We are very grateful to the residents for taking the time to share their experiences.

Written submissions

3.5. We wrote to invite written submissions to the review in February 2002. We received 15 written submissions during the period of the consultation, but have continued to welcome written submissions for the whole period of the review.

Evidence Sessions

3.6. We held a series of focused evidence sessions to gather information for the review. This included one on education, one on health and another on accommodation, as well as separate presentations on legal issues and provision in Ireland. The Committee was also very pleased to welcome a group of young people from the Gypsy-Traveller community who spoke about their experiences and hopes for change.

Seminar

3.7. We held a seminar in Swansea on 11 October, where a wide range of service providers contributed to the discussion and a full report of the event has been published.

Surveys

3.8. A postal survey was circulated to local authorities in Wales seeking information about provision for Gypsies and Travellers in their area. We received eleven responses.

3.9. Save the Children undertook a separate survey inviting young people from the Gypsy-Traveller community to tell the Committee their views.

Experience elsewhere

3.10. We held a series of meetings in the Republic of Ireland in April 2002; we met the representatives of the Equality Authority; representatives from Pavee Point, the Irish Traveller Movement and the National Traveller Women's Forum and officials from a range of Government departments.

Advisors

3.11. After an open recruitment process we appointed two advisers to assist us in conducting the review:

- Dr Elizabeth Jordan, Director of the Scottish Traveller Education Programme and a senior lecturer at Edinburgh University
- Tim Wilson, Cardiff Gypsy Sites Group

Consideration of existing literature

3.12. We have also drawn on a wealth of previous studies and reports into the issues that affect Gypsies and Travellers.

4. COMMONLY UNDERSTOOD DEFINITIONS AND DEFINITIONS IN LEGISLATION

Who are Gypsies and Travellers?

4.1. A number of different groups, with quite different backgrounds, are caught within the description 'Gypsies and Travellers'.

4.2. A key consideration in defining Gypsies and Travellers should be their right to self identify.

Gypsy-Travellers

4.3. Gypsy-Travellers or 'traditional/ethnic Gypsy-Travellers' include Irish Travellers, Scottish Gypsies/Travellers, English Gypsies and Romanies and Welsh Gypsies.

4.4. While there is diversity in the culture, history and traditions of these groups, there are some shared characteristics. These include:

- Emphasis on a strong family unit, often larger family sizes and very strong extended families
- Value placed on children and the importance of education within the family unit
- Entrepreneurial skills, self-employment and flexibility in seeking employment
- Strict cultural traditions relating to cleanliness, which differ from those in the settled community
- history of bilingualism and use of distinct and separate languages
- A sense of pride in their cultural identity
- Tradition of mobility in seeking employment

4.5. Those who move into settled housing usually retain this strong cultural identity.

4.6. Mobility has been a defining characteristic of the Gypsy-Traveller lifestyle, but the ability of Gypsy-Travellers to maintain this lifestyle has been made increasingly difficult by successive pieces of development control and planning legislation. It is estimated that 90% of traditional stopping places, such as country verges, commons and communal land, have been blocked off in the last 20 years. It is very important to note that largely because of these barriers to continued mobility many Gypsy-Travellers no longer travel, or travel infrequently, but this does not mean that they cease to be Gypsy-Travellers.

4.7. Save the Children conducted a survey of children and young people to feed into our review.

4.8. Among other things the survey asked the young people to identify what were the best things about being a Gypsy-Traveller. The replies included:

“On a site – you know everyone around you – you’re not isolated like in a house”

“It’s good being a Traveller”

“I love moving. You get to see different places and people. When you are out travelling you can go anywhere.” (Girl, 12 years)

“You get to explore when you are a Traveller”

4.9. In a recent assessment of the UK’s compliance with the Convention, the Advisory Committee on the European Union’s Framework Convention for the Protection of National Minorities has drawn attention to the impact of inadequate stopping places on the ability of Gypsy-Travellers to maintain their distinct cultural identity:

“The Advisory Committee notes with concern the lack of adequate stopping sites for Roma/Gypsies and Irish Travellers.... and the effect this has on their ability to maintain and develop their culture and to preserve the essential elements of their identity, of which travelling is an important element.....”

4.10. Certain stereotypes about Gypsy-Travellers, including the myth of ‘real Gypsies’, have become accepted about the Gypsy-Traveller community. These stereotypes are misleading, and their use is often an excuse to follow-up with discriminatory comments

New (Age) Travellers

4.11. New (Age) Travellers are a UK group that emerged in the 1960s. Now into their third generation, some have dropped the use of ‘Age’, while others prefer to be known simply as ‘Traveller’.

[Definition taken from 'Inclusive Educational Approaches for Gypsies and Travellers within the context of interrupted learning' published by STEP and the Scottish Executive]

Occupational Travellers (fairground, circus and waterway communities)

4.12. Occupational Travellers are those who belong to the traditional Show and Fairground communities, the Circus communities and the Bargees and other waterway family businesses. They, too, have long histories within the UK.

[Definition taken from 'Inclusive Educational Approaches for Gypsies and Travellers within the context of interrupted learning' published by STEP and the Scottish Executive]

Definitions in legislation

4.13. The definitions used in legislation to define Gypsies and Travellers vary considerably and this can lead to a situation where people who clearly are Gypsies or Travellers are being denied access to certain provisions in legislation because of legal technicalities. For example:

- For land use planning purposes 'Gypsies' are defined as "*persons of nomadic habit of life, whatever their race or origin, but does not include members of an organised group of travelling showmen, or of persons engaged in travelling circuses, travelling together as such*".
- For the purposes of grant support under section 488 of the Education Act 1996 'Travellers' are defined as [persons who] "*by reason of his way of life (or, in the case of a child, his parent's way of life) he either has no fixed abode or leaves his main abode to live elsewhere for significant periods in each year.*"
- Romany Gypsies and Irish Travellers have been defined as a racial group under the Race Relations Act.

4.14. It should be possible to devise a definition which comprises both the alternatives of ethnic origin (or similar) and nomadic lifestyle.

4.15. We would also draw attention to the preference for the capitalisation at the beginning of the words 'Gypsy' and 'Traveller', in recognition of the distinct identity of these groups.

RECOMMENDATION 1: We recommend that in all official communication the words 'Gypsy' or 'Traveller' should be capitalised.

5. DELIVERING EQUALITY OF OPPORTUNITY FOR GYPSIES AND TRAVELLERS

The Assembly's statutory equality duty

5.1. The National Assembly for Wales has a statutory duty to ensure equality of opportunity for everyone in Wales. Our Committee's chief function is to audit the Assembly's success in meeting that duty – this formed the starting point for this review.

[The National Assembly shall] “make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle that there should be equality of opportunity for all people”.
(Government of Wales Act)

5.2. We believe that the Assembly's equality duty is a powerful mechanism for improving the circumstances of Gypsies and Travellers in Wales. Underlying all the analysis and recommendations in this report is an intention to give practical effect to the duty. This duty makes no distinction between the different groups who make up the Gypsy and Traveller community; unlike the Race Relations Act which currently only protects Romany Gypsies and Irish Travellers.

Race relations legislation and the Human Rights Act

5.3. The Race Relations Act 1976, as amended by Race Relations Amendment Act 2000 (RRA), prohibits direct and indirect discrimination on racial grounds in employment and the provision of a very wide range of public and private services.

What does the Act do?

Please note that we have tried to summarise the legal position, but this is not intended to be a complete, authoritative statement of the law.

What is discrimination in the Act?

The Act makes three kinds of behaviour unlawful. These are commonly referred to as direct discrimination, unlawful indirect discrimination and unlawful victimisation. This section deals with the first two.

Unlawful direct discrimination (discrimination in breach of section 1(1)(a) RRA) is committed if someone treats another person, in the prescribed fields, less favourably, on racial grounds, than they would treat other people.

Unlawful indirect discrimination is committed if someone applies a requirement or condition to someone which they cannot comply with, and which, although apparently neutral, is in fact such that the proportion of people of their racial group who can comply with it is “considerably smaller” than the proportion of persons of all other racial groups who can. (There is a

limitation on this provision in that it is not unlawful discrimination if the alleged discriminator can show that the requirement or condition is justifiable irrespective of the colour, race, nationality or ethnic or national origins of the person to whom it is applied).

A key feature for Gypsy-Travellers, particularly in the field of education, is that, for the purposes of the RRA, segregating someone from other people on racial grounds amounts to treating them less favourably.

What are “racial grounds”?

Gypsies have been held to be a racial group by virtue of their “ethnic origins”.

Establishing status as a racial group is quite complex and, as is often the case in our legal system, it is difficult to point to a clear test because different judges phrase things slightly differently. However the most commonly accepted test is set out by Lord Fraser in *Mandla v Dowell Lee* [1983] IRLR 209, a House of Lords case concerning Sikhs, a group who are primarily distinguished by religion, rather than race.

Lord Fraser said that in order to be defined as a racial group by virtue of ethnic origin, the group **must** “*regard itself and be regarded by others as a distinct community by virtue of certain characteristics*”. Certain of these characteristics **must** be present:

- a long-shared history, of which the group is conscious as distinguishing it from other groups and the memory of which it keeps alive
- a cultural tradition of its own, including family and social customs

Certain other characteristics are not essential but **point to** the existence of a common ethnic origin:

- a common origin or descent from a small number of common ancestors;
- a common language (not necessarily different from that/those that surrounds the group)
- a common literature
- a common religion which is different from that of the surrounding population
- the fact of being a minority, a group within a larger community (whether or not that group is oppressed)

There is another, less widely accepted, but more generous test used by the New Zealand Court of Appeal, which Lord Fraser referred to positively in his judgement. The New Zealand formulation is:

“... a group is identifiable in terms of its ethnic origins if it is a segment of the population, distinguished from others by a sufficient combination of shared customs, beliefs, traditions and characteristics derived from a common or presumed common past, even if not drawn from what in biological terms is a common racial stock”.

The significant difference between the two tests is that there is not a requirement for “long-shared” history (in contrast to the test in Mandla). The application of these tests has been controversial, particularly in relation to Rastafarians, who, under current case-law, are not regarded as a “racial group” for the purposes of the RRA, largely because their shared history is not regarded as sufficiently long.

What duties are placed on public authorities?

One of the effects of the Race Relations Amendment Act 2000 is to impose a duty on named public authorities to “have due regard to the need (a) to eliminate unlawful racial discrimination; and (b) to promote equality of opportunity and good relations between persons of different racial groups” in carrying out their functions. The National Assembly, all local authorities, all public health bodies and all publicly-funded educational institutions, are subject to this duty.

Establishing status under the RRA

CRE v Dutton 1998

5.4. A brief summary of the facts in one of the key cases that established Gypsies status under the RRA, clearly illustrates the complexity of establishing status under the Act.

5.5. The *CRE v Dutton* case concerned the actions of a publican, who after suffering from a number of unpleasant incidents in his pub, put up a notice in the window, saying “Sorry, no travellers”. The CRE brought an action against him for breach of section 29 RRA, which forbids the publication of an advertisement that indicates an intention to do an act of discrimination.

5.6. The Court of Appeal held that there was no direct discrimination contrary to the Act, since the notice was directed against “Travellers”, not “Gypsies”, and the two were not synonymous. “Gypsies” were a racial group for the purposes of the Act, on the basis of their ethnic origin. “Travellers”, by implication, were not.

5.7. However, the notice made entry to the pub conditional on a person not having a nomadic lifestyle. Considerably fewer Gypsies could comply with this condition than could persons of other racial groups. Subject to the question of justification unrelated to race (on which the CA remitted the case to the County Court, which had heard it at first instance), then, Mr Dutton had committed an act of unlawful indirect discrimination.

5.8. In this case, the Court of Appeal applied the test set out by Lord Fraser in the *Mandla* case (above) to Gypsies and found that they were a racial group on the basis of ethnic origin, by virtue of the presence of the following characteristics:

- Gypsies are an identifiable group (they see themselves, and others see them, as separate from the rest of the population)

- They are defined by reference to ethnic origin (i.e., the “classic” dictionary definition refers to them as “of Hindu origin”)
- They have a long-shared history
- They have a common geographical origin (even though the court recognised that many Gypsies today probably do not derive from that part of the world)
- They have certain shared customs which are distinctive
- They have a language or dialect which is significantly different from other languages of the United Kingdom
- They have a shared culture (oral tales and music).

5.9. Not all groups of Gypsies and Travellers have been held to constitute “racial groups” under the RRA. At present only Romany Gypsies and, Irish Travellers, are defined as constituting a racial group. An extension of clear protection under the RRA will only come through primary legislation or through successful cases being brought in court. The latter route is a slow and unsatisfactory response to a clear problem. The Advisory Committee on the EU’s Framework Convention for the Protection of National Minorities raised this issue in its report on the UK’s compliance with the Framework Convention.

RECOMMENDATION 2: We urge the UK Government to clarify the RRA and put the matter of coverage under the Act beyond doubt, by listing in the Act those groups of Gypsies and Travellers that regard themselves as having a separate ethnic or racial identity.

Human Rights Act

5.10. The Human Rights Act 1998 (HRA) transposes into UK law most of the individual rights set out in the European Convention on Human Rights.

About the European Convention on Human Rights and the Human Rights Act

What Convention Rights are most relevant to Gypsy-Travellers?

- **Article 3** - prohibition of inhuman or degrading treatment
- **Article 8** - right to respect for private and family life, home and correspondence
- **Article 11** - freedom of peaceful assembly and association
- **Article 14** - prohibition against discrimination in the enjoyment of the other rights and freedoms in the Convention, on the grounds of any personal circumstance
- **Article 1 of Protocol 1** - right to peaceful enjoyment of possessions
- **Article 2 of Protocol 1** - right not to be denied access to education

5.11. In relation to Article 8, the Court has held that:

“occupation of [a] caravan is an integral part of ... ethnic identity as a gypsy, reflecting the long tradition of that minority of following a travelling lifestyle. This is the case even though ... many gypsies increasingly settle for long periods in one place....”

5.12. It is important to remember that the European Court of Human Rights allows States a “margin of discretion” in the way in which they balance certain rights of one citizen, or group of citizens, against the rights of society as a whole. This margin of discretion is narrower or wider depending on the exact right involved. (It does not really apply to absolute rights such as that protected by Article 3, but there can be quite a wide margin of discretion in relation to rights under Article 8 and 11, and Articles 1 and 2 of Protocol 1). The Court accepts that Governments have been democratically elected to strike that balance, and that they are better placed than the Court to know the relative needs and priorities of their own people. This has influenced the outcome of a number of cases brought by Gypsies and Travellers, in that the Court has not felt able to say that the United Kingdom had failed to strike the right balance between the rights of Gypsy and Traveller applicants and the rights of others.

5.13. In this context it is all the more important that Wales, and the UK as a whole, has a clear and proactive approach to meeting the needs of Gypsies and Travellers.

Service provision - specific legislation relating to accommodation, health and education

5.14. In common with members of the wider public, responsibility for providing public services to Gypsy and Travellers lies mainly with local authorities and health bodies. Annex B contains tables summarising the main legislative instruments underpinning service provision to Gypsy-Travellers.

6. GYPSY AND TRAVELLER POPULATION

Size of population

6.1. A matter of considerable concern to us, and to many of the people who have given evidence to us, is the almost complete lack of accurate, up-to-date statistics on the number of Gypsies and Travellers in Wales. A clear pre-requisite for adequate planning of services is a good understanding of the population those services are aimed at. This is even more of an imperative when a population is by definition mobile.

6.2. It is unfortunate that the twice-yearly caravan count in Wales was discontinued in 1997 without replacement. Regular central data collection must resume, and should provide information on numbers of people not just numbers of caravans. Information on housed Gypsies and Travellers is also important, but is particularly difficult to obtain.

RECOMMENDATION 3: We recommend that a twice-yearly survey of numbers of Gypsy and Travellers be established as soon as possible. The survey should be designed in consultation with service providers and Gypsies and Travellers themselves to ensure that it captures the right information. At the very least it should provide accurate data on the size of the Gypsy and Traveller population, as well as a breakdown by age groups, distribution across the country and information on mobility. Information should also be included on the number of housed Gypsies and Travellers. (The Gypsy and Traveller communities should be involved in collecting the information).

6.3. A table showing results of the counts of Gypsy-Traveller caravans in Wales until 1994 is given overleaf:

Date	No. of caravans on authorised sits				Total	No. of caravans on unauthorised		Overall Total
	Public		Private			No	%	
	No	%	No.	%				
Jan 1985	370	51.6	62	8.6	432	284	39.6	716
Jul 1985	342	51.3	45	6.75	387	279	41.9	666
Jan 1986	334	55.8	43	7.2	377	222	37.0	599
Jul 1986	Figures	not	Available					
Jan 1987	403	60.0	26	3.5	429	247	36.5	676
Jul 1987	385	57.5	25	3.8	410	260	38.7	670
Jan 1988	303	59.3	13	2.5	316	195	38.2	511*
Jul 1988	355	54.0	62	9.0	417	244	37.0	661
Jan 1989	405	62.0	64	10.0	469	186	28.0	655
July 1989	419	62.6	24	3.6	443	226	33.8	669
Jan 1990	-	-	-	-	471	182	27.9	653*
Jul 1990	386	57.3	53	7.8	439	234	34.7	673
Jan 1991	476	68.8	26	3.76	502	189	27.5	691
Jul 1991	425	60.0	18	2.5	443	265	37.5	708
Jan 1992	431	61.5	37	5.3	468	232	33.2	700
Jul 1992	-	-	-	-	283	226	44.4	509*
Jan 1993	404	61.5	24	3.65	428	228	34.8	656
Jul 1993	288	46.2	69	11.0	357	267	42.8	624*
Jan 1994	419	57.0	35	4.75	454	280	38.2	734

* - Incomplete returns

(Table taken from **The Gypsy and the State: The ethnic cleansing of British Society 2nd Edition – Derek Hawes and Barbara Perez**)

6.4. The January 1996 survey estimated that there were 23 unauthorised encampments with 132 caravans, and 21 authorised sites with 483 caravans on them.

6.5. Our survey of local authorities asked them to supply information on the number of Gypsies and Travellers living in their area. Eleven local authorities provided information on the numbers of Gypsies and Travellers living in their area and this is set out in the tables overleaf.

		<i>Number</i>	
Local Authority		Adults	Children
Cardiff:			
	Local Authority sites	126	173
	Private sites	0	0
	Unauthorised sites	0	0
	In Houses	76 +	246
	Total	202	419
Merthyr Tydfil:			
	Local Authority sites	20	8
	Private sites	0	0
	Unauthorised sites	0	0
	In Houses	0	0
	Total	20	8
Torfaen:		None Given	None Given
Monmouthshire:		None Given	None Given
Caerphilly:		None Given	None Given
Swansea:			
	Local Authority sites	16	18
	Private sites	0	0
	Unauthorised sites	18	12
	In Houses	14	7
	Total	48	37
Gwynedd:			
	Local Authority sites	20	8
	Private sites	0	0
	Unauthorised sites	0	0
	In Houses	0	0
	Total	20	8
Carmarthenshire:			
	Local Authority sites	60	40
	Private sites	80	40
	Unauthorised sites	8	5
	In Houses	Not known	Not known
	Total	148	85
Bridgend:			
	Local Authority sites	0	0
	Private sites	0	0
	Unauthorised sites	3	2
	In Houses	0	0
	Total	3	2
Neath Port Talbot:			
	Local Authority sites	140	140
	Private sites	0	0
	Unauthorised sites	0	0
	In Houses	6	7
	Total	146	147
Wrexham:			
	Local Authority sites	30	35
	Private sites	4	6
	Unauthorised sites	0	0
	In Houses	21	23
	Total	55	64
Total (1)		642	770

Source: Equality of Opportunity Committee, Gypsy and Traveller Survey

(1) - Total of Local Authority Respondents. (Please note that where information related to less than 10 people it has not been included.)

Table 1: Number of Travellers in Wales by Type of Accommodation

Type of Accommodation	Number of Travellers		
	All Travellers	Adult Travellers	Child Travellers
Local Authority Sites	834	412	422
Privately Owned Sites	130	84	46
Unauthorised Sites	48	29	19
Living in Houses	400	117	283
All types of accommodation	1412	642	770

Geographical distribution

6.6. Exact information on the geographical distribution of Gypsies and Travellers is also limited, again in part as a virtue of mobility.

Certain general comments can be made, for example that Gypsies and Travellers are concentrated along the key transport routes in the North and South of Wales.

7. SPENDING ON SERVICE PROVISION

7.1. It is difficult to establish exact spending on services for Gypsies and Travellers. Generally many services are the same as those provided to the rest of the population although, in reality, there may be difficulty in accessing those services.

7.2. Identifiable expenditure falls into the following broad categories:

- Accommodation and site provision
- Education support – 488 grants
- Certain targeted projects – for example projects supported under the Health Inequalities Fund
- Enforcement action

7.3. Further information on spending is given in Annex C.

8. PREJUDICE AND DISCRIMINATION

Experience of discrimination and prejudice

8.1. Gypsies and Travellers have experienced prejudice and discrimination throughout their history. Settled society, it seems, has found it difficult to reconcile itself to their different values and lifestyle.

8.2. This long history of discrimination is well documented and brings home the need to ensure that our society provides genuine equality of opportunity for all Gypsies and Travellers. The context of hundreds of years of ingrained and ongoing prejudice makes it much easier to understand why Gypsy-Travellers, in particular, often experience a strained relationship with authorities.

Gypsy-Travellers: a history of discrimination

- Romany Gypsies were first recorded in Britain in the Fifteenth century and within 30 years of their arrival punitive legislation was in place, laws that threatened expulsion, imprisonment and a ban on immigration. Over the next 65 years, four further acts with similar effects were passed.
- The Poor Laws and other legislation over the following three centuries criminalised or placed limits on the Gypsy's nomadic way of life. The Housing of the Work Classes Act 1885 for example applied controls on "nuisances in tents and vans". Planning and other land control laws have made it more difficult for Gypsies and Travellers to remain mobile. It is estimated that 90% of their traditional stopping places blocked off or made inaccessible in the last 20 years.

(The Gypsy and the State: The ethnic cleansing of British Society 2nd Edition – Derek Hawes and Barbara Perez)

8.3. Racism continues and is both institutional and personal.

8.4. An EU Advisory Committee has examined treatment of Gypsies and Travellers in the UK in the context of the European Union's Framework Convention for the Protection of National Minorities and it found that:

"Despite some commendable effort the implementation of the Framework Convention has not been fully successful as concerns Roma/Gypsies and Irish Travellers."

8.5. The Advisory Committee's main findings were that:

- *"the socio-economic differences between the majority population and Roma/Gypsies and Irish Travellers remain high and considers that the United Kingdom Government should intensify its efforts to address and alleviate these shortcomings."*
- *"there are a lack of adequate stopping sites for stopping for Roma/Gypsies and Irish Travellers in the United Kingdom and considers that further steps should be taken to ensure the availability of further adequate stopping places."*

- *“attendance levels of Roma/Gypsy and Irish Traveller children at primary schools and more particularly at secondary schools and higher education are low and considers that the United Kingdom should continue to examine how the situation can be improved, in particular at secondary level.”*

8.6. Anecdotal evidence suggests a high level of racist incidents and hate crime against Gypsy-Travellers. However, levels of reported crime are extremely low. The North Wales Police Authority is consulting members of the Gypsy-Traveller communities to find ways of increasing confidence in the system and to increase reporting of this type of incident. Further work of this kind is vital; there is also a need to raise awareness of Gypsy-Travellers' separate racial identity.

8.7. The young people, who addressed us in a formal Committee meeting, spoke about their experiences of discrimination and prejudice - a daily feature of their lives.

“I was not accepted into school, with no reason provided except that it was full, but I knew it was not and heard a lady say, ‘we better not let these in’.”

“If Travellers had a good education they could understand the notices the police gave them and be able to understand their rights.”

14-year old Gypsy-Traveller in North Wales.

“I have home education. My mother doesn't want me to go to school because of fear of prejudice against me because I'm a Traveller.”

Teenage female Traveller from South Wales

“When we are walking in the local area or going into shops to buy things for our parents we would be told to get out. It makes me feel angry. Equal opportunities are important for Travellers.”

“When young people get bored on site that is when they go into town and get stared at. Some Travellers might steal but not every Traveller, but we are followed around and intimidated. On the site there is a CCTV camera looking in on us all the time so there is no privacy. The site is in the middle of a wood but is surrounded by a high fence like a prison fence.”

14-year old Gypsy-Traveller from North Wales

8.8. The young people who responded to the Save the Children survey also highlighted day to day experiences of discrimination and prejudice. Over two thirds of respondents said that they had been picked on: girls and young women seemed to be picked on more by other children and boys and young men identified more victimisation from the police and teachers. Both sexes identified some victimisation in shops, at the swimming pool and from local residents.

8.9. When asked what was the worst thing about being a Gypsy-Traveller they said:

"People be horrible to you. They tell you go home to Ireland. They call you smelly Gypsies"

Girl, 11 years

"People are very racist to Travellers in my local area – we don't get treated equally"

Boy, 15 years

"Travellers being ignored and not classed as normal people"

Boy, 14 years

8.10. In response to a question asking them what one thing they would like to say to the Government, the following points were made:

"I think all people should be treated the same, whether they're black or white, Gypsies, Irish or English. They all bleed the same way."

Boy aged 11

"I think the government should know how hard it is being a Traveller. People don't want to know because you are a Gypsy. We try to fit in with everyone. I think we should be treated as equals."

Girl, aged 12

"I think that all Travellers should be recognised and treated with respect as we do with house dwellers. The world would be a better place if people got on with each other and (there was) less hate in the world"

Boy, aged 15

The role of the media

8.11. Racist comment and negative coverage of Gypsies and Travellers still appears in certain parts of the media. The number of cases handled by the Commission for Racial Equality in the UK continues to run at several dozen each year, the majority involving clear breaches of the Race Relations Act. From a limited search of press coverage over the past year, the picture in Wales appears mixed, but negative stories outweigh the positive, focusing on unauthorised encampment and incidents of harassment and prejudice.

"In creating largely negative images of Travellers, the press may argue that they are merely reflecting standard public opinion; and they may be right. But in reflecting it they condone, encourage and confirm racist assumptions whereas, some might argue, it is part of their role to counter such bigoted simplifications."

'Gypsies, Travellers and the Media: Press regulation and racism in the UK' by Rachel Morris, Communications Law, Vol 5, No 6, 2000.

8.12. The report quoted in the previous paragraph points to a number of conclusions about the particular features of negative coverage about Gypsies and Travellers:

- Limited literacy means they have less power to influence their image in the press than most other minority groups. *“Not only are they taunted, denigrated and laughed at, it is done behind their back”.*
- Anyone can experience negative stereotyping, but it is unlikely to affect their way of life. For Gypsies and Travellers it results in constant eviction, harassment, school exclusions and prejudice. Threats and acts of physical violence are well known to deter parents from placing their children in school.
- Gypsy-Travellers may also be discriminated against for being different from the stereotypical romantic myth of what the settled population believes is a ‘true, good gypsy’.
- Forcing Gypsies and Travellers to live where no-one else wants to live, eg close to motorways, sewage plants or derelict land helps to reinforce the ‘dirty gypsy’ image.
- The problems Gypsies and Travellers face in accessing services and land, and with over-policing, are rarely publicised to balance any negative coverage.
- ‘Over-reporting’ of new arrivals of Gypsies and asylum seekers into an area is common. When the asylum seekers are Roma from other European countries the effect is doubled. A UK Department of Environment report in 1991 found that *“the announcement of a large number of small sites had been used by some local newspapers to produce the image of a major gypsy ‘invasion’, even though the gypsies concerned were already regularly resident in the area.”*

Media quotes

“We have no idea what intentions these people have but tend to assume the worst,” said one factory boss, who asked not to be named.

‘Illegal occupation of business park will be over soon’, Deeside Chronicle, 27 September 2002.

“The funeral of one of North Wales’ last remaining Gypsy Queens was held in North Wales yesterday with the traditional burning of her caravan.

.....Yesterday her son described how his mother, from the time she was a young girl, went out every day from door to door with a hawking basket selling clothes, pegs and lace. She travelled the length and breadth of Wales and was well-known throughout the country.”

‘Blazing farewell to the Gypsy Queen’, Daily Post, 14 October 2002.

“A race row has erupted following remarks by a senior councillor about gypsies during a debate on a planning application”... “These are gypsies”....”I wouldn’t go past there in the dark.....”

‘I am not a Gypsy’, South Wales Echo, 18 January 2003.

“Time is running out to remove eight gypsy caravans that a council says could provide an embarrassing blot on the landscape when the Queen visits.

....While the wrangle goes on over the travellers’ caravans, more success is being achieved in a clean-up operation that is working flat out to rid the Coastal Park of yet another eyesore....”

Attempt to evict gypsies as Queen's visit looms', The Western Mail, 16 April 2002.

"Mario Marshall, whose family has lived for the past 22 years on the Glynmil gypsy site in Merthyr Tydfil, has been the victim of a campaign of abuse and criminal damage by local youths....."Racism is all around us and we get called 'dirty gypsies or 'tramps'." "I drive around in the family car just like any other father but children can pick me out to be a gypsy. Their mothers and fathers must be telling them, 'There's a gypsy in there' – how else would they know?"....It's only lately that black people have had any rights at all and gypsies are no different.... I blame television for a lot of racist ideas. Only the other day a remark was made in a drama about gypsies stealing babies."
Research finds racism rife in Valleys, The Western Mail, 27 January 2003.

Challenging negative media comment

8.13. The Broadcasting Standards Commission (BSC) is the statutory independent regulator for television or radio. It provides a mechanism for those who feel they have been unfairly treated or subjected to unwarranted infringement of their privacy to take action.

8.14. Gypsies and Travellers should also be protected under clause 10 of the National Union of Journalists' Code of Conduct, and clause 13 of the Press Complaints Commission Code of Practice. These require journalists to avoid originating or processing material, or making prejudicial or pejorative remarks, based on race or membership of a particular social group. However, the Press Complaints Commission only considers cases where the offensive words are used in relation to an identified individual who then themselves complain. This allows a situation where it is not acceptable to cause offence to an individual, but there is no regulation against describing Gypsies and Travellers in general in a pejorative way. The Committee welcomes the Commission for Racial Equality guidance for journalists and advice to the public on how to make a complaint: www.cre.gov.uk.

Raising awareness of Gypsies and Travellers' distinct, and varied, cultural and ethnic identity

8.15. Some positive initiatives in Wales have attempted to focus on the rich culture and history of Gypsies and Travellers, and positive aspects of being a Gypsy-Traveller. For example, schools in Torfaen carried out a local history project called 'Roots of Torfaen', which enabled pupils to share their family history. (Further details are contained in Chapter 12 on education).

8.16. The use of culturally appropriate materials in schools not only encourages attendance from Gypsy and Traveller children who might otherwise feel alienated by the curriculum resources, but encourages a better understanding of Gypsy and Traveller cultures among children and parents from the settled community. In Monkton, Pembrokeshire, where up to 25 per cent of pupils are from the Gypsy-Traveller community, the Priory Project has

gone a step further in obtaining grants for work with the Pembrokeshire Museum Service to develop a travelling Gypsy exhibition including a Romany wagon to take to schools and Gypsy-Traveller sites in the county.

RECOMMENDATION 4: We recommend that the Assembly Government should take the lead by working closely with the Commission for Racial Equality, those already working with Gypsies and Travellers in Wales (including Traveller Education Officers, Gypsy Liaison Officers and voluntary bodies), Welsh media and representatives of the Gypsy and Traveller communities, to identify ways to improve the quality of media reporting of Gypsies and Travellers in Wales, to reduce the level of prejudice and discrimination in public bodies, and to promote the positive aspects of Gypsy and Traveller cultures. The Assembly should present proposals of action to the Equality of Opportunity Committee that consider:

- What stronger and more specific forms of guidance, including best practice guides, can be developed and issued to public bodies and the general public
- Any additional measures that can be taken against authority figures who make racist or inflammatory comments
- How it will ensure that Gypsies and Travellers are specifically considered in equality training and guidance delivered to local authorities and other public bodies
- The enhanced role that the race equality councils will play in delivering change, including ensuring that all public agencies that come into contact with Gypsy-Travellers review their anti-discrimination policies.
- How Gypsies and Travellers will be considered in the development of race equality schemes under the Race Relations Amendment Act
- The development and implementation of a national media campaign and other activities such as media seminars to challenge attitudes
- How the media might assist with self-advocacy, for example through the possibility of offering trainee-ships or work experience to young Gypsy Travellers, and any other ways that the media can be targeted to improve and enforce their self-regulation.

9. THE INVOLVEMENT OF GYPSIES AND TRAVELLERS IN DECISION MAKING AND POLICY DEVELOPMENT

Overview

9.1. There are particular challenges and barriers to Gypsies and Travellers' involvement in the decision-making and policy development that affects them. Some of these barriers are common to other minority ethnic groups, some are very specific to Gypsies and Travellers. Some important factors are:

- Negative experience of institutional racism and of difficult relationships with the public bodies that represent the wishes of settled people
- Limited literacy and a strong oral tradition mean that many of the traditional methods of consultation used by public bodies in the UK are inappropriate
- In some cases a choice not to become involved in the affairs of settled society and government

9.2. The experience of Gypsies and Travellers has often been that when they are consulted, their views rarely seem to have been translated into action, often because of a lack of funds or political will. When conducting a consultation it is vital to ensure understanding of the purpose and likely impact and to provide feedback, even when the news is not good. Gypsies and Travellers are often described as an 'invisible' group and it is often necessary to use consultation mechanisms that are accessible and appropriate to them to facilitate involvement, but this should not do anything to undermine the application of basic principles of consultation.

9.3. Advocacy is important, but can be difficult to achieve except through dedicated staff, and totally dependent on building trust between individuals. Self-advocacy is also fraught with practical, social and cultural difficulties.

Advocacy

9.4. During the review we found many examples where good relationships of trust had been established between Gypsy-Travellers and service providers from the settled community and where those staff played an important advocacy role. These staff, who might ostensibly be working in health, education and accommodation, always dealt with the wide range of issues that affect Gypsy-Travellers' lives. They need to be fully supported and have this vital aspect of their role strengthened. As is the case for other minority-ethnic groups, many of these personnel rely on grant-funding to fulfil a role that is often extremely demanding, stressful and isolated.

Self-Advocacy

9.5. Organisations representing the interests of Gypsies and Travellers operate at a UK and EU level, for example the Gypsy Council. However, local networks of representative bodies seem less well developed.

9.6. There is limited group representation amongst Gypsies and Travellers for many reasons. The diversity of culture, background, traditions and attitudes amongst Gypsies and Travellers; the importance of extended families; respect for traditional roles and representation by elders; and the sometimes conflictual relationships between different families can all work against group representation.

9.7. The Assembly Government is not currently engaged in any work to actively encourage Gypsy-Travellers to take on a self-advocacy role or to support representative organisations.

9.8. A study was carried out in Hillingdon, England in 2002 to identify the support and development needs of minority ethnic communities who have not formed community groups or networks. The study included interviews with individuals and groups of Irish and English Travellers and their comments may be applicable to the situation in Wales.

9.9. The report showed that, together with Kosovars, the Gypsies and Travellers, were the most wary of being interviewed and in particular of being recorded because of fear of being identified outside their communities and persecuted or treated badly: *“We try not to mix if we don’t have to, we’d rather mix with our own company, that’s our way of life then you don’t get into trouble.”* Some of the key messages were:

- Most of those interviewed had not been involved in any organised group
- One young Traveller who joined a youth club hid his identity for fear of harassment
- Some thought it would be good to have a Travellers group but that it would have to be organised by Travellers themselves because of lack of trust in anyone else, and so they could go without fear of being looked down upon
- There was also some strength of opinion that if the community did have regular meetings that there would be problems with the local settled community who would be unhappy if they knew Travellers were meeting, they would say that they didn’t like their lorries or caravans parked there and would find problems. Once people started to come along it may be easier but trust would be a problem as Travellers would be reluctant to do anything which would show them as different
- A Traveller respondent thought that the community had become used to settling for second best
- There was a low level of awareness of local Racial Equality Councils and that they could report racist incidents. Those that did know about these things thought they would only apply to larger minority ethnic groups
- Having a liaison officer within the council dedicated to communicating with and supporting them was generally welcomed

9.10. One person commented:

“They choose to ignore us when everything is going alright but if a problem occurs we are labelled “Travellers” and that’s why there is a problem. We are then the problem.”

9.11. And another that:

“Travellers don’t vote because not one councillor has ever stood up for Travellers. For a councillor to say ‘I’m for Travellers’ is too risky and they would never get elected.”

9.12. The study concluded that 'Travellers' did not feel safe in joining 'mainstream' groups and would need development type work to help them self-organise.

Consultation

9.13. The Gypsy Council summed up the present unsatisfactory state of affairs in their report to the Committee (the particular concern in this case was future research projects):

“...we would suggest that an end be put to all projects concerning issues relating to or affecting the Gypsy community unless and until those responsible for putting forward such projects – including the National Assembly for Wales – can clearly demonstrate to our own community’s satisfaction that adequate and proper consultation had been carried out with Gypsies to ascertain the need for such projects, and that the researchers would abide by the Gypsies’ wishes.”

9.14. There is no doubt that there are challenges in successfully engaging a broad spectrum of Gypsies and Travellers in decision-making and consultation exercises, not least because the usual methods, involving lots of paperwork, are generally inaccessible for Gypsies and Travellers as it is not their usual mode of communication. However these challenges are not an excuse to avoid consultation. Public authorities must find mechanisms that do work.

9.15. The Assembly has a statutory duty to consult and has comprehensive guidelines for officials, but these do not refer specifically to the needs of Gypsies and Travellers. Requirements placed on local authorities to consult with communities vary across policy areas, in some cases there is a statutory obligation to consult, in other cases there is no obligation.

9.16. For example local authorities are required to consult with communities in the development of Community Strategies. The Welsh Assembly Government’s guidance, *Developing Community Strategies* refers to consultation with hard to reach groups, although there is no specific reference to Gypsies and Travellers. The guidance states that:

‘Councils must ensure that the techniques they employ do not discriminate against particular groups. Specific efforts should be made to involve different

ethnic communities, women, faith communities, older people and disabled people who have a positive contribution to make to the future development and well being of their communities’.

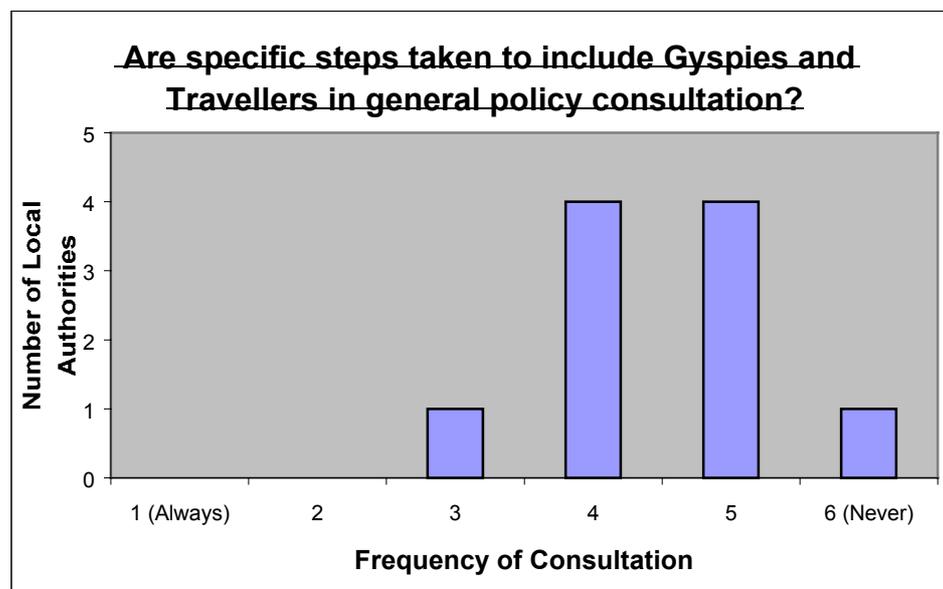
9.17. The guidance points councils towards voluntary and community groups to advise on how best to consult. As was noted in the OFSTED report on ‘Raising the Attainment of Minority Ethnic Pupils, this cannot be easily applied to a community *“with no obvious infrastructure, no recognised centre [such as a mosque, Gurdwara or Mandir] or no clear community leaders”*.

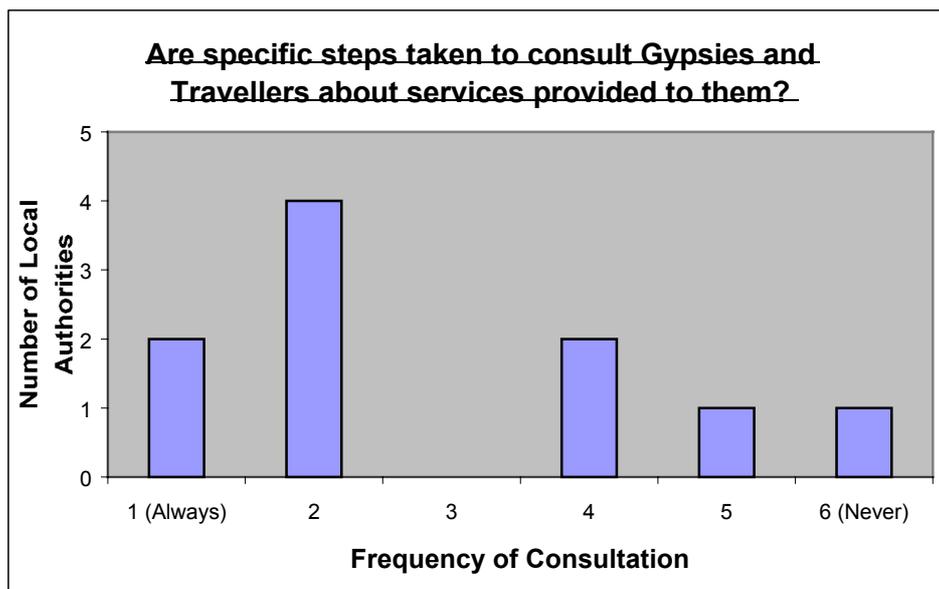
9.18. The Assembly’s consultation guidance also covers the importance of feedback:

‘...it is important that reporting should be clear and understandable, and that all sections of the community should have ready access to it. This could be achieved through periodic newsletters, exhibitions, meetings or by disseminating information through the internet or community councils.’

9.19. Again some of the suggested methods are unlikely to be suitable for Gypsies and Travellers.

9.20. We issued a survey, which among other things, asked local authorities in Wales to provide information on the nature of their consultation with Gypsies and Travellers on general policies and specific services. The responses, which are shown in detail in the tables below, indicate that local authorities are taking steps to consult Gypsies and Travellers about services that affect them specifically, but are not taking specific action to involve them in wider policy consultations.





Gypsies and Travellers as part of the decision-making process

9.21. The people we spoke to during our site visits generally had quite negative views of their place in the decision-making process:

“We’ve been telling people the same things and we never see anything change.”

“I’d like to sit all them council people down and tell them what we want. I could be prepared to work with them to put across my point of view.”

“I think we’re just pushed out of the way and left.”
Female Gypsy-Travellers in Cardiff.

9.22. The following issues have been highlighted as important in developing advocacy among Gypsies and Travellers and ensuring that consultation mechanisms are inclusive.

- There are examples in Wales of residents who have been involved in community development projects that have enabled them to develop their skills in dealing with public bodies and making their views known. Capacity building should be undertaken on sites to encourage self-advocacy. Activity should focus on immediate needs, for example confidence building.
- Develop links between Gypsy and Traveller families and decision-makers, and in the longer term encourage Gypsies and Travellers to become decision-makers themselves,
- Gypsy Liaison Officers, Traveller education officers and other specialist staff are a good central contact point but that they need more support in their role as advocates.

Examples of good practice

In Cardiff, residents on the Shirenewton site were successfully involved in a consultation exercise that allowed them to decide aspects of the design of their site before refurbishment. The consultation resulted, for example, in washing blocks being moved from the front of the pitches to the back.

One project, which was not aimed at Gypsies and Travellers specifically but could be applicable, provided disposable cameras to local authority residents to record the things they liked and disliked on their estate. This information was then used to help plan improvements and maintenance work. It was very effective at bringing home the reality of problems to service providers, and might work well for Gypsy-Travellers.

RECOMMENDATION 5: We recommend that the Assembly and local authorities pay particular attention to ensuring that Gypsies and Travellers are consulted on policy developments and that accessible and appropriate consultation methods are adopted. They should draw on the expertise of people who already act as advocates, who can help identify the best mechanisms to consult with Gypsies and Travellers in a particular area and to avoid misunderstandings or raised expectations. Particular attention should be paid to providing Gypsies and Travellers with full feedback on the results of consultation and the rationale for subsequent decisions.

RECOMMENDATION 6: We recommend that more support is given to staff who act as a central contact and advocate for Gypsies and Travellers. They should be given the resources to undertake capacity building work and to encourage self-advocacy.

10. ACCOMMODATION

OVERVIEW

10.1. The need to resolve the lack of adequate accommodation was the major theme in all the evidence we heard – whether from local authority staff, or health and education workers or Gypsy-Travellers themselves. It is clear that inadequate accommodation provision is at the root of many of the problems facing the Gypsy-Traveller community and is a significant factor in conflict with the settled community.

10.2. We are under no illusions about the difficulties surrounding the issue. In the 30 years that local authorities were under a duty to provide adequate sites this was not achieved and the repeal of the duty in 1994 has led to a lack of further progress.

10.3. Fresh action is required, action which is informed by a clear identification of need and a flexible approach. Our detailed suggestions are set out later in this chapter, but there are two major challenges:

- Making appropriate improvements to existing sites
- Developing, or facilitating the creation, of new ones

10.4. At the time of the last official count of caravans in Wales there were not enough pitches on official sites (either publicly or privately owned) to provide legal stopping places for all Gypsy-Travellers: there were 280 caravans, 38.2% of the total number, on unauthorised sites.

10.5. It is very difficult to estimate the number of caravans on unauthorised sites today, but it is likely to be similar or even higher. More recent figures are available for England, and although they are not directly comparable because they refer to families, not caravans, they show that at July 2002 it is estimated that there were 2,214 families living in unauthorised encampments, which is around 25% of the total.

10.6. We feel very strongly that the status quo is not acceptable. We cannot continue to allow a situation where large numbers of people are denied a legal place to stop and live in their caravans and therefore denied proper access to school, healthcare and other services.

10.7. It cannot be acceptable that a minority group has been put in a position where their traditional way of life is almost impossible to follow, nor is it right to exclude people from society, and from access to services, like schools and doctors, that the settled community takes for granted.

10.8. It is also unacceptable to continue moving the problem on. Unauthorised encampments can cause misery for Gypsies and Travellers and nearby residents. The current situation also has significant cost implications.

10.9. The Cardiff Traveller Law Unit estimates that £18 million was spent on evictions by local authorities in Wales, this sum could have made a significant contribution to the creation of much needed sites.

The views of Gypsy-Travellers on accommodation

10.10. We received some very stark messages from a group of young people who spoke to us at formal Committee session.

10.11. Two of the young people, 14 year old girls, were roadside Travellers and their family had been evicted the night before, again on the morning of the meeting. The education workers accompanying them were unsure of where they were taking the young people home to. The girls were part of a large family that travelled in the Swansea area, where there is only one small official site, which is constantly full. They explained how constantly being moved on prevented them from receiving an education or accessing health services. The family wanted a place of their own, where they could live without threat of eviction and away from other families.

10.12. The other young people lived on official sites. They spoke about some of the problems with the existing site provision. This included condemned slabs, broken glass and rubbish; delays in developing new amenities such as a play area for children and a lack of privacy due to CCTV cameras.

10.13. The Gypsy Council, in its Report to the Equality of Opportunity Committee stressed the importance of facilitating private site provision, pointing to the benefits inherent in enabling people to live in small family groups. The report also commented on other issues, including planning and site management, all of which will be discussed in more detail later in this chapter.

The views of service providers

10.14. At the seminar held in Swansea last October service providers identified a range of issues as barriers to successful service provision, but by far the biggest issue was a lack of political will to tackle accommodation provision.

10.15. The overall conclusions of the workshop on accommodation were:

- That the system does not work at present
- That moving on and eviction are not solutions
- And that a concerted effort, at national level, was required to ensure proper services are provided

(A detailed note of the results of the seminar is available from the Committee Secretariat).

10.16. Different people look for different things in their accommodation, and Gypsies and Travellers are no exception. Accommodation provision should be flexible to meet a range of demands.

10.17. We are keen to see diversity in the type of sites available. We believe that public provision should remain a key foundation of provision, but we also welcome the development of private sites that cater for a larger numbers or range of people, as well as smaller private sites for individual families.

10.18. We were interested in the Gypsy Council's and Cardiff Traveller Law Research Unit's suggestion that grants should be available from the Assembly or housing bodies to purchase land for Gypsy-Traveller sites.

10.19. At present the National Assembly can only pay grants for housing to local authorities or registered social landlords. It would require a change in primary legislation to enable the Assembly to make such grants available for the purchase of land for sites.

RECOMMENDATION 7: We recommend that the Welsh Assembly Government's Housing Department clarify the position on paying housing grants for site provision and advise local authorities accordingly. We further recommend that changes to primary legislation should be made to put Gypsy and Traveller caravan sites on the same footing as other housing stock, in terms of for example, availability of grants, pitch allocation policy and management issues.

BRIEF OUTLINE OF PREVIOUS SITES POLICY

10.20. The Caravan Sites Act 1968 placed a duty on local authorities to provide adequate accommodation for Gypsy-Travellers living in their area. It also enabled central government to provide funding to support the creation of sites. The existing network of sites was largely built under the Caravan Sites Act, although provision was not enough to meet demand.

10.21. Both the duty to provide sites, and the grant-making power, were repealed by the Criminal Justice and Public Order Act 1994. The Criminal Justice and Public Order Act also introduced new powers enabling local authorities to remove unauthorised campers including the power to impound their caravans - their homes.

10.22. A stated objective of the 1994 Act was to encourage Gypsy-Travellers to move into mainstream housing provision.

"...encouraging gypsies and other travellers who have settled on local authority sites to move into permanent housing...."
(Consultation on changes to the Caravan Act 1968 – Department of the Environment)

10.23. The Advisory Committee on the European Union's Framework Convention for the Protection of National Minorities commented in a recent assessment on the impact of the repeal of the duty to provide sites and the

application of the powers contained in the Criminal Justice and Public Order Act:

“The Committee notes that the repeal of the Caravan Sites Act 1968 has not led to any increase in provision of sites, but had rather had the opposite effect. Furthermore that Roma/Gypsies and Irish Travellers experience increased problems to find places to stop and face the threat of criminal sanctions under Section 77 of the Criminal Justice and Public Order Act (1994) if they fail to move on when required to do so by the local authorities. The Advisory Committee is aware that this has contributed to many Roma/Gypsies and Irish Travellers having to give up their travelling lifestyle. The Advisory Committee is also aware of the difficulties that members of this group have in securing permission to station their caravans on land owned by them, which has led to the examination of a number of cases on this issue by the European Court of Human Rights.....The Advisory Committee therefore considers that the Government and the devolved Executives should take further steps to ensure the availability of additional stopping places for Roma/Gypsies and Irish Travellers.”

10.24. Local authorities retained a discretionary power to provide sites and the guidance contained in Welsh Office Circular 76/94 on Gypsy Sites Policy and Unauthorised Camping, which is still in force, advocates a policy of toleration towards unauthorised encampments.

10.25. The Traveller Law Reform Bill represents another strand of policy development in this area, but one formulated outside government. The Bill was produced as a result of more than four years of discussion between Gypsy-Travellers, their representative organisations, and service providers in the United Kingdom. It was launched on 31 January 2002 and a revised version reached the House of Commons on 10 July 2002, but fell before a second reading. The Bill is an important reference point for any recommendations on accommodation as it represents a consensus between a wide range of organisations. Specific elements of the Bill will be discussed in more detail in the following text box.

Traveller Law Reform Bill

The proposed Traveller Law Reform Bill contains a two-pronged approach to the issue of site provision. It proposes that local authorities prepare plans showing how they will meet the needs of Gypsy-Travellers in their area and it reinstates a duty on them to provide or facilitate adequate site provision:

“It shall be the duty of every local authority being a district council, the council of a metropolitan district or London Borough or unitary authority to exercise its powers under section 24 of the Caravan Sites and Control of Development Act 1960 (c.62)(provision of caravan sites) so far as may be necessary to provide or to facilitate the provision of adequate and suitable accommodation for Gypsies and Travellers residing in or resorting to their area.”

But it also establishes a 'Gypsy and Traveller Accommodation Commission' with a remit for:

*"(a) monitoring the provision of gypsy and traveller accommodation;
(b) examining instances of unauthorised encampments and anti-social and criminal behaviour arising from such encampments;
(c) reviewing the code of conduct established under section 8 below."*

In this way the Bill attempts to balance maintaining local democratic control over delivery within a national framework.

(Extracts from the House of Commons version of the Traveller Law Reform Bill).

BUILDING MORE SITES

Opposition to site development and lack of action at a local level

10.26. The explanation for why there is an inadequate supply of suitable sites is simple: a lack of political will at all levels in the face of local opposition to site construction.

Political will

10.27. When service providers were invited to identify the main barriers to successful site provision at our seminar they singled out a lack of political will, at all levels, as the overwhelming problem. Put bluntly, providing services to Gypsy-Travellers tends to be unpopular with the wider public, and given that there is no longer a requirement to provide sites, the issue is given a low priority. The service providers were strongly in favour of a new national framework for sites, even a reintroduction of a duty to provide sites as the only way to make progress on this issue.

10.28. Dealing with attitudes in the settled community, which are obviously of critical importance, is discussed in more detail in the next section, but there are other important actions necessary to facilitate effective decision making at local level, including the establishment of a clear framework for site provision.

10.29. We believe that a national framework for sites provision is required. A framework which requires local authorities to provide, or facilitate the provision of, an adequate number of sites in their area. The Assembly should provide financial support to enable local authorities to deliver within this framework.

10.30. We do not wish to see a simple reintroduction of the duty on local authorities to provide sites. While public site provision will remain an important element, we believe that this is an opportunity to develop a strategy that will encourage the development of a range of provision to complement public provision and secure wider choice.

RECOMMENDATION 8: We recommend that there should be an audit of existing site provision to identify demand for further sites and gather information on good site design, facilities and location, which will inform future site development. This should start with a review of existing information to identify gaps that may require additional research.

10.31. A similar exercise was undertaken in England last year.

RECOMMENDATION 9: We recommend that there should be a duty to provide, or facilitate the provision of, accommodation for Gypsies and Travellers and that this should be supported by additional funding. The Assembly Government should consult service providers and Gypsies and Travellers over the most effective way in which a duty to provide sites could be placed in statute. In the short term the Assembly Government should review all its circulars and guidance on site provision to ensure that they promote site development as far as possible. In particular, we recommend that local authorities be asked to develop a strategy for meeting the needs of Gypsies and Travellers in their area.

Opposition from the settled community

10.32. As we have already noted, public attitudes are usually at the root of policy makers' reluctance to tackle the accommodation issue. The Gypsy Council summed the problem up as follows:

"...perhaps the main stumbling block to achieving adequate accommodation provision for Gypsies in Wales comes from the ingrained and at times, almost fanatical level of public opposition which is shown whenever Gypsy sites are proposed there."

(Report to Members of the Equality of Opportunity Committee, National Assembly for Wales - The Gypsy Council: Romani Kris)

10.33. The reasons for public opposition can be quite complex, but the root causes seem to be:

- Overt, as well as unconscious, prejudice against Gypsy-Travellers, based on deeply ingrained stereotypes. (See section 8).
- Experience of unauthorised encampments - these often have very limited facilities and can cause a significant nuisance to other residents

Good Practice - better information about the reality of an official site

The Gypsy Council has successfully used pictures and information illustrating the reality of an official site to help reduce objections from residents near proposed developments, for example at the Gypsy Council Conference in 1989. In that particular case, residents were shown that a properly managed official site would reduce the problems they were experiencing as a result of unofficial encampments.

10.34. A key message from our evidence session on accommodation was the importance of open and honest consultation on proposed site developments.

Without an open consultation it is impossible to manage objections and provide meaningful answers to residents' concerns.

10.35. The recommendation below, on dealing with public objections and mounting effective consultation, should be read alongside Recommendation 4 on eliminating prejudice. Whilst we want to encourage residents in the settled community to come forward with their concerns and engage with the consultation process, we would in no way wish to excuse those who make racist, offensive and inflammatory comments.

10.36. We also believe that opportunities for Gypsies and Travellers and settled residents to jointly engage in the consultation process, to challenge unfounded fears, could be helpful. Such activities will need to be carefully managed and more work is needed to explore how this might be done successfully.

RECOMMENDATION 10: We recommend that there is full and open consultation on proposed public site developments. Residents in the settled community should be given information about official sites. Guidance should be prepared on managing objections and tackling offensive comments or behaviour; this guidance should also apply to handling planning applications for private sites.

RECOMMENDATION 11: We recommend that, when considering the construction of new sites or the refurbishment of existing sites, the same level of commitment to full consultation should be applied to meeting the accommodation needs of Gypsies and Travellers as applies in other areas, for example in social housing and regeneration initiatives.

The Planning System

10.37. The planning system is designed to regulate development in the public interest. Planning Policy Wales was published in March 2002, it sets out the policy underlying the planning system in Wales. It includes a requirement that local authorities should include consideration of the needs of Gypsy-Travellers in their area in their Unitary Development Plans (UDPs):

“Local authorities must indicate the regard they have had to meeting the accommodation needs of gypsy families. It is important that local planning authorities have policies for the provision of gypsy sites in their UDPs. In drawing up policies local planning authorities should consult with providers of social housing, representatives of gypsies and travellers and landowners in areas likely to be appropriate for gypsy sites.”

(Planning Policy Wales – Welsh Assembly Government)

10.38. Welsh Office Circular 2/94 provides detailed guidance on planning issues related to sites. It stresses that, following the repeal of the statutory duty to provide sites, *“it is all the more important that local planning authorities make adequate site provision in their development plans.”* Local authorities are required to identify specific locations for sites, but where that is not

possible, are given the option of setting out the criteria against which applications for sites will be assessed.

10.39. Consideration of a small sample of draft UDPs indicates that local authorities are not applying the spirit of the policy. The UDPs are passive rather than proactive, relying on criteria based provision, and one development plan contains the following statement:

“Proposals for the development of gypsy caravan sites and temporary stopping places will normally only be permitted where a genuine need over and above the sites already provided be proven, and provided that...[nine further conditions are then set out].”

10.40. It is unusual for UDPs to contain a requirement to prove the need for a particular development and more importantly Circular 2/94 specifically states: *“Authorities should not refuse private applications on the grounds that they consider public provision in the area to be adequate”*. The Gypsy Council also pointed to the reliance on criteria based planning policy as a barrier to site provision in their Report to the Equality of Opportunity Committee. We were also concerned that, in response to our survey, five local authorities commented that there was no provision for Gypsy-Traveller sites in their UDPs.

10.41. The circular also requires local planning authorities to provide advice and practical help to Gypsies and Travellers wishing to make an application. The Welsh Assembly Government’s Planning Department has not issued guidance on how this might be done and, given the discouraging tone of many UDPs, we question the extent to which the planning system is making itself accessible to applications from Gypsy-Travellers.

10.42. These concerns seem to be confirmed by the number of high profile cases where local authorities are taking enforcement action against Gypsy-Travellers who are camped, without planning permission, on their own land.

Planning cases

Some indication of the complexity of planning cases and current attitudes to Gypsies and Travellers in the planning system can be gained from consideration of several recent cases.

R (o.t.a Thomas Clarke) v Secretary of State for Transport, Local Government and the Regions – Court of Appeal – 2002 WL 819965 (CA)

Mr and Mrs Clarke, who are Gypsies, had purchased a piece of land (in England) and stationed their caravan on it, which constitutes “development” under planning law. They applied retrospectively for planning permission to station their caravan there. The family had two young children, one of which had just started nursery school in the area.

The local planning authority refused planning permission. The Clarkes appealed. The planning inspector, for the Secretary of State, upheld the

refusal. The Clarkes applied to the High Court, which quashed the planning inspector's decision and remitted the matter to the Secretary of State (i.e., sent it back to the planning inspectorate for them to look at the matter again). The Court of Appeal upheld this decision.

The crucial point in the case concerned the relevance or otherwise of an offer of bricks and mortar housing that had been made to the Clarkes. Mrs Clarke asserted that she found this prospect distressing. The inspector accepted her assertion, yet his decision that planning permission should not be granted was clearly influenced by the offer. The Clarkes had said that if planning permission was refused, their only alternative was an illegal roadside pitch, which – apart from being illegal - would not provide stability for their children's education. In the light of the offer of conventional housing, the inspector did not accept that this was the only alternative.

The High Court judge quashed the inspector's decision on the grounds: (1) that it was not clear to him exactly what effect the offer of conventional housing had had on the decision – whether it had been determinative, or whether the planning considerations would have brought the scales down against granting permission, even if the only alternative for the family had been an illegal roadside pitch, and (2) that the inspector needed to establish to his satisfaction whether the Clarkes truly had an aversion to bricks and mortar housing, as part of their Romany culture. If they could satisfy the inspector that they did, then the offer of a conventional house would be “unsuitable” for them, “just as would be the offer of a rat-infested barn”, and, as such, it would be an error of law for the inspector to take the offer into account in reaching his decision.

The Court of Appeal found that the judge was entitled to reach that judgment. The fact that the applicants' rights under the Convention on Human Rights (Articles 8 and 14) were engaged influenced both the High Court and the Court of Appeal, both of which judged that “a more intense scrutiny of the facts upon which that right [Article 8] is asserted” was required than had hitherto been carried out.

R (on behalf of Margaret Price) v Camarthenshire CC (High Court, 23 January 2003),

In this case the court said that the fact that a Gypsy had enquired about conventional housing a year previously was not sufficient reason for the Council to disregard, at a later date, her wish to remain living in a caravan. Her viewpoint should have been reassessed at the time of taking the decision in question.

The court said that it seemed “plain” that there were “degrees of aversion to conventional housing”. In assessing what weight was to be given to that aversion as a factor, the degree of aversion will have to be taken into account. The court also stressed that there was a need for the decision-maker to assess and take into account the reasons for which a Gypsy – perhaps reluctantly – had considered giving up, at least for a time, the traditional way

of life. That is, it is not enough for a planning authority simply to say “Mrs X applied for conventional housing once, therefore she clearly has no great aversion to it”. The reasons for her conduct at that time must be investigated, if her human rights are to be fully respected.

Wrexham County Borough v National Assembly for Wales and Mr and Mrs Berry (High Court, 31 October 2002)

This case turned on the definition of “Gypsy” used in current planning Circulars (the definition used in s. 16 of the Caravan Sites Act 1968, i.e. the definition based on nomadic lifestyle, not race). The definition had been interpreted in a 1994 case about “New (Age) Travellers” called ex parte Gibb, in which the Court of Appeal had held that in order to be regarded as a “Gypsy” for the purposes of the 1968 Act, a person must not only lead a nomadic existence, but the travelling must be for the purposes of making or seeking a living.

There was no dispute that the Berrys were a Gypsy family in the ethnic-origin sense of the word. However, Mr Berry had not travelled for the purposes of work for some three years, due to ill-health. The Council said that this meant that he was not a “Gypsy” for the relevant purpose and that the Assembly’s planning inspector’s decision was flawed, in that he should not have taken into account the fact that the family was ethnically Gypsy.

The court dismissed the Council’s challenge, holding that, in deciding whether someone who is too ill or old to continue to travel to find work is still to be regarded as “of nomadic habit of life” – the wording in the 1968 Act and the Circulars – all the surrounding circumstances have to be considered. In the Berry’s case, the judge was satisfied that the inspector’s decision was the right one. It was a critical factor that Mr Berry had continued to live in a caravan after he had “retired” from travelling in search of work.

Leave to appeal to the Court of Appeal has been given in this case and so it is still possible that the judgement may be reversed.

10.43. Weaknesses in the planning system are indicated by the increasing consideration of the provisions of the Human Rights Act in relation to legal action being taken by Gypsies and Travellers on planning issues.

10.44. We are particularly concerned with the apparent obsession with finding ways to prove that an individual is not a ‘Gypsy’ for the purposes of the planning system. This approach is extremely unhelpful. We have already explored the issue of definitions in Chapter 4 of this report and there can be no doubt that actual mobility at any given time is a poor indicator as to whether someone should be considered a Gypsy or a Traveller.

10.45. When Rachel Morris from Cardiff University’s Traveller Law Research Unit gave evidence at our meeting in April 2002, she indicated that 90% of all initial planning applications for Gypsy-Traveller sites were refused, whereas 80% of all initial planning applications are passed. We have been unable to

verify whether this is the case in Wales as data on applications by Gypsy-Travellers is not collected centrally. However, the indications from our evidence sessions is that a large number of applications are rejected. Whilst we acknowledge that Gypsy-Traveller sites are a very specific type of development, we are concerned that underlying prejudice may be adversely affecting the outcome of applications.

Good Practice - support with planning applications

Somerset County Council manages six residential sites and one transit site. The county also contains more than 40 private sites and three sites for New (Age) Travellers.

The County supports Gypsy-Travellers through the planning process. When planning applications for the development of sites are received Somerset's Gypsy Liaison Officer is automatically notified. The Gypsy Liaison Officer then contacts the applicants to guide them through the planning system.

The Gypsy Liaison Officer is also available to give evidence to establish that the applicant is a 'Gypsy' for planning purposes, to set out the County's planning policy and to give an overview of the other accommodation available in Somerset.

RECOMMENDATION 12: We recommend that an urgent review should be conducted to produce a revised planning framework for Gypsy and Traveller site development. The review should actively seek the involvement of Gypsies and Travellers, and individuals with experience of making or supporting planning applications. The aim of the review should be to identify barriers and find ways to facilitate site development, support individuals through the planning process and to establish a wider definition of who constitutes a 'Gypsy' for the purposes of planning regulations - we recognise that this may require a change in primary legislation.

What should new sites look like and where should they be?

Travelling patterns

10.46. Travelling patterns have a major impact on the type of site provision a person would need. We do not have comprehensive information about the travelling patterns of families in Wales but certain themes can be discerned and are set out below:

- Travelling extensively over long distances – as described by the Gypsy Council and service providers
- Travelling within a local area, in some cases frequently in other cases less so – some of the young people who spoke at a Committee meeting explained that they moved fairly frequently within their local area, as did some of the people we met on site visits
- Travelling occasionally – for several of the people we met at the Royal Welsh Show, travelling to the event was their only opportunity to travel

- No longer travel at all and are permanently settled on sites in their caravans - several residents we met on site visits explained that they no longer travelled

10.47. However, it is important to note that some of these travelling patterns have evolved because the lack of stopping places has made it too difficult for many people to remain mobile.

10.48. The key message is that there is a need for accommodation that caters for people who travel a lot and accommodation that caters for people who travel less, if at all. The needs of the latter group would be met by the provision of permanent sites – either local authority or privately owned. Meeting the needs of the former ‘short stay’ group is more difficult, but there are several options: transit sites; temporary sites; a toleration policy. These options are examined in more detail in the table below.

Transit sites: have similar facilities to permanent sites, but residents only permitted to stay for a limited time in any given period and are sites actively managed	
Advantages	Active management and good facilities. Provides a legal, secure place to stop
Disadvantages	Resource intensive, not many in place at present and it would take time to set up and there can be difficulties where residents wish to stay for longer
Temporary sites: generally have limited facilities and are not so intensively managed	
Advantages	Can be put in place fairly quickly, provides basic facilities and a legal place to stop
Disadvantages	Facilities may be inadequate and limited management can lead to problems
Toleration policy: local authorities tolerate unauthorised encampments in certain places and do not take eviction action	
Advantages	Can be put in place quickly and provides a semi-legal place to stay
Disadvantages	Facilities inadequate and lack of management can lead to problems

10.49. In England the Gypsy Sites Refurbishment grant can be used to provide new transit sites, no equivalent funding is available in Wales.

10.50. Our survey of local authorities identified one transit site in Wales. At present there are ten transit sites in England, three of which are in Somerset – one provided by the local authority and two are privately run. When we took evidence from Somerset County Council’s Gypsy Liaison Officer he spoke strongly in favour of transit sites as the most effective way of providing services to Gypsy-Travellers passing through the county. At the same time he warned that it was vital that these sites were managed around the clock and that the residency rules were strictly enforced.

10.51. At the same meeting we heard evidence from the sites manager for Cardiff, he expressed concerns about how manageable sites with no long-term residents are. The Gypsy Council made clear its strong reservations about temporary sites and toleration policies in its report to the Committee, noting that this type of provision could be used as an excuse not to provide proper facilities and can be easily abused. Many of the Gypsy-Travellers we met on our site visits were in favour of some form of 'short stay' provision, but only where it was properly managed. There was particular concern that parts of permanent sites should not be used for this purpose.

10.52. In the long term, properly managed transit sites with good facilities must be the goal; the difficulty is what to do in the meantime.

General increase in demand for pitches

10.53. 'Short stay' Gypsies and Travellers are only one group among those living on unauthorised encampments at present. Other Gypsies and Travellers want a pitch on a permanent site but are unable to find one because of the shortage of available places, and others wish to establish small sites for their immediate family to stay on but have been unable to do so. There is also a clear need on many existing sites in Wales for additional pitches for young people, including young couples. The solution is simple – more authorised sites are required – but additional provision is not going to appear overnight.

Unauthorised encampments and evictions

10.54. There is no doubt that unauthorised encampments can cause severe problems for local residents and result in local authorities spending thousands of pounds a year enforcing evictions and cleaning the site afterwards. Such encampments are also deeply unsatisfactory to those who have to live on them, often without the most basic of facilities and under constant threat of eviction.

10.55. It seems that the current application of eviction powers varies a great deal. Welsh Office Circular 76/94 sets out the framework for dealing with unauthorised encampments. The circular makes it clear that, while there will be occasions where eviction is appropriate, it is not always the best way to deal with an unauthorised encampment. Constant evictions do not solve anything, they only move the problem on. Revised, and more detailed, guidance is required, and should give more detailed advice on when eviction is appropriate, a code of practice on eviction action and alternative strategies for handling unauthorised encampments.

10.56. Local authorities have specific duties to assess the circumstances of families before taking enforcement action against unauthorised encampments, under of the Children Act 1989 Part III and the Housing Act 1985 Part III (Housing the Homeless). This process must be more than a cursory exercise.

10.57. We were told of one occasion where a family was evicted while a child was at school. The child returned home at the end of the school day to find an empty site. This experience must have been deeply traumatic and simply should not have happened. The staff involvement in taking the eviction action should have ensured that the family's circumstances, including that a child was away from the site at school, were taken into account in the decision and timing of eviction action.

RECOMMENDATION 13: We recommend that circular 76/94 on dealing with unauthorised encampments be revised. The revised version should: stress the importance of thoroughly assessing the needs of those families involved before taking action; strongly advise against impounding caravans and thereby making people homeless.

RECOMMENDATION 14: We recommend that local authorities be required to provide, or facilitate the provision of, transit sites (in line with recommendation 9 on site provision in general). The Assembly should make funding available to support the development of these sites. In the short term we recommend that the Assembly issues clear guidance, drawing on experiences across the UK, setting best practice on meeting the needs of 'short stay' Gypsy-Travellers.

Site design and selecting appropriate locations

10.58. We have not considered site design issues in detail, but we do wish to make some general observations.

10.59. When Carmarthenshire County Council's Traveller Service Manager gave evidence to the Committee he pointed out that a series of unofficial, and frankly disturbing, criteria could be inferred from the location of current sites: *"close to the boundary between local authorities, close to railway lines and a really busy road, and next to a sewage works and rubbish tip"*; in other words, many sites are located where no one else would live. Most of the sites we visited met some or all of these 'criteria'; this is not acceptable and better locations must be found in future.

10.60. Basic criteria to identify suitable locations for new sites should include:

- Proximity to bus routes or other public transport
- Within easy reach of schools, doctors, shops and other facilities
- Along routes Gypsy-Travellers use
- In places where Gypsy-Travellers wish to stay

10.61. We believe that there is considerable expertise available on good site design and on what facilities should be available on sites – local authority staff, private site managers, health visitors and education workers, and of course site residents themselves know what works; and residents should also advise on what facilities they might want.

Save the Children survey

The Save the Children survey asked young people to identify the best and worst things about where they were staying. Top of the list of the best things was *'being close to family and friends'* with ten respondents. Facilities such as toilets, water, electricity and sheds were identified by seven respondents. Proximity to shops and/or play facilities were also frequently cited as the best thing about the place young people were staying.

The worst things identified by young people were dirt, mud, rubbish, noise/traffic pollution; the isolation and absence of universal services, e.g. public transport; the lack of facilities - particularly parks and play areas. A number of respondents noted how hard winters were on the sites and in contrast how beautiful summers were.

The young people were also asked what facilities they would like on an 'ideal' site. Of the facilities suggested the most popular features were a play park; water; electricity; games room; tarmac; and shops. Other features were proposed by respondents and included: a nursery; a school on site; a bus stop; plots and sheds; car park; fence off the road; and a 'nice clean site'.

10.62. Pre-requisites in terms of facilities should include:

- A toilet, washroom and utility area for each pitch – with physical separation between the toilet, washroom and clothes washing areas
- A durable slab
- Good, safe access in and out of the site, including traffic calming measures where necessary
- Water and electricity supply (utility bills are discussed below)
- Fencing around pitches (although there should still be good, safe access for caravans and other vehicles)
- Some safe green space for children, designed for this purpose only
- Arrangements for safe storage and disposal of refuse

10.63. We would wish to see sites without huge boundary fences that, as one the young people who spoke to the Committee said, give the impression of it being a prison camp. We would also ask local authorities to think very carefully before placing CCTV cameras on sites or near site entrances.

RECOMMENDATION 15: We recommend that the guidance referred to in recommendation 9 on site provision, should include best practice advice on designing sites – this should include advice on selecting site locations, layout and facilities. The audit of existing site provision, at recommendation 8, will assist in this process. The guidance should be drawn up in consultation with Gypsies and Travellers.

10.64. During our site visits residents raised concerns about receiving mail and utility bills.

10.65. On many sites the Royal Mail refuses to deliver to individual pitches. Post is left in site offices, which are not open all the time and this can lead to delays in people getting their mail. The Royal Mail have advised that, provided the site is registered with the local authority for residential use, i.e. is not for holiday touring caravans, mail should be delivered to individual pitches. In some cases it seems that deliveries are stopped because of problems with dogs on certain pitches.

RECOMMENDATION 16: We recommend that the local authorities work with the Royal Mail to find a solution that is workable and fair.

RECOMMENDATION 17: We recommend that the Assembly Government looks more closely at local authority charges for utilities and discusses charging policy with them and utilities companies.

EXISTING SITES

Upgrading of existing sites

10.67. We conducted a brief survey of sites as part of this review. Eleven out of 22 local authorities responded Twenty five sites were identified in total:

- Nine unauthorised encampments with a total of at least 10 pitches and 48 Gypsies and Travellers
- Six local authority contracted out sites with 104 pitches
- Five local authority run sites with 133 pitches
- Five privately run sites with at least 46 pitches

10.68. The survey also provided the following information about the eleven local authority sites.

On site repair and refurbishment:

- 4 sites are in a good state of repair
- 3 sites require minor upgrades
- 1 site needs major improvements
- 5 sites budget for day to day costs
- 4 sites have a budget for minor upgrades
- 3 sites gave no reply as to their condition

On the age of sites:

- 1 site is from the 1970's
- 5 sites are from the 1980's
- 2 sites are from the 1990's
- 3 sites did not indicate their age

On facilities available:

- 1 site has a community hall
- 11 sites have boundary fences/walls for pitches

- 11 sites have electricity with a meter for each pitch
- 8 sites have gas with a meter for each pitch
- 7 sites have water with a meter for each pitch
- 2 sites have a green communal space
- 1 site has green space for each pitch
- 10 sites have individual pitch wash rooms
- 1 site has playground facilities for children (the playground facilities on another site have been destroyed by fire)
- 1 site has permission for work/business activities.

10.69. Further detailed information is at Annex F.

10.70. This information only represents a limited snapshot of the situation. The audit of current site provision, referred to in Recommendation 8, will ensure that there is comprehensive information about sites in Wales and facilitate informed decisions on upgrading the current site network.

10.71. A similar audit was conducted in England during the second year a site refurbishment grant was available. (There has been no equivalent funding or audit work in Wales).

RECOMMENDATION 18: We recommend that additional funding be made available to refurbish and improve existing sites. The views of site residents and the results of the audit referred to in Recommendation 8 should inform priorities.

Better management of sites

10.72. Good site management is absolutely key to the success of any Gypsy or Traveller site. Many of the residents we spoke to on site visits stressed the importance of mutual trust and respect between site managers and residents and the need for clear rules that everyone understood.

10.73. On several of the sites we visited, there have been difficult periods over the last couple of years when there have been high levels of tension and real difficulties in running the sites. The tensions have come about for a whole range of reasons, in one case the site was significantly expanded after enforcement action was taken on a large and long established unauthorised site; in an another case funding had been promised for improvements that were not forthcoming. While it might not have been possible to manage these particular problems more effectively, there are certain principles that should lead to more effective site management:

- Clearly understood roles and responsibilities – on several occasions we have heard residents complain that certain services are not provided, for example extra bin bags; but when we spoke to site managers they explained that providing these services is not part of their role and would not form part of the services to other housing tenants. Clear explanations of why a particular service is not provided would be helpful and it would enable residents to take responsibility for things themselves. Clear

licensing agreements will be very helpful – the Gypsy Council, in particular, have stressed the vital role that these agreements can play. Such agreements should enable a prospective resident to understand exactly what to expect before they move onto the site and provides a clear framework for management.

- Dispute resolution mechanisms – transparent mechanisms to deal with any disputes need to be built into licensing agreements.

10.74. The watchwords for site management should be openness, accessibility, fairness, clarity and effectiveness. We would like to see more work to help empower residents to take a more active role in the management of sites.

RECOMMENDATION 19: We recommend that the revised guidance referred to in Recommendation 9 should include model licensing agreements, which make clear the respective roles and responsibilities of site managers and residents. They should also include clear and transparent dispute resolution mechanisms.

HOUSING

10.75. Settled housing evoked a very wide range of views among the people we have spoken to. Some Gypsy-Travellers stated that they could never live in a house; others could see advantages and disadvantages and some were keen to move into settled housing as soon as possible. Concerns about settled housing centred on the lack of freedom and being tied down; a feeling of being trapped; fear of fire; being isolated from their family and concern about negative reactions from other residents.

10.76. Service providers indicated that the Gypsy-Travellers often have quite mixed experience of settled housing. Some people adapt quite happily, but others only stay briefly before moving out.

10.77. Settled accommodation will not be appropriate for everyone, but where Gypsies and Travellers do wish to move into housing this should be made possible. Gypsies and Travellers should be treated in the same way as other prospective tenants and be allocated housing on the basis of a needs assessment. Local authorities should avoid penalising families who have unsuccessfully tried to make the transition into settled accommodation previously when considering a new application.

10.78. It is important to note that some Gypsies and Travellers wish to move into settled housing for health reasons and may need appropriate support.

RECOMMENDATION 20: We recommend that there should be no expectation or pressure for Gypsies and Travellers to move into settled housing. Where Gypsies and Travellers do wish to move into this type of accommodation they should receive help and support with the application process and with managing the transition from previous accommodation.

11. HEALTH

OVERVIEW

Principles underlying our approach

11.1. Certain key principles, set out below, have informed our analysis of health provision for Gypsies and Travellers:

- There is a need to guarantee access to health services for all Gypsies and Travellers
- At present specialist provision, which facilitates access to healthcare is important
- We believe that specialist services are there to facilitate access to healthcare for a group that is currently excluded from the full range of healthcare services available to the settled community. Specialist provision is not a replacement for mainstream provision, nor is it an excuse for mainstream health service providers to avoid their responsibilities
- We acknowledge that there are cultural issues that impact on how Gypsies and Travellers access healthcare and their health priorities. These cultural realities must be taken into account in the design of health services

11.2. The ultimate aim should be for Gypsies and Travellers to access mainstream health services, as easily as the settled population and to receive the same level of service to address their health needs.

Health indicators

11.3. There are no centrally collected health indicators for Gypsies and Travellers and although there is research about the specific health issues relating to Gypsies and Travellers, much of it is limited in scope.

11.4. The information in the following section has been taken from a range of sources, which are listed at Annex D. It also draws on the evidence presented directly by health professionals during our review.

11.5. Compared to the settled population infant mortality and maternal death rates are higher and life expectancy significantly lower (10-12 years lower) in the Gypsy-Traveller community. This may be partly due to conditions that are more easily prevented, diagnosed and treated consistently among settled people. Gypsy-Travellers have a higher incidence of heart disease, strokes, accidents and mental ill health. The UK Government consultation document 'Our Healthier Nation (1998) proposed national targets to reduce all these and deaths from cancer. Researchers have also identified inter-related health problems such as alcohol-related disease and heart disease linked to depressive illness. An increased incidence of certain genetic conditions has also been reported in some groups due to inter-marriage.

11.6. Children's health is a big priority for Gypsy and Traveller families, and tends to take precedence over other health issues or needs. Research in Northern Ireland has identified perinatal mortality rates of Traveller babies as seven times higher than for the settled community. Low birth weight has also often been cited as a problem among the Gypsy-Traveller community, but in her presentation to our Committee, an experienced health professional working with Gypsy-Traveller families in the Swansea area, noted that she had not found this to be the case and that most women took up antenatal care.

11.7. Many studies, including some of those cited in the references at Annex D, suggest that there is a greater tendency among Gypsy-Travellers to use accident and emergency (A&E) units to seek treatment. In some cases A&E is being used for minor illnesses that could be treated by a GP, assuming the families have access to one; but there are also higher rates of accidents among Gypsy-Traveller children partly because they are very physically active and partly because they often live and play in unsafe areas. The demands of bored children who lack safe play areas has also been cited as a reason for increased stress for mothers. As well as accidents on sites, car and road related injuries and deaths are common. Some of these are due to the location of many authorised sites near dangerous, busy roads.

11.8. Take-up of immunisations is reported to be lower than in the settled community.

11.9. Illnesses due to environment are also reported, such as diarrhoea, increased asthma, parasites and skin conditions and rashes. There is a high level of unmet need in providing dental care, well-woman services and health promotion.

The Challenges - barriers to successful health service provision

11.10. The evidence we have heard from health professionals suggests that there is a varied picture in terms of service provision for Gypsies and Travellers across Wales. This is confirmed by a recent Assembly publication, *'Health Needs of Disadvantaged Groups: Travellers report prepared for the subgroup of the Service Development Task and Finish Group of the NHS Implementation Plan'*. It states:

"The task for the new (NHS) corporate bodies (in Wales) is to identify, target resources, and facilitate improved health outcomes for Gypsies and Travellers."

11.12. In common with other areas of service provision, health bodies need to establish the most basic information about their Gypsy and Traveller clients: who they are, how many people there are and what their needs are. Without this information it is impossible to plan services or develop indicators and monitoring systems to ensure that planning translates into action.

Delivering health services: What is lacking?

“Lack of sites, lack of literacy, lack of trust, and lack of services including post, doctor and dentist are all problems for gypsy-traveller families. What they need is a designated professional, especially a health visitor, in enough places and with enough time.”

Dr Carr-Hill, Paediatrician working with Gypsy-Travellers in Swansea

RECOMMENDATION 21: We recommend that the Assembly completes a full literature review and undertakes further research into the health needs of Gypsies and Travellers in Wales to establish baselines for service provision. This information should be used to inform future health policy and the development of local strategies and it may be necessary to routinely collect specific statistical information.

11.13. A range of factors can act as a barrier to Gypsies and Travellers in securing full access to health services and these barriers arise from a range of sources. Some major barriers identified at our seminar for service providers and in discussions with health professionals and Gypsy-Travellers are:

Physical barriers/barriers due to mobility

- Many Gypsies and Travellers, certainly those living on unauthorised sites and many living on permanent sites, can only access health services as temporary patients on GP lists.
- Sites are often very isolated from shops and services. Without access to a vehicle getting to the doctor for a set appointment may be difficult.
- Postal service may be erratic or non-existent – in some areas the specialist health professional acts as post-person - making it difficult to keep appointments. If a patient misses an appointment they may go to the bottom of the waiting list.
- Mobility can lead to missed appointments, reduced continuity of care, and problems with obtaining repeat prescriptions to treat chronic conditions.

Barriers as a result of prejudice and discrimination

- We have heard numerous reports of a reluctance or refusal to register Gypsy and Traveller families, to make appointments or to arrange for repeat prescriptions.
- Doctors or health visitors may refuse to visit certain sites for home visits.
- Some taxi companies may refuse to collect patients from sites.

Cultural Barriers

- Limited literacy and knowledge of how the healthcare system works may be a barrier to people understanding letters they are sent, the implications of missing an appointment, the treatment offered, how to self-medicate or the need for continuing medication to treat chronic conditions.
- Gypsies and Travellers, as infrequent users of health services, do not, necessarily, have the same awareness of the importance of appointment systems.
- Gypsies and Travellers may ‘move on’, or be ‘moved on’, while waiting for appointments.

- It has been suggested that Gypsies and Travellers view life in different terms from settled people, this is significant in attitudes to the health consequences of risk behaviours.
- There are socio-economic, culture-specific, traditional and religious reasons for Gypsy and Traveller women failing to access well woman clinics, family planning services, genito-urinary clinics and gynaecological services including cervical screening (e.g. lack of privacy to discuss certain health issues).
- Health beliefs can be very different from those of settled people, for example a tendency to classify problems as immediate or not important has been reported. An inability to meet needs immediately, for example by providing vaccination when an outbreak of childhood disease is reported, is sometimes regarded as indicative of showing a lack of interest on the part of the health professional.

Impact of these barriers

11.14. The prevention, diagnosis and treatment of chronic conditions prevalent among Gypsy-Travellers, such as heart disease, hypertension, stroke, diabetes, alcohol-related illness and depressive disorders, is more difficult because of these barriers. For example, the Review heard of cases of diabetic being refused repeat insulin medication and having to eke out their existing medication.

11.15. We did not find evidence of Gypsies and Travellers resisting accessing mainstream health services. For example, the offer of dental care, avoided by many in the settled community who have ready access, was welcomed by Gypsies and Travellers.

11.16. The Assembly's Annual Report on Social Inclusion in Wales 2002 highlights the need to develop outreach and out of hours primary health care services which would help socially excluded groups. It highlights the need to find methods to ensure that people know what is available to them, and to conduct further research to establish the general health needs of these groups.

"We ran a mobile dental unit that was very popular, especially with gypsy-traveller children. This grew from an identified need at roadside and transit sites used by Gypsy-Travellers. It was labour-intensive and relied on finding a dentist willing to do the work, to drive a truck and not to profit from providing treatment."

Sarah Rhodes, Bristol Traveller Project

ACCESS TO PRIMARY CARE (GENERAL PRACTITIONERS AND DENTISTS)

11.17. On our site visits we found that, where Gypsy-Travellers were settled on permanent sites, basic access to a GP or health visitor was not always perceived as a major problem. For example, most residents reported that they were registered with a GP and that they received visits from health visitors.

However, because of the isolated location of many sites, the considerable extra effort required to reach a doctor may well impact on the way they prioritise their health needs, with the focus being on seeking treatment for children when they are sick. Also some service providers did raise concerns that because families experienced such difficulties in getting registered with a doctor in the first place they were often satisfied with a low level of care: *"It doesn't matter if the doctor's useless, they're usually glad to actually get registered at all"*.

11.18. For roadside Gypsies and Travellers and those without a pitch on a permanent site, access to health services is severely restricted:

"Our mother and father both have health problems and there are 15 children and grandchildren in the family and we want to stay together. Our family can't visit because we're always being moved on, and we don't have no education because of being evicted all the time. We get treated as temporary patients with different doctors because of being moved on all the time."

Roadside Travellers in Swansea.

11.19. Once again inadequate accommodation provision is at the heart of problems facing Gypsies and Travellers.

11.20. A range of explanations for the reluctance of GPs to register Gypsy and Traveller families have been cited, including missed appointments; poor compliance with treatment; and the perception that they are 'demanding patients' who refuse to wait for appointments or see everything as an emergency. Health promotion targets, for example for immunisations and cervical screening, can also act as a disincentive to GPs as Gypsies and Travellers are perceived as being more reluctant to take up these services.

11.21. One bad experience in trying to register with a GP may put people off trying again. Non-medical staff (receptionists, appointment clerks) are usually the first point of contact for access to GPs or hospital treatment. The attitude of some non-medical staff was frequently cited by health professionals and Gypsy-travellers themselves as a serious barrier to access.

RECOMMENDATION 22: We recommend that primary and secondary health care staff, including non-medical personnel who act as first point of contact for patients, must receive training on equality issues including specific guidance on removing barriers to Gypsies and Travellers accessing health services. The training should begin at the point of entry into the NHS and be part of the continuous professional development of staff.

"We know of at least one teenager who is profoundly deaf due to untreated middle ear infection. This occurred as a result of having no GP registration. This girl is now isolated within her own community, she cannot read or write and is often unwell."

An Assessment of the Health Needs of the Travelling Population of Wrexham and Deeside

Best Practice - Cardiff

In Cardiff the GP Registrar acts as a focal point for requests from Gypsies and Travellers to register with GPs. Working closely with other service providers, for example the Cardiff Gypsy Sites Group and the Traveller Education Service, they are able to ensure rapid registration.

11.22. We are disappointed in the lack of formal mechanisms to prevent people being denied access to primary care.

11.23. We believe that, in the short-term, health bodies need to identify those GPs, dentists and other health workers with a willingness to register Gypsy and Traveller patients.

11.24. In the longer term we believe that more directive action may be required. Firstly we need to establish the exact reasons behind the refusal of some primary care providers to register Gypsies and Travellers, and then find what incentives or more coercive measures may be necessary to deal with this.

RECOMMENDATION 23: We recommend that the Assembly Government develops mechanisms to encourage GPs and dentists to register Gypsies and Travellers as patients, for example incentives for registration, specific targets for registering Gypsies and Travellers.

HEALTH RECORDS

11.25. Although Gypsy-Traveller families may be highly mobile, most of their health records are not portable at present, and where records are computerised, the different health authority systems often cannot 'talk to each other'. Future developments to integrate computer systems should take the needs of mobile groups like Gypsy-Travellers into account.

11.26. In the evidence they gave us, health professionals have stressed that Gypsy-Traveller families have successfully used parent-held child health records. In Wrexham, an adult health passport to record medical details is being developed along similar lines.

11.27. A system of patient held health records should be considered by other health authorities as a way to ensure better continuity of care for Gypsy-Traveller patients, until an adequate system of computerised records is developed across the whole of Wales. Even then, there may be a need to maintain some form of patient-held records in parallel.

RECOMMENDATION 24: We recommend that in drawing up the Information Management and Technology Strategy 'Informing Healthcare' the Assembly Government should ensure that the particular needs of mobile groups like Gypsies and Travellers are taken into account.

STYLE OF HEALTH SERVICE PROVISION

Specialist health provision through dedicated personnel

11.28. At present, provision of health services to this client group relies far too much on individual, very dedicated health workers. In Wales and throughout the UK there are many examples of best practice in this kind of dedicated health provision and we support the valuable work they do.

11.29. Where services are provided in this way, continuity of staff is vital because building trust takes a long time and health professionals also need to learn about the cultural attitudes of different families to prevent misunderstandings. Confidence in the integrity of health workers is very important as they often fill in forms for people with limited literacy. There are also certain health issues that can only be discussed in a situation of total privacy and confidentiality, where trust and understanding has been established.

Good Practice - Bristol Traveller Health Project

"The Project had two dedicated health visitors and an administrator and through outreach work covers around 1,200 Gypsy-Travellers across four unitary authorities and five Primary Care Trust areas. Health promotion work is culturally sensitive and based on the experiences of the Gypsy-Travellers themselves and what they request.

A women's clinic had been set up for screening, family planning and secondary care. A GP recruited for this service was consulted by Gypsy-Travellers on many different health issues but the service had to stop due to lack of funding.

There is a high degree of disability and mobility issues among the families and assistance is given to access welfare benefits with a service provided by the Citizens Advice Bureau and funded by the health authority. Access to clean water is often a problem but the incidence of water-borne diseases was low because Gypsy-Travellers knew how to protect against them. The Project has sometimes intervened to restore water supply to a site after the local authority had stopped it. The Project was also involved in the Sure Start programme. Gypsy-traveller families are not generally living in very deprived areas of Bristol but a lot of former sites have been blocked off and so people are stopping in very dangerous areas such as close to motorways. In cases where Gypsy-Travellers bought land to live on they were not being granted planning permission and the Project would help by putting a health case for the family to the local council. Local discrimination against Gypsy-Travellers includes 'No Travellers' signs in shop windows."

Sarah Rhodes, Bristol Traveller Health Project

11.30. We are concerned that specialist service providers can become isolated and may receive inadequate support from the rest of the health sector; such problems have been reported in the course of our review.

11.31. We are also concerned that an over-reliance on small, highly dedicated and highly specialised teams can lead to difficulties in delivering continuity of care. There is a risk that when key members of staff leave the whole service collapses.

RECOMMENDATION 25: We recommend that, where specialist health professionals deliver services, every effort should be made to ensure continuity of care. Specialist provision should be well-resourced and funded and firmly linked to mainstream provision - to ensure there is access to wider expertise, cover during inevitable absences and to reduce the isolation of specialist staff. Specialist staff should be provided with training and development opportunities.

RECOMMENDATION 26: We recommend that health bodies should ensure that they build up expertise in service provision to Gypsies and Travellers across the health service through training, secondments and work shadowing. This will ensure that the needs of this client group are mainstreamed and should help to ensure that there is a pool of expertise available.

Support from health bodies and multi-agency working

11.32. These specialist workers must be adequately supported by health bodies and they should be seen as part of the wider team providing health care.

11.33. We also draw attention to Recommendation 51, on ensuring that specialist workers do not become isolated and receive adequate training and development.

11.34. It is also very important that specialist health professionals are involved in the decisions other agencies take about Gypsies and Travellers and the services they provide to them. “*A Healthier Future for Wales*” stresses the need for robust links between Social Services, Health and Education departments to share information and identify best practice models that will reduce health inequalities. Recommendation 49 provides further advice on this issue.

RECOMMENDATION 27: We recommend that the Assembly considers forming an All Wales steering group. The role and responsibilities of the steering group could include:

- Drawing up best practice guidelines for dissemination to the Local Health Boards, based on existing information and shared knowledge
- Steering and disseminating further research into the health needs of Gypsy-Travellers
- Providing a strategic reference point for generic workers/specialist health professionals and multi-agency forums/co-ordinating groups in each Local Health Board area

- Reviewing the monitoring and evaluation of Local Health Board strategies and programmes for this client group, including anti-discriminatory policy reviews
- Providing a strategic reference point for All-Wales co-ordination between professionals in other fields of service provision to Gypsy-Travellers, such as education and accommodation
- Advising and disseminating information on targeted funding streams and programmes available to meet the needs of Gypsy-Travellers and how to access those funds and programmes (see rec. below)
- Involving Gypsy-Travellers themselves in future consultation on service provision and providing them with a focal point for exchange of views and feedback, if necessary using existing support and liaison officers as their intermediaries.

Role in consultation

11.35. Specialist health professionals can play an important role in consultation to ensure that clients are receiving the kind of health care they need and want.

11.36. At the moment Gypsies and Travellers are not involved in decisions about service provision, except through the limited advocacy work that health professionals undertake on their behalf.

11.37. We believe that more attention should be paid to developing consultation methods that enable Gypsy-Travellers to tell health professionals what they want, in the context of their health beliefs, and for those views to be fed formally into the policy development process. As in other areas of service provision, it is important to recognise that Gypsy-Travellers are not a homogenous group, and their health needs and desires may be as diverse as those in settled society. The issue of consultation is explored in more detail in section 9.13 - 9.22.

Mainstreaming provision for Gypsies and Travellers

11.38. We believe that specialist health professionals currently play a vital role, and are likely to continue to be important. However, we want to see the health sector as a whole taking its responsibility to provide care to Gypsies and Travellers more seriously.

RECOMMENDATION 28: We recommend that the Assembly ensures that all Local Health Boards develop and implement a strategy that demonstrates how they will meet the health needs of Gypsies and Travellers in their area. This should include details of how they will remove barriers to access (for example through employing specialist health professionals (i.e. health visitors, paediatricians, health promotion workers, dentists and midwives) or a generic worker, to facilitate access, address specific health inequalities, and act as advocate for Gypsies and Travellers among other health professionals. It should put in place or support existing mechanisms to ensure multi-agency co-ordination between the different agencies involved in service provision to

Gypsies and Travellers. It should also specifically address the need for outreach to deliver health services on sites.

HEALTH PROMOTION AND PREVENTATIVE CARE

11.39. Changing risk behaviours and attitudes to health is a challenge in all parts of society, and as work with other minority ethnic groups demonstrates, to be effective health promotion activities and materials must be culturally-appropriate to client group.

11.40. The Gypsy and Traveller community in Wales is not a homogenous one, but culturally appropriate health promotion material is required. The Assembly's Health Promotion Division should work with specialist health professionals to produce materials and disseminate best practice via local health promotion networks. These materials might, for example, be used to encourage better take-up of services such as immunisation or cervical screening.

"Families tend to have a lot of children and work is oriented around this: for example a leaflet about controlling fever in babies and child safety in trailers."
Sarah Rhodes, Bristol Traveller Project

"Physical exercise is encouraged by focusing on activities like flamenco and Irish dancing rather than football, and storytelling is a way to get health messages across."
Angela Roberts, Wrexham Traveller Health Project.

11.50. Targeted programmes should be developed for the whole community - not just children.

RECOMMENDATION 29: We recommend that the Assembly Government's Health Promotion Division work with health bodies to develop a range of accessible and culturally appropriate health promotion material, building on existing best practice in this field and based on the health needs identified by research. Existing health promotion networks and specialists working with Gypsies and Travellers should be used to disseminate this material.

RECOMMENDATION 30: We recommend that specific programmes are developed to tackle the specific health inequalities in the Gypsy Traveller community. (For example chronic conditions such as diabetes and heart disease that are less diagnosed and treated than in the settled community).

PROVIDING A HEALTHIER LIVING ENVIRONMENT

11.51. Many of the health problems of Gypsy-Travellers are related to where they are forced to live rather than the way they choose to live. Changes to the location or design of sites could have a significant positive impact on health indicators.

11.52. The limited consultation undertaken with Gypsies and Travellers during this Review revealed a number of accommodation issues that impact on health. It is ironic that although aspects of their culture include maintaining scrupulous hygiene inside their homes, permanent Gypsy-Traveller sites are often located on derelict land, close to sewage plants or areas used for fly-tipping.

“The rats are a big problem.” “We have the ratman out every week but they keep coming back.” “They keep getting into the toilet blocks and we can’t get rid of them. I can’t let the children go in there.”

Residents on Shirenewton and Rover Way sites, Cardiff.

11.53. Sites are often close to busy roads or motorways, with no traffic-calming measures in place:

“There’s no safe way to get to the shops or for the kids to go to school – it’s too dangerous. At least two kids have got knocked down. They put up signs to tell people to watch out for the horses. Why can’t they put signs up to show there are children around?”

Resident, Rover Way Caravan Site, Cardiff. A child on this site was knocked down by a car eleven years ago and is still receiving hospital treatment.

FUNDING

11.54. Lack of funds and lack of certainty about future funds is a problem for those trying to address the health needs of Gypsies and Travellers. Annual budgets prevent proper planning and lack of specific targets means that general funding is not necessarily invested in this area of provision. Resources should be allocated to local health strategies to address the needs of Gypsies and Travellers.

11.55. Targeted funding for specific types of health provision are also available. The current Health Inequalities Fund, targeted at prevention of coronary heart disease in disadvantaged areas, has funded a project for Gypsy-Travellers in Wrexham that provides a wide range of valuable health services. This project was only possible because the bid was brought to the attention of the multi-agency forum for Travellers in Wrexham. Funding of this kind might be used to deploy effective health service provision to Gypsies and Travellers in other parts of Wales.

Tackling Inequalities in Health

“Assembly funding of £300,000 over 3 years has been received under the Inequalities in Health Fund to deliver improved coronary care. Most of the client group is Irish Traveller families not Gypsies. A full-time project facilitator has been appointed and a travelling caravan obtained which contains a clinic and work area. A full-time researcher has also been appointed to evaluate the work and gain better information about needs. A health needs assessment was carried out - essential to clearly define the needs among Gypsy-Travellers, which can be very diverse. After difficulties in establishing a multi-agency forum there is now a small group of committed professionals working together and 15 agencies overall involved. Multi-agency partnership working

is key to successful delivery. Specific work is being done to assess cardiovascular health but any of the other health work done among the Gypsy-Traveller families will impact positively on cardiovascular health. The scope of the project is wide: facilitating GP access; tracking health appointments; providing health information and devising culture-specific materials and methods; monitoring and assessing child health; trying to promote women's health and breastfeeding, which is not currently culturally acceptable among the Gypsy-Traveller families; smoking cessation; dental health; healthy lifestyle activities; advocacy, self advocacy and group work on empowerment; discussion of family issues among women Gypsy-Travellers is also encouraged to help reduce inter-family conflicts. It is hoped that other women's health services will be undertaken in the future."

Angela Roberts, Health Visitor, Community Practice Teacher and Project Lead, Wrexham Traveller Health Project, North East Wales Trust

RECOMMENDATION 31: We recommend that, in addition to ensuring that general funding is allocated to Local Health Board strategies to meet the health needs of Gypsies and Travellers in Wales, the Assembly puts mechanisms in place to ensure timely information and guidance on the bidding process for targeted funds is provided to the health professionals working with this client group.

12. EDUCATION

OVERVIEW

The principles underlying our approach

12.1. Gypsies and Travellers', especially Gypsy-Travellers', access to, and continued participation in, education raises some difficult questions. We are faced with reconciling a cultural tradition of education within the family with a child's right to full-time education up to age 16. Our approach, in line with existing legislation, has been to put the needs of the child first, but at the same time to recognise that those needs will be most effectively met where parents have confidence and trust in the system and can see its relevance to their way of life.

12.2. In this way we have identified certain underlying principles:

- There is a need to guarantee access to education for all Gypsy and Traveller children
- The right of the child to education is paramount - but we should work with families to build trust and encourage access. We also recognise cultural sensitivities
- At present specialist provision, which supports children in accessing education, is very important
- Specialist services are there to facilitate access into mainstream education for a group of people who have reduced access at present. It is not a replacement for mainstream provision, nor is it an excuse for mainstream providers to avoid their responsibilities

The current position

Number of children of school age

12.3. Limited statistics are available on the number of Gypsy-Traveller children in schools and there is even less information about the total number of Gypsy and Traveller children of school age.

12.4. 'Moving On: The Gypsies and Travellers of Britain' by Donald Kenrick and Colin Clark is a useful source as it draws together information from the most recent estimates:

- The last Welsh Office survey of Gypsy-Travellers, in January 1997, estimated that there were 846 Gypsy-Traveller children in Wales: 268 between the age of 0-4, 369 between 5-10, and 209 from 11-16.
- In 1998, Cardiff University and the Save the Children (SCF) published a report called 'Traveller Children and Educational Need in Wales'. The Report suggested that there were at least 1809 Traveller children in Wales, a much higher number than the Welsh Office survey. The difference was due, in part, to differing definitions of 'Gypsy' and 'Traveller'

in the two surveys, but the discrepancy in such basic information makes planning services even more difficult.

12.5. Recommendation 3 on twice-yearly surveys of Gypsy-Traveller numbers should start to meet the need for information on numbers of children eligible for school.

12.6. There is also a need to collect more accurate figures on the number of Gypsy-Traveller pupils actually attending school; not all schools have effective mechanisms for capturing this information at present.

12.7. New developments on data collection in schools should lead to an improvement in information available about Gypsy-Traveller pupils. *Circular 27/02 Collecting and Recording Data on Pupils' Ethnic Background*, contains guidance on the collection and recording of data on pupils' national identity and ethnic background. The data is part of the Pupil Level Annual School Census (PLASC) which is being piloted in a number of schools across Wales with the aim of moving to full implementation by 2004.

12.8. PLASC will enable the identification of pupils as being Gypsy/Roma or Traveller of Irish Heritage.

12.9. The aim is that the PLASC information will be linked with pupils' assessment and examination data. This will allow information to be collected on the attainment of pupils from different ethnic backgrounds, which, in turn, should help to identify any barriers to achievement and inform strategies to raise standards. The published information will not enable individual pupils to be identified.

12.10. The circular recognises the sensitivities of collecting data on ethnicity:

“For some people, including Gypsy Traveller People, ethnic monitoring may raise sensitive issues, because data collection in the past, in the UK and other countries, has led to eviction, internment or worse. At the meeting with parents, if teachers should discern any such concerns, they should acknowledge them sensitively, while making clear and positive statements about the current use of such data. This may help to alleviate parents' anxieties about completing the Form.”

RECOMMENDATION 32: We recommend that in developing PLASC, the electronic educational records system, consideration be given to the requirements of mobile groups such as Gypsies and Travellers. Particular attention should be paid to definitions to ensure that they cover all the relevant groups of Gypsies and Travellers and consideration should also be given as to whether a PLASC reference can be given to children who are currently outside the school system.

Experience of Gypsy-Traveller children in school

12.11. The 1999 OFSTED publication 'Raising the Attainment of Minority Ethnic Pupils: School and LEA Responses' draws on experiences in England, but provides a very useful insight into the experiences of Gypsy-Traveller children in schools. The report states:

"Of the four focus groups in this survey [the other groups were Bangladeshi, Black Caribbean and Pakistani pupils], Gypsy Traveller children are the most at risk in the education system. Although some make a reasonably promising start in primary school, by the time they reach secondary school their levels of attainment are almost always a matter for concern. Many, especially boys, opt out of education by Year 9 and very few go on to achieve success at GCSE or beyond."

"At the point of transfer to secondary schools, Gypsy Traveller attainment is well below school and national averages. This results in the majority being placed on school SEN registers. In all the schools where the information was available, over 50% of the Gypsy Traveller population were on the SEN register, and in one school it was 80%. In half the schools no Gypsy Traveller child has yet sat for GCSE."

12.12. The report supports many of the concerns that service providers have raised in connection with our review about the unacceptably low level of access, sustained attendance and achievement among Gypsy-Traveller pupils.

12.13. The Save the Children survey of children and young people asked them to identify the best thing and worst thing about school. The best things included learning languages, computers, friends, and school trips; the worst things included too much writing, getting up in the morning, history and, for the largest proportion of children, victimisation and bullying. Half of respondents said that school would be better if they weren't picked on.

Duty to provide education

12.14. All children, including Gypsy and Traveller children, have a right to full-time education up to the age of 16. Welsh Office Circular 52/90 on 'Meeting the education needs of Travellers and displaced persons' makes this explicit:

*"The Education Act 1996, places LEAs under a duty to make education available for all school-age children in their area, appropriate to their age, abilities and aptitudes. This duty extends to **all** children residing in the area, whether permanently or temporarily."*

12.15. Many Gypsy-Traveller children are not getting the full benefit of this entitlement and some are not receiving any formal education at all. We believe that this is unacceptable.

Role of the Traveller Education Service and schools

12.16. Several local authorities in Wales have established Traveller Education Services (TES), largely funded through the Education of Travellers and Displaced Persons Grant which is paid under section 488 of the Education Act 1996.

12.17. The role and structure of Traveller Education Services vary between local authorities but essentially their role is to facilitate access into the education system for Gypsy and Traveller pupils and to support them in the system. (This role mirrors the intention behind the section 488 Grant). They will fulfil this function in various ways, for example through liaison with the families of Gypsy-Traveller pupils, acting as a peripatetic teachers in schools and through the provision of training to mainstream teachers.

12.18. They are not, and should not be regarded as, a replacement for mainstream education and schools themselves must take on the responsibility for encouraging Gypsy-Traveller pupils to register and stay on.

BARRIERS TO ATTENDING SCHOOL

12.19. A range of factors can act as a barrier to Gypsy-Traveller children attending school and they arise from a range of sources. Some major barriers include:

- Prejudice, discrimination and bullying
- Accommodation issues
- Parental concerns about the school environment
- Traditional Gypsy-Traveller model of education within the family
- Mobility and broken patterns of education
- Unfamiliarity of the school environment
- Relevance of the curriculum

12.20. These barriers are discussed in more detail in the following sections. Some, but not all, of these barriers are also relevant to other Gypsy and Traveller children, for example the impact of mobility and broken patterns of education.

Accommodation issues

12.21. Earlier in this report we noted that service providers in the education and health fields both identified accommodation issues as one of the barriers to successful service provision in their area. Undoubtedly the lack of appropriate accommodation can be a significant barrier to education. Evictions from unauthorised sites can lead to a lack of continuity in education

and discourage parents from seeking to register their children in the first place.

12.22. When two young roadside Gypsy-Travellers spoke to the Committee they made it clear that they had been unable to go to school largely because they were constantly being evicted and moved on.

12.23. At most of the sites we visited there was a large proportion of families who had lived on the site for some time. While there were still issues around formal education it seemed that most children, certainly up to the transition from primary to secondary school, were registered at a school.

12.24. The impact of inadequate accommodation on the educational expectations and attainment of Gypsy-Traveller pupils adds weight to the argument that we must do more to improve the accommodation situation.

Gypsy-Traveller tradition of education

12.25. Gypsy-Travellers have a distinctive tradition of education, a tradition which is quite alien to many of the assumptions that underlie mainstream state education. In particular Gypsy-Travellers place a great deal of emphasis on education within the family. Often boys will learn a trade from their father and girl will learn to run a home and raise a family from their mother. Basic literacy and numeracy is likely to be valued, but many other aspects of school and the curriculum may seem less relevant.

12.26. In this context, particularly as children reach secondary school age, there is an expectation that they should move out of formal education and learn about their role as a Gypsy-Traveller. This feature of Gypsy-Traveller culture was referred to in the Swann report 1985 "Education for All: The report of the Committee of Inquiry into the Education of Children from Ethnic Minority Groups."

12.27. The young people who came to speak to the Committee understood these expectations and many of them described their or their parents' decision that they should stop attending school. In most cases the children were content with this decision, in particular those who now received home education, but one girl explained that she had wanted to go to secondary school but her mother would not permit her to go as she was worried about what it would be like.

12.28. Another feature of Gypsy-Traveller life that tends to discourage continuing in education is the expectation from the young people, as well as their parents, that they need to start earning money far earlier than is typical in the settled community.

12.29. Balancing the right to continue in this tradition with the rights of children, as enshrined in EU and UK law on child employment, is a challenge.

Parental concerns and experiences

12.30. In addition to having a distinctive tradition of education, many Gypsy-Travellers have quite negative impressions of the mainstream education system. This is particularly a problem if parents or other members of the family have had a bad experience in school. It can take a lot of effort to break down these barriers.

12.31. Negative impressions are particularly a problem for secondary education. There are deep-seated concerns that children will be exposed to information and experiences (especially concerning drugs and sex) that are not acceptable in Gypsy-Traveller culture.

12.32. With negative experiences of education being passed from generation to generation in some families a cycle of disaffection, and even deprivation, is created.

Mobility

12.33. Mobility has a significant impact on Gypsy-Traveller children's ability to access and maintain involvement in formal education. Firstly some schools are reluctant to register Gypsy-Traveller pupils, in part because they expect them to have higher levels of absences due to their mobile lifestyle.

12.34. Mobility can lead to broken patterns of education and gaps in knowledge and there can be a lack of continuity between what has been learnt at one school and compared to another. Without additional support it can be difficult for pupils to settle in and make progress.

12.35. There are also subtle barriers, for example families that are very mobile may need to buy a large number of different school uniforms as their child keeps changing school. The cost can be prohibitive and parents will not send their child to school in the wrong uniform, knowing that this will draw attention to the child.

Prejudice, discrimination and bullying

12.36. Discrimination and bullying from other children is commonplace and can be a major barrier to children attending school. Many of the young people who spoke at a formal committee meeting explained that concern about bullying was one of the reasons their parents were worried about them going to school. However, some of the children also spoke about the positive environment at their schools.

12.37. Institutional prejudice also exists. Assumptions are made about a child because they are a Gypsy-Traveller and in some cases there may be an active policy of seeking to avoid registering Gypsy-Traveller pupils.

12.38. Unconscious and unintended discrimination also occurs, for example a failure to recognise that Gypsy-Traveller children may not be able to get support with homework because of the lower levels of literacy in their community.

OVERCOMING THE BARRIERS

A clear strategy and specialist provision to facilitate access

12.39. We believe that the first step to overcoming the barriers Gypsy-Traveller children face in education is to ensure that all local education authorities have a clear strategy for meeting their needs.

12.40. We are pleased to note that the LEA's Education Strategic Plans will contain information on the number of Gypsy-Traveller pupils in their area, but we would like to see this go further. All LEAs with a Gypsy-Traveller population need to produce a strategy setting out how they are going to meet the needs of Gypsy-Traveller pupils, specifically how they are going to raise attendance, expectations and attainment.

RECOMMENDATION 33: We recommend that LEA's Education Strategic Plans should include detailed information on how they intend to meet the educational needs of Gypsies and Travellers in their area and how they will remove barriers to access and attainment.

12.41. We are disappointed that Estyn does not appear to have been given a specific remit to look at the adequacy of education provision for Gypsy-Travellers. There is no mention of any assessment of the success of provision for Gypsy-Travellers in Estyn's inspection guidance or in the 'Annual Report of Her Majesty's Chief Inspector of Education and Training in Wales'. Estyn is in a unique position to conduct wide-ranging assessments based on their knowledge of provision in individual LEAs and schools.

RECOMMENDATION 34: We recommend that the Assembly Government put in place mechanisms to monitor how effectively LEAs are meeting their statutory duty to educate Gypsy and Traveller children, for example by including consideration of the effectiveness of LEA provision in Estyn's remit for inspections of school and LEAs.

12.42. Simply maintaining an 'open door' policy, i.e. the idea that the schools are there for people to access if they want to, is not acceptable. Local authorities and schools must be proactive in encouraging and supporting Gypsy and Traveller pupils' engagement in the education system.

12.43. A lot of work has gone into developing best practice in Gypsy-Traveller education and this should be drawn together as a reference document for education professionals.

RECOMMENDATION 35: We recommend that the Assembly Government's Education department updates circular 52/90 on meeting the Education needs

of Travellers to cover existing best practice in Gypsy and Traveller education. The revised circular should be drawn up in consultation with service providers and Gypsies and Travellers.

12.44. Specialist provision, like Traveller Education Services, are a vital component in ensuring access.

Best Practice – Traveller Education Services

Ten Local Education Authorities (LEAs) in Wales received Grant for the Education of Travellers and Displaced Persons for the years 2001-2002 and 2002-2003. The 'Section 488 Grant' funds provision of extra support and resources specifically for these groups. The annual reports on work undertaken using the 488 Grant highlight some important areas of good practice in helping Gypsy and Traveller children to access mainstream education, as well as supporting their wider families, for example through family literacy and increased employment opportunities. Improved attendance at primary and secondary level is reported as a result of this grant-funded initiative.

12.45. There is no doubt that Traveller Education Services and other recipients of the section 488 Grant are doing a great deal to support the education of Gypsy and Traveller children. However, at present the mechanisms for assessing their effectiveness are quite limited. Clearer objectives for the grant and the work of Traveller Education Services should be set with a more thorough assessment of how well those objectives are being met. For example, at present LEAs in receipt of the grant must produce an annual report, but the reports are all structured differently making meaningful comparisons very difficult.

12.46. We received representations from the All Wales Traveller Education Group, a group largely made up of staff employed in Traveller Education Services. They made a particular request for greater continuity of funding, as a grant that only lasts for a single year makes coherent planning very difficult. The importance of continuity of funding has been a recurring theme in this review and we would support action to give longer-term grant commitments. (See Recommendation 52).

12.47. Not all local education authorities in Wales access the section 488 Grant and this means that some areas with a Gypsy-Traveller population do not have specialist services available to support them. An increase in the funding available might enable more services to be established or enable existing teams to share their expertise more widely. Some Traveller Education Services already act across local authorities boundaries. This sharing of expertise is particularly appropriate given that the pupils will often be crossing LEA boundaries. All funding application should demonstrate value for money and show what added value they will generate.

12.48. The 488 Grant has recently been reviewed, but the results are not yet available. We hope that the review will prompt the Assembly Government to

make the sort of improvements to the grant structure we have suggested above.

RECOMMENDATION 36: We recommend that the funding available for the section 488 Grant be increased to enable support for specialist 'Traveller Education Services' or similar in all LEAs with a Gypsy and Traveller population.

12.49. We also draw attention to Recommendation 51, on ensuring that specialist workers do not become isolated and that they receive adequate training and development.

Access to school places

12.50. Unfortunately even when a Gypsy-Traveller family have decided that a child should go to school it is not always possible to secure a place. Traveller Education Service staff often play an important role in helping parents find school places for children.

12.51. One of young people who spoke to the Committee described visiting a school and overhearing a member of staff saying that they did not want Gypsies at the school, before telling their family that there were no places available. At a previous meeting Traveller Education Service staff also described reluctance in many schools to register Gypsy-Traveller pupils.

12.52. This reluctance stems from a number of sources. In part, it reflects concern that Gypsy-Traveller pupils may have higher levels of absence, need additional support in class and have lower levels of attainment; all of which might affect the school's targets and public reputation. It makes no sense for targets intended to push up excellence in schools to have the affect of causing schools to turn away potential pupils who are most in need. The existing targets need to be balanced by targets relating to diversity and facilitating and maintaining access for Gypsy-Travellers. This should provide a more rounded view of a school's success.

Improving Attendance

Where schools are supportive of Gypsy-Traveller pupils attendance is good. A noticeable improvement in attendance levels has been reported in areas accessing the 488 Grant. In Monkton, Pembrokeshire, the proportion of Gypsy and Traveller children in school is as high as 1 in 4, but the average attendance of Gypsy and Traveller children across Pembrokeshire schools is 85.5 per cent.

RECOMMENDATION 37: We recommend that schools with Gypsy-Traveller living within their catchment area should be given targets for access, continuing attendance and attainment by Gypsy-Travellers pupils.

12.53. More generally we believe that schools should be reminded of their duty to all pupils and that where a reluctance to register Gypsy-Travellers is found it should be challenged.

A welcoming and supportive school environment

12.54. It is vital that schools establish a welcoming and supportive school environment where all pupils, including Gypsy-Traveller pupils, can feel secure.

12.55. 1999 OFSTED publication 'Raising the Attainment of Minority Ethnic Pupils: School and LEA Responses' provides a number of useful examples of action schools have taken to provide a supportive environment.

12.56. Dealing with hostility and racism and recognising diversity:

“Such specific pastoral strategies involve: recognising the hostility, stereotyping and racism often directed at Travellers and taking steps to counter this; acknowledging their needs as a minority group and being sensitive to educational needs; taking a flexible approach to school rules and procedures (without compromising school policies). For example, staff in these schools are sensitive to the fact that Travellers’ lives are not always ruled by the clock, earrings can be symbols of ethnic origin, and parents may not be able to provide notes to explain absence if no one at home can write. Occasionally schools send folders of work out with pupils during the travelling season.”

RECOMMENDATION 38: We recommend that schools should ensure that their anti-bullying and anti-racism strategies include specific reference to Gypsies and Travellers.

12.57. Dealing constructively with the impact of a mobile lifestyle:

“Another strategy used by this school at critical points is the negotiation of temporary part-time timetables (accompanied by the issuing of guidelines to staff) if this is considered the best way of keeping a pupil in contact with formal education. Intensive negotiation and co-operation between all the interested parties (the school, Traveller Education Service, parents, pupils and Education Welfare Service) take place until a satisfactory solution is found. The school and Traveller Education Service review these strategies regularly and the evidence shows them to be successful.”

12.58. Leadership from head teachers on valuing diversity is vital and teachers need training and guidance to enable them to create a supportive environment.

RECOMMENDATION 39: We recommend that the training provided to teachers and other staff in schools must include guidance on removing barriers to Gypsies and Travellers accessing education. This should begin at the teacher training stage and be part of the continuous professional development of staff.

12.59. Schools also need to be aware of sources of indirect discrimination, for example in setting homework there should be an awareness of lower levels of literacy in the Gypsy-Traveller community and the possibility that children may not have anyone to help them with the assignment.

Pupil support

In Torfaen the section 488 grant has funded staff to give both whole class and individual pupil support, including home learning schemes that involve parents in improving their own reading skills. Many Gypsy and Traveller children do not benefit from parental support with homework if their parents and older siblings have limited literacy.

In Neath Port Talbot the education liaison officer provides teaching support at two primary schools with the largest number of Gypsy-Traveller children on their roll. They work with the Special Educational Needs staff at the schools to provide a learning support assistant for children that are performing well below their peer group. This support is for an agreed time and paid for from the 488 Grant. The learning support is then monitored and adjusted as necessary. Children are only referred for a special needs assessment when there is a concern about learning difficulties.

RECOMMENDATION 40: We recommend that the guidance referred to in Recommendation 35 should include advice on additional homework support for Gypsy and Traveller children.

12.60. Schools should also consider what additional support they need to provide, for example some schools provide uniforms for pupils who will only be attending for brief periods. Integrated nursery education is a feature of provision for children in the Ysgol Bynea catchment area in Carmarthenshire, and is an important aspect of Gypsy and Traveller education that mothers seem to welcome.

12.61. Schools should not make assumptions about a Gypsy-Traveller pupil's likely level of attainment. The Ofsted report notes that *“Teacher expectations of Gypsy Traveller pupils are generally unreasonably low. This is true even where policies in some schools to raise expectations and attainment for all children are generally effective.”*

Best practice - A Holistic Approach

The Priory Project in Pembrokeshire has taken full advantage of the Grant to expand the holistic support it offers to Gypsy and Traveller children from five sites across the county, as well as the indirect support offered to their families. It begins with integrated playgroup provision, moves through primary and secondary school support, and includes the Priory Learning Centre where vocational subjects, such as driving test theory, and curriculum flexibility are offered. Traditional ways for parents to earn a living, such as farming, have suffered in recent years. Young people are supported to attain vocational qualifications in skills such as hairdressing, and are able to take jobs that allow them to stay on the site, maintain their traditional lifestyle and provide

more stable family income. One of the young people is successfully studying engineering at a local university.

The curriculum

12.62. The curriculum plays a central role in defining the educational experience provided by schools. We received a consistent message from service providers that the inflexibility of the National Curriculum, coupled with the irrelevance of certain parts, had a negative impact on Gypsy-Traveller pupils' interest in school.

12.63. There are two challenges: ensuring that teaching material contains examples drawn from Gypsy-Traveller culture; and considering whether greater flexibility over the subjects studied is required.

12.64. Schools must look carefully at all teaching materials and lesson plans to ensure that, where possible, they include material that is relevant to Gypsy-Travellers. Research in Ireland has suggested that representation of Gypsy-Traveller culture in study materials plays a vital role in making children comfortable in school.

12.65. Traveller Education Services play an important role in this area. The TES in Merthyr Tydfil and Swansea makes resources reflecting Gypsy-Traveller culture and lifestyle available to schools for staff training and teaching. TES staff also develop new material, for example 'After School', a reading book produced in Cardiff. There is a need to develop a mechanism to facilitate the wider distribution of this type of material.

Best Practice - Roots of Torfaen project

The Roots of Torfaen project involved pupils looking at their family history and roots.

The project included children recording interviews with older relatives and revealed a lot of information about the history of local families, with Gypsy-Traveller children able to share their family history with other children.

It generated a range of other cultural-historical activities such as family visits to the Big Pit to learn about mining.

12.66. The OFSTED report 'Raising the Attainment of Minority Ethnic Pupils: School and LEA Responses' also provides examples of how schools have tried to make the curriculum relevant. One school conducted an audit of each department and identified a range of responses to the need to include issues relevant to Gypsy-Travellers, for example consideration of the 'forgotten holocaust' in history and examples of Gypsy-Traveller accommodation when looking at living spaces in art. Another school held a craft week in which Gypsy-Traveller parents demonstrated traditional skills. This event was the source of considerable apprehension for the Gypsy-Traveller parents, but was very successful.

12.67. Action is ongoing, in response to the recommendation of the Stephen Lawrence Inquiry, to modify the National Curriculum to tackle racism and promote tolerance. It is important that this work includes a specific focus on Gypsies and Travellers.

12.68. Over 80% of respondents to the Save the Children questionnaire thought school would be improved if it were possible to study more practical subjects.

Alternative curriculum

In North East Wales, alternative curriculum subjects and after-school activities are being offered to older Gypsy and Traveller children in conjunction with other local agencies such as the Youth Access Agency. An after school car mechanics workshop is run by the local Young Offenders Team, as well as a homework club and a girls group. The latter has been more difficult to arrange as girls are often required to be at home to look after siblings and do chores. *“Many parents who may be poorly educated themselves are expressing pride at the skills their children have acquired at school.”*

The education liaison officer in one LEA has formed useful links with staff at the Traveller Education Unit at Ysgol Bynea in Llanelli, which provides flexible education for year 7 upwards. Like the Priory Learning Centre, this is an example of an LEA taking its duty to educate Gypsy and Traveller children seriously, and attempting to encourage continued education beyond primary age.

RECOMMENDATION 41: We recommend that schools review their curriculum, lesson plans and course material to ensure that it is relevant to Gypsy-Traveller pupils and, where appropriate, it draws on examples from Gypsy-Traveller culture.

RECOMMENDATION 42: We recommend that the Assembly Government should ensure that any activity to review the National Curriculum to tackle racism and promote tolerance includes specific consideration of Gypsies and Travellers.

12.69. The need to balance a child’s right to the full range subjects in the national curriculum against the possibility that the seeming irrelevance of certain parts of it may cause them to become dissatisfied with school is a more difficult challenge.

12.70. We can see the benefits that such flexibility may bring, but introducing greater flexibility should not in any way erode a child’s right to access the full curriculum if they wish.

12.71. There are currently proposals on curriculum flexibility at key stage 4. Whilst this is helpful we believe that consideration should be given to

increased flexibility earlier, given that Gypsy-Traveller pupils often do not make the transition from Key Stage 2 to Key Stage 3.

RECOMMENDATION 43: We recommend that the Assembly Government consider making provision for additional flexibility in the National Curriculum at key stages 2, 3 and 4 to meet the needs of Gypsy and Traveller children.

Transition

12.72. Transition from primary to secondary education is very significant for Gypsy-Traveller pupils and many leave education at this stage.

12.73. Gypsy-Traveller have important traditions and cultural beliefs to be considered, such as the belief that learning to read and write is 'enough' education, and that therefore secondary school is less important.

12.74. During our site visits we spoke to some parents who were keen for their children to continue in education, but many others were very concerned about secondary education. One parent, for example, explained that she had attended school until age 16, but she would not allow her daughters to attend. In particular she highlighted the increased risk of exposure to drugs, sex and teenage pregnancies in a setting where she would be unable to protect them. These concerns were echoed by many other parents.

12.75. When they gave evidence to us, Traveller Education Service staff explained that they put a great deal of effort into supporting transition. This includes holding detailed discussions with parents and taking pupils to visit the secondary school. Even with this effort many children leave school at this stage.

RECOMMENDATION 44: We recommend that the Assembly Government pays particular attention to transition between primary and secondary education and that additional support is made available to Gypsy and Traveller pupils to enable them to make the transition effectively.

12.76. Support is also needed to ensure that Gypsy-Traveller pupils complete secondary education. Two of the young people who gave a presentation to us, both aged 14, commented on pressure to leave school from within their community. Both boys enjoyed school and were doing well, but they explained that there was an expectation that they should leave soon and start a job.

12.77. Some Gypsy-Traveller pupils do complete their education, for example we were told about one student who is studying for an engineering degree at Swansea University and is living on a site with other family members.

Mobility

12.78. Broken patterns of education can lead to gaps in knowledge, making it difficult to settle in and make progress at a new school. There is also a

general tendency for Gypsy-Traveller children to start school later except where parents have used pre-school facilities and have seen the benefits of education for their children.

Assisting entry and re-entry to school

Traveller education officers play an important role in helping children gain access to a new school when they arrive from another area, or when they have been out of school education for some time. Despite the duty of LEAs to provide education for all Gypsy and Traveller children, the education liaison officers reported some instances of strong, completely unwarranted prejudice from teachers, staff and parents.

“In one case a family had met the headmaster and bought new uniforms on the Friday, and then local parents signed a petition, lobbied councillors and police and by the Monday the Gypsy-Traveller family had gone.”

Vikki Seddon, Traveller Education Officer working in Wrexham, Flintshire, Denbighshire and Conwy.

In Merthyr Tydfil children, who had no previous school experience, have been helped to join local schools, and a former school-refuser has been successfully re-integrated through a school inclusion project. Children go to a pupil referral unit and from there into mainstream schooling.

12.79. The Scottish Executive has recently published guidance on Inclusive Educational Approaches for Gypsies and Travellers within the context of interrupted learning. This provides useful guidance on supporting pupils with interrupted learning patterns.

12.80. When pupils are mobile there can be a lack of information about their educational history. This can lead to work being duplicated or important elements of the curriculum being missed. Portable educational records have been tested with some success and electronic records may provide an even better solution as they will provide information in a uniform format across the country.

12.81. The recent circular 27/02 advises that when pupils transfer from another maintained school, the PLASC information, if available, should be supplied by the former school rather than re-collected. We welcome current work being undertaken by the Assembly Government on the feasibility of developing a Common Transfer system, to enable the secure electronic transfer of pupil records when pupils change schools. Pilots of the secure transfer system developed by Department for Education and Skills are also being run in Wales. This system includes a “lost pupils” database that allows the monitoring of pupils who “fall out” of the system. It also enables schools receiving transient pupils to locate past records.

RECOMMENDATION 45: We recommend that the Assembly Government ensures that any proposed system for transfer of pupils and data-sharing takes account of the situation of Gypsy-Traveller pupils.

12.82. Where families no longer travel to seek work, including living in settled housing, children can experience barriers to accessing and maintaining involvement in education. Indeed some people who live a settled house may still travel, and older children, in particular, may travel with their extended family. We therefore urge service providers to provide additional support to Gypsy-Traveller families regardless of their apparent mobility. We also believe that the so-called '2 year housed rule', which prevents support under the section 488 grant being given to children who had lived in settled housing for two years, be disapplied.

12.83. We believe registering children at more than one school, with one acting as a 'base school' will help to overcome difficulties caused by mobility. While the child is away travelling the base school holds their place open and absence is recorded as authorised.

12.84. Schools should also provide distance learning packs for children to take away during the travelling season, although these should not be seen as a substitute for school.

12.85. The National Assembly for Wales' circular 3/99 '*Pupil support and social inclusion*' notes that the special circumstances of Gypsy and Traveller children are recognised in law relating to attendance at school.

"Traveller parents are protected from conviction if the parent can demonstrate that:

- *he or she is engaged in a trade or business of such a nature as requires travel from place to place;*
- *the child has attended at a school as a registered pupil as regularly as the nature of that trade or business permits;*
- *the child, where aged six or over, has attended school for at least 200 sessions (half days) during the preceding twelve months."*

(Annex A, Attendance issues: paragraph 7)

12.86. This provision indicates the difficult balancing act involved in trying to build flexibility into the system. On the one hand it is an attempt to recognise and deal with the impact of mobility; on the other hand it could be seen as condoning a two-tier system where Gypsy and Traveller children do not get the full education other children are entitled to.

Family involvement

12.87. The involvement of the wider family in education will facilitate Gypsy-Traveller pupils' continued access to schools. Schools should consider whether they can provide opportunities for family learning, for example supported literacy groups, or other relevant provision, for example help with written driving tests.

12.88. When parents can see direct benefits of education they are more likely to be supportive of their children's continued attendance.

12.89. It is also important to engage Gypsy-Traveller parents in the wider life of the school, for example Parent Teacher Associations and School Governing bodies. Priory Junior School in Pembrokeshire has, for example, just gained its first Governor from the Gypsy-Traveller community.

Supporting Parents and the whole family

In Neath Port Talbot parents are visited to help improve the relationship between parent and school. Parents are reported as being more confident now to visit the school when they feel the need. They are helped to fill in forms and letters are hand-delivered because the postal service is unreliable. The education liaison officer reports that *"families are well-integrated into the life of the school and any Traveller absences from school are notified in advance."*

The Priory Junior School and the attached Priory Learning Centre in Pembrokeshire, work very closely with families and the school regards itself their advocates in relations with other public bodies.

RECOMMENDATION 46: We recommend that schools should aim to make learning relevant to the whole family through the development of supported literacy groups etc.

RECOMMENDATION 47: We recommend that schools actively encourage family members' involvement in the life of the school, for example involvement in Parent Teacher Associations/ Boards of Governors or by offering opportunities to work as teaching assistants.

EDUCATION OTHERWISE THAN AT SCHOOL

12.90. When the group of young people spoke at one of our meetings a number of them indicated that they were receiving home education. This was being provided under the 'education otherwise than at school' provisions contained in the 1996 and 1997 Education Acts.

12.91. National Assembly for Wales circular 3/99 *'Pupil support and social inclusion'* contains guidance on education otherwise than at school:

"Each local education authority shall make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them".

12.92. The guidance continues:

"5. Children and young people may not attend school regularly for a variety of reasons: illness, pregnancy, behavioural difficulties, fixed period or permanent exclusions. Under section 9 of the Education Act 1997, LEAs should set out in their behaviour support plans the arrangements for the education of children

otherwise than at school. Further guidance about behaviour support plans is set out in Welsh Office Circular 19/98."

12.93. We support the use of these provisions to facilitate access for Gypsy and Traveller to school, but are concerned by suggestions that they are being used as an alternative to mainstream schooling without adequate support mechanisms. We believe that further consideration should be given to this type of education, and to distance learning and other alternatives to school, so that a coherent strategy on the appropriateness of each can be developed.

RECOMMENDATION 48: We recommend that consideration be given to the role of education in schools, at home and via distance learning and that having done so the guidance on education otherwise than at school is revised to ensure that its provisions are being applied appropriately.

13. CROSS CUTTING ISSUES

13.1. Our review has identified a number of important issues that cut across the whole range of service provision for Gypsies and Travellers. Without addressing the issues common to all areas it will not be possible to deliver better equality of opportunity to this group.

13.2. A clear national framework for accommodation, health and education provision is needed, within which the various public bodies can meet their obligations and adopt and implement policies that are consistent and reflect best practice.

13.3. There are some good examples of joint working and co-ordination in Wales, such as the All Wales Traveller Education Group. We wish to encourage even more and better co-ordination of services, including appointing a named person within each local authority, local education authority, school and within other areas of service provision, to be a point of reference and to support action for Gypsies and Travellers. These groups should not work in isolation, connections must be made to facilitate the co-ordination of their work and the sharing of best practice. We therefore support the development of multi-agency forums within each local authority and on an all-Wales basis.

13.4. This will help to avoid problems such as those caused at last year's Royal Welsh Show, where unilateral action by one public agency led to the sealing off of a site traditionally used by the Gypsies and Travellers despite there being support for the site from the local authority, landowners, police and other bodies.

RECOMMENDATION 49: We recommend that multi-agency groups should be set up in every local authority area. These should include representatives of all the bodies with an interest in providing services to Gypsies and Travellers, for example representatives from health, education, social care, planning, site management and so on. Every effort should be made to involve local Gypsies and Travellers in the work of those groups to ensure their voices are heard.

RECOMMENDATION 50: We recommend that the Assembly Government appoint an All Wales Co-ordinator to champion the views and needs of Gypsies and Travellers and drive forward service provision, working with Traveller Education Service staff, Gypsy Liaison Officers and other service providers and advocates for Gypsies and Travellers.

13.4. We have also identified a need for Gypsies and Travellers to be actively involved in the provision of services. This is not new, and we do not deny that barriers to this participation exist, but much more can be done to improve the current situation and ensure that Gypsies and Travellers' voices are heard and they see improvements in their circumstances as a result. We have made recommendations on this issue in the following section of this report -

The involvement of Gypsies and Travellers in decision making and policy development.

13.5. The existing situation of prejudice and discrimination against Gypsies and Travellers, both on an individual and an institutional level is unacceptable. We have found that Gypsies and Travellers experience discrimination on a scale, and of an intensity and openness which is no longer tolerated against other minority ethnic groups. There is a general need for improved awareness of equality issues as they relate to Gypsies and Travellers in Wales, including proactive training and awareness-raising activities for service providers and the wider community. Staff, including front-line staff who are the first point of contact for Gypsies and Travellers trying to access services, must receive equality training that does not just raise awareness of the Gypsy and Traveller lifestyle and needs, but also of the requirements of the Race Relations Amendment Act 2000. Local authority staff must be fully informed of their duties under that Act. We have made recommendations on this issue in the following section of this report - Prejudice and Discrimination.

13.6. Information and services must be provided to Gypsies and Travellers in a culturally appropriate manner. Much work has already been done in this area, in particular through the Traveller Education Services in Wales. The Assembly needs to build on this best practice and use what is already known to work. More information on this is contained in the section of the report dealing with health and education.

13.7. There are ways to provide Gypsies and Travellers with access to mainstream services without endangering or making value judgements about their culture and lifestyle. Working from the current position where specialist staff delivers many services, the Assembly should build towards mainstream service provision that is flexible enough to meet a wide range of requirements.

RECOMMENDATION 51: We recommend that special effort be made to ensure that specialist workers, in the sites management, health and education fields, do not become isolated from other colleagues and that they are given adequate support and training and career development opportunities.

13.8. Improving service provision does not necessarily carry a high price tag, but there is a need for more focused and targeted funding. Importantly this funding must be secure for longer periods because it takes time to effect change.

RECOMMENDATION 52: We recommend that longer term funding, i.e. for more than one year, should be made available to support service provision.

13.9. There is a need to tackle the issue of provision of accommodation, by providing more sites, in better locations and with appropriate facilities. This is an important policy issue because without change in this area it will not be possible to make significant improvements to the life chances and equality of Gypsies and Travellers across the board.

Terms of reference

The purpose of the review is to enable the Committee properly to audit the Assembly's arrangements for promoting in the exercise of its functions the principle that there should be equality of opportunity for all people.

For those purposes, the Committee on Equality of Opportunity will review the provision of services for Gypsy-Travellers in Wales, giving particular regard to:

- education, health, accommodation, employment, and the role of local authorities;
- whether the Assembly should have specific policies on services for Gypsy-Travellers in relation to education, social services, local government, housing, health, environment, planning and equality; and
- whether sufficient statistical information is available to facilitate service planning in this field.

Issues which will require particular consideration

- Gypsy-Travellers are not a homogeneous community. The Committee may wish to look at ways in which services are, or could be provided, for all Gypsy-Traveller communities. This will require information to be made available on the different groups which currently live in or spend significant periods of time in Wales. In 1996 OFSTED was able to report that almost 80% of Traveller children participated in primary school education but it is estimated that only around 20% go into Secondary Education. The Committee may wish to consider strategies for increasing the number of Gypsy-Traveller children receiving secondary education.
- The Committee may wish to examine the access to health provisions for Gypsy-Traveller communities especially in regard to access to General Practitioners and preventative medical treatment.
- The Committee may wish to consider adequate site provision for Gypsy-Travellers to have places to legally stop and to prevent conflicts with other users of land.
- The Committee may wish to explore options to encourage tolerance, equality and respect for difference to improve relations between the settled community and Gypsy-Traveller communities.

Methods for evidence gathering under SO 8.15

Public advertising and direct invitations for written submissions

- The Committee will consider the most appropriate means of advertising the inquiry.
- Written submissions will be invited from organisations identified in the Committee paper considered on 31 October 2001 (EOC-07-01-p.3a).

Public hearings

- Regional Committees will be invited to take evidence on specific questions on behalf of the Committee on Equality of Opportunity.

Evidence Sessions

The Committee may hear evidence by:

- inviting organisations to normal committee meetings and by holding committee meetings in locations around Wales;
- meeting in relevant locations and inviting local organisations and members of the local community/local residents to present to the Committee their ideas/concerns; and
- holding other events which are more accessible to important witnesses (eg, Scottish Committee's breakfast with Gypsy-Traveller children).

Site visits

- The Committee may wish to visit places of significance to discuss with members of the Gypsy-Traveller community and local residents relevant issues.

Experience elsewhere

- Invite written submissions from interested European organisations.
- The Committee will consider services provided for Gypsy-Travellers in Wales at the UK Government level and may invite the Minister to pass on any recommendations to Whitehall departments as appropriate. The committee will liaise with the House of Commons Welsh Affairs Committee on issues relevant to its remit as appropriate.
- The Committee has already indicated its wish to hear from Niall Crowley, Chief Executive of the Irish Equality Authority. Other experts may be invited to speak to the Committee.

Expert Advisor

- The Committee has decided to appoint an expert advisor for the duration of the review.

Summary of relevant legislation

A brief outline of the powers and responsibilities of different bodies, and where they derive from, is set out in the following tables.

Please note that:

- duties/obligations are not shaded
- powers to act are in light shading
- guidance is in darker shading

The following tables are intended to give an overview of the relevant powers and should not be regarded as a complete authoritative statement of the law.

ACCOMMODATION AND PLANNING		
Effect	Source	On who
Duties to assess the circumstances of families before taking enforcement action against unauthorised encampments	Children Act 1989 Part III and the Housing Act 1985 Part III	Local authorities
Unitary Development Plans must contain information on the regard authorities have had to meeting the accommodation needs of Gypsies	Planning Policy Wales, March 2002	Local authorities/ planning authorities
Power to provide caravan sites	Caravan Sites and Control of Development Act 1960 - section 24	Local authorities
Power to remove unauthorised campers	Criminal Justice and Public Order Act 1994	Local authorities
Power to prohibit caravans from camping on common land	Caravan Sites and Control of Development Act 1960 - section 23	Local authorities
Power to grant licences to allow land to be occupied by caravans	Public Health Act 1936 - section 269	Local authorities
Power to offer home repair assistance in respect of house-boats and mobile homes	Housing Grants, Construction and Regeneration Act 1996 -section 78 and the Home Repairs Assistance (Extension) Regulations 1998	Local authorities
Eligible for housing, on account of being homeless, if accommodation consists of a moveable structure and there is no place where the person is entitled or permitted to place it or to reside in it.	Housing Act 1996 - section 175(2)	Individual Gypsy-Travellers

ACCOMMODATION AND PLANNING		
Guidance on general approach to Gypsies and recommends a policy of toleration towards unauthorised Gypsy encampments	Welsh Office Circular 76/94 (Department of the Environment Circular 18/94)	Local authorities
Guidance on policy considerations for dealing with planning applications for proposed 'Gypsy' sites	Welsh Office Circular 2/94 (Department of the Environment Circular 1/94)	Local authorities/ planning authorities

EDUCATION		
Effect	Source	On who
Obligation on LEAs to include in their Education Strategic Plans information about the number of travellers' children educated within their schools, arrangements for monitoring those numbers and information about the average stay of such children	Education Development Plans (Wales) Regulations 2002	Local education authorities
Duty to contribute towards the spiritual, moral, mental and physical development of the community by securing the provision of primary and secondary education to meet the needs of their areas -	Education Act 1996 - section 13	Local education authorities
Must exercise education functions with a view to promoting high standards	Education Act 1996 - section 13A	Local education authorities
Duty to make arrangements for the education at school or otherwise for those children of compulsory school age who "by reason of illness, exclusion from school or otherwise, may not for any period receive education unless such arrangements are made for them". Special arrangements can be made under this section for traveller children.	Education Act 1996 - section 19	Local education authorities
Duty to secure education by the regular attendance of his/her child at school or	Education Act 1996 - section 7 and 444	Parents

EDUCATION		
Effect	Source	On who
otherwise. There are exceptions, including for children whose parents are mobile (requires 200 attendances in the past 12 months)		
Power to make grants to LEAs and further education institutions to promote and facilitate the education of Gypsies and Travellers	Education Act 1996 - section 488 Education (Grants) (Travellers and Displaced Persons) Regulations 1993 (SI 1993/359) Education Reform Act 1988 - section 210	National Assembly for Wales
Power to prohibit a child from being employed in such a manner as to be prejudicial to the child's health or otherwise render them unfit to obtain the full benefit of the education provided for them	Education Act 1996 - section 559	Local education authorities
Power to issue directions requiring local authorities to provide youth support services	Learning and Skills Act 2000	National Assembly for Wales
Power for approval/imposition of plans and strategies by the National Assembly, and for issuing directions which might enable the National Assembly to require the National Council for Education and Training for Wales to take action targeted at Gypsies and Travellers (N.B. these powers have not been invoked in this way at present).	Learning and Skills Act 2000	National Assembly for Wales
Guidance on education provision for Gypsies and Travellers and details of section 488 grant	Welsh Office Circular 52/90 and its annex	Local education authorities
Guidance on "Extending Entitlement" refers to the importance of ensuring that young travellers are specifically catered for	"Extending Entitlement" in support of the Youth Support Services Directions (Wales) 2002 - effective date 1st September 2002	Local education authorities

HEALTH

There are no duties or powers in law directed specifically at the health care of Gypsies or travellers; the position at law is the same for Gypsies and travellers as it is for the general public.

SOCIAL SERVICES AND CHILD CARE

Effect	Source	On who
General duty on every to safeguard and promote the welfare of children who are in need and as appropriate provide a range of services to back this up	Children Act 1989 - section 17	Local Authorities
Require that, where a local authority is "looking after" a child, before making any decisions in respect of that child to give due consideration to the child's religious persuasion, racial origin and cultural and linguistic background	Children Act 1989 - section 22(5)(c)	Local Authorities
Duty to consider the racial group to which children in need belong, in making arrangements for the provision of day care or in encouraging persons to act as foster parents	Children Act 1989 - schedule 2 para 11	Local Authorities

INFORMATION ON EXPENDITURE ON SERVICES TO GYPSIES AND TRAVELLERS

Information from survey of local authorities showing local authority expenditure on Gypsies and Travellers in 2002-03

2002/2003				£
Local Authority	Traveller Education	Accommodation	Other	Total
Cardiff	£178,000	-	-	£178,000
Carmarthenshire	-	-	£43,000 (1)	£43,000
Merthyr Tydfil	£13,867	£14,000	-	£27,867
Neath Port Talbot	£46,583	-	-	£46,583
Torfaen	£84,000	-	-	£84,000
Wrexham	£92,308	£275,074	-	£367,382

(Source: Equality of Opportunity Committee survey of local authorities)

Information from survey of local authorities showing local authority expenditure on Gypsies and Travellers in 2003-04

2003/2004				
Local Authority	Traveller Education	Accommodation	Other	Total
Cardiff	-	-	-	-
Carmarthenshire	-	-	-	-
Merthyr Tydfil	-	-	-	-
Neath Port Talbot	-	-	-	-
Torfaen	£92,000	-	-	£92,000
Wrexham	£95,000	£283,516	-	£378,516

(Source: Equality of Opportunity Committee survey of local authorities)

Table showing spending on Section 488 Grant

Table 1 – Traveller Education Grant

Local Authority	£	
	2001 - 2002 Allocated Amount	2002-2003 Allocated Amount
Cardiff 1	105,168	133,453
Pembrokeshire 2	65,319	122,819
Flintshire 3	77,566	98,677
Swansea 4	33,600	71,735
Wrexham 5	37,391	69,231
Torfaen 6	23,699	49,225
Carmarthenshire 7	10,000	42,317
Neath Port Talbot 8	22,383	33,686
Gwynedd 9	15,000	15,000
Merthyr Tydfil 10	9,032	13,867
Total	399,158	650,010

(Source: Welsh Assembly Government)

REFERENCES

Members of Committee

Ann Jones (Chair)	Vale of Clwyd	Labour
Lorraine Barrett	Cardiff South and Penarth	Labour
Eleanor Burnham	North Wales	Liberal Democrat
Carwyn Jones	Bridgend	Labour
Helen Mary Jones	Llanelli	Plaid Cymru
Huw Lewis	Merthyr Tydfil and Rhymney	Labour
Val Lloyd	Swansea East	Labour
David Melding	South Wales Central	Conservative
Peter Rogers	North Wales	Conservative
Janet Ryder	North Wales	Plaid Cymru
Owen John Thomas	South Wales Central	Plaid Cymru

Note:

- Edwina Hart was Chair of the Committee until 20 June 2002, when she ceased to be a member of the Committee
- Carwyn Jones became a member of the Committee and was elected Chair on 20 June 2002
- Carwyn Jones was Chair until 5 November 2002
- Ann Jones was elected Chair on 3 December 2002
- (David Melding was the temporary Chair for the meeting on 14 November 2002)

Details of Committee meetings

A full list of relevant papers and minutes from Committee meetings is given below. Copies can be found at

<http://www.wales.gov.uk/keypubassemequalcomm/index.htm>.

- Equality of Opportunity Committee 31 October 2001 - Overview of Assembly policy in relation to Gypsies and Travellers
- Equality of Opportunity Committee Minutes 31 October 2001 - Discussion of current Assembly policy in relation to Gypsies and Travellers
- Equality of Opportunity Committee 28 November 2001 - Paper on draft terms of reference for the review
- Equality of Opportunity Committee Minutes 28 November 2001 - Draft terms of reference for review
- Equality of Opportunity Committee 30 January 2002 - Paper on revised terms of reference and process for appointing a expert adviser
- Equality of Opportunity Committee Minutes 30 January 2002 - Presentation from the Chief Executive of the Irish Equality Authority, Niall Crowley and discussion of revised terms of reference and the appointment of an expert advisor

- Equality of Opportunity Committee Minutes 24 April 2002 - *Presentation from Rachel Morris of Cardiff University Traveller Law Research Unit*
- Equality of Opportunity Committee 22 May - *Paper on next steps for review and summary of consultation responses*
- Equality of Opportunity Committee Minutes 22 May 2002 - *Next steps in review*
- Equality of Opportunity Committee 17 October 2002 - *Background information on the legal position with regard to Gypsy-Travellers prepared by the Office of the Counsel General*
- Equality of Opportunity Committee Minutes 17 October 2002 - *Evidence from service providers on health issues*
- Equality of Opportunity Committee Minutes 14 November 2002 - *Evidence from service providers on Education issues*
- Equality of Opportunity Committee Minutes 12 December 2002 - *Evidence from service providers on accommodation issues*
- Equality of Opportunity Committee 16 January 2003 - *site visit reports*
- Equality of Opportunity Committee Minutes 16 January 2003 - *Presentation from young people and site visit report back*
- Equality of Opportunity Committee 13 February 2003 - *Paper on differences between England and Wales in accommodation provision*
- Equality of Opportunity Committee Minutes 13 February 2003 - *differences between England and Wales in accommodation provision*
- Summary report of seminar on service provision for Gypsies and Travellers

Evidence presented

A list of the main written and oral evidence presented to the Committee is given below.

Written

- Dr Sandra Axinowe (2002) - response to Committee consultation
- Belfast Traveller Support Group (2002) - response to Committee consultation
- Blaenau Gwent County Borough Council (2002) - response to Committee consultation
- Cardiff and Vale NHS Trust (2002) - response to Committee consultation
- Dr Sylvaine Carr-Hill (2002) - response to Committee consultation
- The Gypsy Council (2002) - response to Committee consultation
- The Gypsy Council - Romani Kris (Oct 2002) *Report to the Members of the Equality of Opportunity Committee, National Assembly for Wales: The Gypsy Council*
- Health Action Zone North and West Belfast (2002) - response to Committee consultation
- Dr Donald Kendrick (2002) - response to Committee consultation
- Monmouthshire County Council (2002) - response to Committee consultation

- North Glamorgan NHS Trust (2002) - response to Committee consultation
- Powys County Council (2002) - response to Committee consultation
- Race Equality First (2002) - response to Committee consultation
- Response to survey of service provision in local authorities - Bridgend County Borough Council
- Response to survey of service provision in local authorities - Cardiff City Council
- Response to survey of service provision in local authorities - Carmarthenshire County Council
- Response to survey of service provision in local authorities - Caerphilly County Borough Council
- Response to survey of service provision in local authorities - Gwynedd County Council
- Response to survey of service provision in local authorities - Merthyr Tydfil County Borough Council
- Response to survey of service provision in local authorities - Monmouthshire County Council
- Response to survey of service provision in local authorities - Neath Port Talbot County Borough Council
- Response to survey of service provision in local authorities - Swansea City Council
- Response to survey of service provision in local authorities - Torfaen County Borough Council
- Response to survey of service provision in local authorities - Wrexham County Borough Council
- Results of Save the Children survey
- Save the Children (2002) - response to Committee consultation

Oral

- Sandra Axinowe, Cardiff Traveller Education Service - Education provision - seminar for service providers on 11 October 2002
- Ian Cairns, Gypsy Liaison Officer Somerset County Council - Accommodation provision - Committee meeting on 12 December 2002
- Dr Sylvaine Carr-Hill, Community Paediatrician Swansea - Health provision - Committee meeting on 17 October 2002
- Dr Colin Clark, University of Newcastle - Rights of Gypsies and Travellers as citizens - seminar for service providers on 11 October 2002
- Dr Sarah Cemlyn, Bristol University - Health provision - seminar for service providers on 11 October 2002
- Niall Crowley, the Chief Executive of the Irish Equality Authority - The position in the Republic of Ireland - Committee meeting on 30 January 2002
- Bill Crumpton, sites manager Cardiff County Council - Accommodation provision - Committee meeting on 12 December 2002
- Group of young people from the Gypsy-Traveller Community in Wales - Committee meeting on 16 January 2003
- Frank Milne, Traveller Services Manager Carmarthenshire County Council - Accommodation provision - Committee meeting on 12 December

- Rachel Morris, Cardiff University Traveller Law Research Unit - Legal issues - Committee meeting on 24 April 2002
- William Rees and Beverley Stephens, Monkton Pirory School - Education provision - Committee meeting on 14 November 2002
- Sarah Rhodes, Bristol Traveller Health Project - Health provision - Committee meeting on 17 October 2002
- Sandra Roberts, Health Visitor Wrexham - Health provision - Committee meeting on 17 October 2002
- Vikki Seddon, Traveller Education Service Wrexham - Education provision - Committee meeting on 14 November 2002
- Tim Wilson, Cardiff Gypsy sites group - Accommodation provision - seminar for service providers on 11 October 2002

Visits

- Visit to the Irish Equality Authority, Gypsies and Traveller representative groups and Government departments in the Republic of Ireland, April 2002
- Temporary site at the Royal Welsh Show, Builth Wells July 2002
- Local authority site at Ruthin Road, Wrexham December 2002
- Local authority site at Pen-y-Bryn, Llanelli December 2002
- Gypsy Council site at Shepherd's Hill, Pontypool December 2002
- Local authority site at Rover Way, Cardiff January 2003
- Local authority site at Shire Newton, Cardiff January 2003

Other sources of information

The following documents and sources of information have been used in preparing this report.

General

- Advisory Committee on the Report on the Implementation of the Framework Convention for the Protection of National Minorities (May 2002) *Comments of the Government of the United Kingdom on the Opinion of the Advisory Committee on the Report on the Implementation of the Framework Convention for the Protection of National Minorities in the United Kingdom*: www.humanrights.coe.int
- Cardiff Traveller Law Research Unit *Factsheet: Travelling people in the United Kingdom*: <http://www.cf.ac.uk/claws/tlru/>
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- National Assembly for Wales (Feb 2001) *Unitary Development Plans Wales*: National Assembly for Wales
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- Angela Roberts (April 2002) *A report prepared for the sub group of the Service Development Task and Finish Group of the NHS Implementation Plan - Health needs of Disadvantaged Groups: Travellers*

Education

- Dr Sandra Axinowe (Oct 2002) *Presentation - Provision for Travellers - Education*: Dr Sandra Axinowe

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LIST OF RECOMMENDATIONS AND IMPLEMENTATION PLAN

This table contains detailed information on implementation. The Equality of Opportunity Committee will review overall progress on implementing the report in a year, and then at six-monthly intervals. (There are shorter review periods for certain specific recommendations).

No.	Recommendation	Subject area	Suggested action	Timing	Agent
1	We recommend that in all official communication the words 'Gypsy' or 'Traveller' should be capitalised.	All	<ol style="list-style-type: none"> All Assembly Government and Assembly documents and other material should use capital "G" and "T" for "Gypsy" and "Traveller". Any new legislation should use capital "G" or "T". Where practical existing legislation should be revised to use capital "G" and "T". 	<ol style="list-style-type: none"> Timing - to take immediate effect Timing - to apply as new legislation is drafted Timing - to apply as legislation is revised 	Assembly Government and Presiding Office
2	We urge the UK Government to clarify the RRA and put the matter of coverage under the Act beyond doubt, by listing in the Act those groups of Gypsies and Travellers that regard themselves as having a separate ethnic or racial identity.	All	Assembly Government to discuss practicalities with the Commission for Racial Equality (CRE) and the Equality of Opportunity Committee (EOC) and then take forward with the UK Government	Timing - Discuss way forward with CRE and EOC by summer recess 2003, and report back on discussion with UK Government during Autumn term 2003	Assembly Government in consultation with CRE and the EOC
3	We recommend that a twice-yearly survey of numbers of Gypsy and Travellers be established as soon as possible. The survey should be designed in consultation with service providers and Gypsies and Travellers themselves to ensure that it captures the right information. At the very least it should provide accurate data on the size of the Gypsy and Traveller population, as well as a breakdown by age groups, distribution across the country and information on mobility. Information should also be included on the number of housed Gypsies and Travellers. (The Gypsy and Traveller communities should be involved in collecting the information).	All	Assembly Government to establish a working group, which should include service providers and Gypsies and Travellers, to design the new survey.	New survey to be designed by end of 2003 and issued for the first time in January 2004	Assembly Government in consultation with service providers and Gypsies and Travellers
4	We recommend that the Assembly Government should take the lead by working closely with the Commission for Racial Equality, those already working with Gypsies and Travellers in Wales (including Traveller Education Officers, Gypsy	All	Assembly Government to develop a strategy for taking forward this recommendation and bring that strategy for consideration at an meeting of the Equality of Opportunity Committee.	Strategy to be brought to a meeting of the Equality of Opportunity Committee in autumn 2003.	Assembly Government and Commission for Racial Equality

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	<p>Liaison Officers and voluntary bodies), Welsh media and representatives of the Gypsy and Traveller communities, to identify ways to improve the quality of media reporting of Gypsies and Travellers in Wales, to reduce the level of prejudice and discrimination in public bodies, and to promote the positive aspects of Gypsy and Traveller cultures. The Assembly should present proposals of action to the Equality of Opportunity Committee that consider:</p> <ul style="list-style-type: none"> ▪ What stronger and more specific forms of guidance, including best practice guides, can be developed and issued to public bodies and the general public ▪ Any additional measures that can be taken against authority figures who make racist or inflammatory comments ▪ How it will ensure that Gypsies and Travellers are specifically considered in equality training and guidance delivered to local authorities and other public bodies ▪ The enhanced role that the race equality councils will play in delivering change, including ensuring that all public agencies that come into contact with Gypsy-Travellers review their anti-discrimination policies. ▪ How Gypsies and Travellers will be considered in the development of race equality schemes under the Race Relations Amendment Act ▪ The development and implementation of a national media campaign and other activities such as media seminars to challenge attitudes ▪ How the media might assist with self-advocacy, for example through the possibility of offering trainee-ships or work experience to young Gypsy Travellers, and any other ways that the media can be targeted to improve and enforce their self-regulation. 				
5	We recommend that the Assembly and local authorities pay particular attention to ensuring	All	1. The Assembly Government should review its guidance on consultation to	1. Guidance to be reviewed by end 2003	Assembly Government and

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	that Gypsies and Travellers are consulted on policy developments and that accessible and appropriate consultation methods are adopted. They should draw on the expertise of people who already act as advocates, who can help identify the best mechanisms to consult with Gypsies and Travellers in a particular area and to avoid misunderstandings or raised expectations. Particular attention should be paid to providing Gypsies and Travellers with full feedback on the results of consultation and the rationale for subsequent decisions.		<p>ensure it recognises the specific requirements of consultation with Gypsies and Travellers.</p> <ol style="list-style-type: none"> 2. The Assembly Government should discuss best practice for consultation with local authorities. 3. The success consultation practice should be evaluated regularly. 	<ol style="list-style-type: none"> 2. Discussions to be held by end 2003 3. The evaluation should take place mid-2004 and every year after that 	local authorities
6	We recommend that more support be given to staff who act as a central contact and advocate for Gypsies and Travellers. They should be given the resources to undertake capacity-building work and to encourage self-advocacy.	All	<ol style="list-style-type: none"> 1. The Assembly Government should extend the terms of grant funding (e.g. the section 488 grant for education) to allow support for undertaking advocacy work. 2. The Assembly Government should disseminate information on other sources of support to service providers and should encourage local authorities to do the same 3. Consideration should be given to making additional funds available. 	<ol style="list-style-type: none"> 1. Assessment of how this could be done by end of 2003. Implemented by mid-2004 2. By Autumn 2003 3. Assessment of how this could be done by end of 2003. Implemented by mid-2004 	Assembly Government and local authorities
7	We recommend that the Welsh Assembly Government's Housing Department clarify the position on paying housing grants for site provision and advise local authorities accordingly. We further recommend that changes to primary legislation should be made to put Gypsy and Traveller caravan sites on the same footing as other housing stock, in terms of for example, availability of grants, pitch allocation policy and management issues.	Accommodation	<ol style="list-style-type: none"> 1. The Assembly Government to clarify the current position 2. The Assembly Government to examine a possible extension of the definition of 'housing' and report to Local Government and Housing Committee 	<ol style="list-style-type: none"> 1. By summer recess 2003 2. By beginning of autumn term 2003 	Assembly Government and Local Government and Housing Committee
8	We recommend that there should be an audit of existing site provision to identify demand for further sites and gather information on good site design, facilities and location, which will inform future site development. This should start with a review of existing information to identify gaps that may require additional research.	Accommodation	<ol style="list-style-type: none"> 1. The Assembly Government to review existing information 2. The Assembly Government to commission any additional research required 	<ol style="list-style-type: none"> 1. By beginning of autumn term 2003 2. By end of 2003 <p>Audit to be completed by mid of 2004</p>	Assembly Government
9	We recommend that there should be a duty to provide, or facilitate the provision of, accommodation for Gypsies and Travellers and that this should be supported by additional	Accommodation	<ol style="list-style-type: none"> 1. Assembly guidance to be revised, including requirement that local authorities develop a strategy for meeting the accommodation needs of 	<ol style="list-style-type: none"> 1. by start of summer recess 2003 	Assembly Government and local authorities Gypsies and

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	funding. The Assembly Government should consult service providers and Gypsies and Travellers over the most effective way in which a duty to provide sites could be placed in statute. In the short term the Assembly Government should review all its circulars and guidance on site provision to ensure that they promote site development as far as possible. In particular, we recommend that local authorities be asked to develop a strategy for meeting the needs of Gypsies and Travellers in their area.		Gypsies and Travellers 2. Local authority strategies to be developed 3. Assembly Government to hold discussions on how a duty to facilitate site provision could be implemented 4. Assembly Government to take forward conclusions of discussion on ways to implement a duty to facilitate site provision	2. By start of 2004 3. Discussions to start by summer recess 2003 4. By start of 2004	Travellers to be involved in the development of the guidance
10	We recommend that there is full and open consultation on proposed public site developments. Residents in the settled community should be given information about official sites. Guidance should be prepared on managing objections and tackling offensive comments or behaviour; this guidance should also apply to handling planning applications for private sites.	Accommodation	Assembly Government to prepare guidance and then local authorities to implement	Guidance prepared by end of 2003 and then implemented	Assembly Government and local authorities
11	We recommend that, when considering the construction of new sites or the refurbishment of existing sites, the same level of commitment to full consultation should be applied to meeting the accommodation needs of Gypsies and Travellers as applies in other areas, for example in social housing and regeneration initiatives.	Accommodation	Assembly Government to prepare guidance and then local authorities to implement	Guidance prepared by end of 2003 and then implemented	Assembly Government and local authorities
12	We recommend that an urgent review should be conducted to produce a revised planning framework for Gypsy and Traveller site development. The review should actively seek the involvement of Gypsies and Travellers, and individuals with experience of making or supporting planning applications. The aim of the review should be to identify barriers and find ways to facilitate site development, support individuals through the planning process and to establish a wider definition of who constitutes a 'Gypsy' for the purposes of planning regulations - we recognise that this may require a change in primary legislation.	Accommodation	Assembly Government to conduct review of planning framework as it relates to Gypsies and Travellers	Review to be completed by end of 2003	Assembly Government in consultation with Gypsies and Travellers, and individuals with experience of making or supporting planning applications.
13	We recommend that circular 76/94 on dealing with unauthorised encampments be revised. The revised version should: stress the importance of thoroughly assessing the needs	Accommodation	Assembly Government to review circular and to actively seek input for staff working in education, health and social services fields	Revised circular in place by end of 2003	Assembly Government in consultation with service providers

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	of those families involved before taking action; strongly advise against impounding caravans and thereby making people homeless.				and Gypsies and Travellers
14	We recommend that local authorities be required to provide, or facilitate the provision of, transit sites (in line with recommendation 9 on site provision in general). The Assembly should make funding available to support the development of these sites. In the short term we recommend that the Assembly issues clear guidance, drawing on experiences across the UK, setting best practice on meeting the needs of 'short stay' Gypsy-Travellers.	Accommodation	Same action as recommendation 9 above	Same timing as recommendation 9 above	Assembly Government and local authorities
15	We recommend that the guidance referred to in recommendation 9 on site provision, should include best practice advice on designing sites – this should include advice on selecting site locations, layout and facilities. The audit of existing site provision, at recommendation 8, will assist in this process. The guidance should be drawn up in consultation with Gypsies and Travellers.	Accommodation	Same action as recommendation 9 above	Same timing as recommendation 9 above	Assembly Government and local authorities
16	We recommend that the local authorities work with the Royal Mail to find a solution that is workable and fair.	Accommodation	Assembly Government to facilitate discussions between Royal Mail and local authorities and agree a way forward	By start of autumn term	Assembly Government, local authorities, Gypsies and Travellers and the Royal Mail
17	We recommend that the Assembly Government looks more closely at local authority charges for utilities and discusses charging policy with them and utilities companies.	Accommodation	Assembly Government to review charging policy of local authorities and facilitate discussions between utilities companies and local authorities	By start of autumn term	Assembly Government, local authorities, Gypsies and Travellers and the utilities companies
18	We recommend that additional funding be made available to refurbish and improve existing sites. The views of site residents and the results of the audit referred to in Recommendation 8 should inform priorities.	Accommodation	Assembly Government to make additional funding available	First tranche to made available as soon as possible to deal with urgent refurbishment requirements and further funding to be made available once the results of the site audit in recommendation 8 have been received.	Assembly Government
19	We recommend that the revised guidance referred to in Recommendation 9 should include model licensing agreements, which make clear the respective roles and responsibilities of site managers and residents. They should also	Accommodation	Same action as recommendation 9	Same timing as recommendation 9	Assembly Government and local authorities Gypsies and Travellers to be

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	include clear and transparent dispute resolution mechanisms.				involved in the development of the guidance
20	We recommend that there should be no expectation or pressure for Gypsies and Travellers to move into settled housing. Where Gypsies and Travellers do wish to move into this type of accommodation they should receive help and support with the application process and with managing the transition from previous accommodation.	Accommodation	<ol style="list-style-type: none"> 1. Assembly Government to make a clear statement that there is no expectation that Gypsies and Travellers should move into settled housing 2. Local Authorities to provide support for those wishing to move into housing 	<ol style="list-style-type: none"> 1. By summer recess 2. By end 2003 	Assembly Government and local authorities
21	We recommend that the Assembly completes a full literature review and undertakes further research into the health needs of Gypsies and Travellers in Wales to establish baselines for service provision. This information should be used to inform future health policy and the development of local strategies and it may be necessary to routinely collect specific statistical information.	Health	<ol style="list-style-type: none"> 1. Assembly Government to complete literature review 2. Assembly Government to identify what additional health indicators need to be collected 	<ol style="list-style-type: none"> 1. By end of Oct 2003 2. By end of 2003 	Assembly Government in consultation with service providers
22	We recommend that primary and secondary health care staff, including non-medical personnel who act as first point of contact for patients, must receive training on equality issues including specific guidance on removing barriers to Gypsies and Travellers accessing health services. The training should begin at the point of entry into the NHS and be part of the continuous professional development of staff.	Health	<ol style="list-style-type: none"> 1. Assembly Government and NHS Wales staff to develop training plan 2. Training plans to be put into action 	<ol style="list-style-type: none"> 1. By end of 2003 2. Training to start by beginning of 2004 at the latest 	Assembly Government and health bodies
23	We recommend that the Assembly Government develops mechanisms to encourage GPs and dentists to register Gypsies and Travellers as patients, for example incentives for registration, specific targets for registering Gypsies and Travellers.	Health	Assembly Government to consider what mechanisms might be developed and report back to the Health and Social Services Committee	Report back during autumn term 2003	Assembly Government and Health and Social Services Committee
24	We recommend that in drawing up the Information Management and Technology Strategy 'Informing Healthcare' the Assembly Government should ensure that the particular needs of mobile groups like Gypsies and Travellers are taken into account.	Health	Assembly Government to ensure that the needs of Gypsies and Travellers are considered in this work	As the 'Informing Healthcare' strategy is developed	Assembly Government
25	We recommend that, where specialist health professionals deliver services, every effort should be made to ensure continuity of care.	Health	<ol style="list-style-type: none"> 1. Health and Social Services Committee to consider how specialist staff can be better supported 	<ol style="list-style-type: none"> 1. During autumn term 2003 	Assembly Government, Health and Social Services

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	Specialist provision should be well-resourced and funded and firmly linked to mainstream provision - to ensure there is access to wider expertise, cover during inevitable absences and to reduce the isolation of specialist staff. Specialist staff should be provided with training and development opportunities.		<ol style="list-style-type: none"> 2. Assembly Government to prepare guidance for health bodies 3. Health bodies to implement 	<ol style="list-style-type: none"> 2. By Feb 2004 3. By May 2004 	Committee and health bodies
26	We recommend that health bodies should ensure that they build up expertise in service provision to Gypsies and Travellers across the health service through training, secondments and work shadowing. This will ensure that the needs of this client group are mainstreamed and should help to ensure that there is a pool of expertise available.	Health	<ol style="list-style-type: none"> 1. Assembly Government to prepare guidance for health bodies 2. Health bodies to implement 	<ol style="list-style-type: none"> 1. By end 2003 2. By Feb 2004 	Assembly Government and health bodies
27	<p>We recommend that the Assembly considers forming an All Wales steering group. The role and responsibilities of the steering group could include:</p> <ul style="list-style-type: none"> ▪ Drawing up best practice guidelines for dissemination to the Local Health Boards, based on existing information and shared knowledge ▪ Steering and disseminating further research into the health needs of Gypsy-Travellers ▪ Providing a strategic reference point for generic workers/specialist health professionals and multi-agency forums/co-ordinating groups in each Local Health Board area. ▪ Reviewing the monitoring and evaluation of Local Health Board strategies and programmes for this client group, including anti-discriminatory policy reviews. ▪ Providing a strategic reference point for All-Wales co-ordination between professionals in other fields of service provision to Gypsy-Travellers, such as education and accommodation. ▪ Advising and disseminating information on targeted funding streams and programmes available to meet the needs of Gypsy-Travellers and how to access those funds and programmes (see rec. below). ▪ Involving Gypsy-Travellers themselves in 	Health	Assembly Government to set up steering group	By start of autumn term 2003	Assembly Government and service providers

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	future consultation on service provision and providing them with a focal point for exchange of views and feedback, if necessary using existing support and liaison officers as their intermediaries.				
28	We recommend that the Assembly ensures that all Local Health Boards develop and implement a strategy that demonstrates how they will meet the health needs of Gypsies and Travellers in their area. This should include details of how they will remove barriers to access (for example through employing specialist health professionals (i.e. health visitors, paediatricians, health promotion workers, dentists and midwives) or a generic worker, to facilitate access, address specific health inequalities, and act as advocate for Gypsies and Travellers among other health professionals. It should put in place or support existing mechanisms to ensure multi-agency co-ordination between the different agencies involved in service provision to Gypsies and Travellers. It should also specifically address the need for outreach to deliver health services on sites.	Health	<ol style="list-style-type: none"> 1. Assembly Government to issue guidance on preparing strategies for service provision to Gypsies and Travellers Local 2. Health bodies to develop and implement strategies 	<ol style="list-style-type: none"> 1. By start of autumn term 2003 2. Strategies in place by March 2004 	Assembly Government, health bodies and Gypsies and Travellers
29	We recommend that the Assembly Government's Health Promotion Division work with health bodies to develop a range of accessible and culturally appropriate health promotion material, building on existing best practice in this field and based on the health needs identified by research. Existing health promotion networks and specialists working with Gypsies and Travellers should be used to disseminate this material.	Health	<ol style="list-style-type: none"> 1. Assembly Government to establish baseline of information available 2. Further information should be prepared and disseminated 	<ol style="list-style-type: none"> 1. By start of autumn term 2003 2. Ongoing but to be ready for dissemination by mid-2004 	Assembly Government, health bodies and Gypsies and Travellers
30	We recommend that specific programmes are developed to tackle the specific health inequalities in the Gypsy Traveller community. (For example chronic conditions such as diabetes and heart disease that are less diagnosed and treated than in the settled community).	Health	Assembly Government to identify priority areas for specific programmes in consultation with service providers, Gypsies and Travellers and the Health and Social Services Committee	By end of 2003	Assembly Government, health bodies and Gypsies and Travellers
31	We recommend that, in addition to ensuring that general funding is allocated to Local Health Board strategies to meet the health needs of Gypsies and Travellers in Wales, the Assembly	Health	<ol style="list-style-type: none"> 1. Assembly Government to allocate additional funding 2. Assembly Government to ensure that information on the success of grant 	<ol style="list-style-type: none"> 1. In next budget 2. As soon as possible 	Assembly Government

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	puts mechanisms in place to ensure timely information and guidance on the bidding process for targeted funds is provided to the health professionals working with this client group.		applications is communicated rapidly		
32	We recommend that in developing PLASC, the electronic educational records system, consideration be given to the requirements of mobile groups such as Gypsies and Travellers. Particular attention should be paid to definitions to ensure that they cover all the relevant groups of Gypsies and Travellers and consideration should also be given as to whether a PLASC reference can be given to children who are currently outside the school system.	Education	Assembly Government to consider while developing PLASC	As PLASC is being developed and rolled out	Assembly Government
33	We recommend that LEA's Education Strategic Plans should include detailed information on how they intend to meet the educational needs of Gypsies and Travellers in their area and how they will remove barriers to access and attainment.	Education	<ol style="list-style-type: none"> 1. Assembly Government to inform LEAs of need to include more detailed information 2. LEAs next plans to include this information 	<ol style="list-style-type: none"> 1. By summer recess 2003 2. When next plans are drawn up 	Assembly Government and LEAs
34	We recommend that the Assembly Government put in place mechanisms to monitor how effectively LEAs are meeting their statutory duty to educate Gypsy and Traveller children, for example by including consideration of the effectiveness of LEA provision in Estyn's remit for inspections of school and LEAs.	Education	<ol style="list-style-type: none"> 1. Assembly Government to ask Estyn to examine LEAs provision for Gypsies and Travellers 2. Assembly Government to consider what additional action might be needed in the light of Estyn's reports 	<ol style="list-style-type: none"> 1. By summer recess 2003 2. Once Estyn have submitted enough reports to give a reasonable overview 	Assembly Government and Estyn
35	We recommend that the Assembly Government's Education department updates circular 52/90 on meeting the Education needs of Travellers to cover existing best practice in Gypsy and Traveller education. The revised circular should be drawn up in consultation with service providers and Gypsies and Travellers.	Education	Assembly Government to update circular	By end of 2003	Assembly Government in consultation with LEAs and Gypsies and Travellers
36	We recommend that the funding available for the section 488 Grant be increased to enable support for specialist 'Traveller Education Services' or similar in all LEAs with a Gypsy and Traveller population.	Education	Assembly Government to increase funding available	In next budget	Assembly Government
37	We recommend that schools with Gypsy-Traveller living within their catchment area should be given targets for access, continuing attendance and attainment by Gypsy-Travellers	Education	Assembly Government to set targets for schools	By end of 2003	Assembly Government

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	pupils.				
38	We recommend that schools should ensure that their anti-bullying and anti-racism strategies include specific reference to Gypsies and Travellers.	Education	<ol style="list-style-type: none"> 1. Assembly Government to inform school of this requirement 2. Schools to ensure revised strategies are in place 	<ol style="list-style-type: none"> 1. By start of autumn term 2003 2. By March 2004 	Assembly Government and schools
39	We recommend that the training provided to teachers and other staff in schools must include guidance on removing barriers to Gypsies and Travellers accessing education. This should begin at the teacher training stage and be part of the continuous professional development of staff.	Education	<ol style="list-style-type: none"> 1. Assembly Government to issue guidance 2. Teachers and other staff to receive training 	<ol style="list-style-type: none"> 1. By end of 2003 2. Training to start by beginning of 2004 at the latest and then ongoing 	Assembly Government, LEAs an schools
40	We recommend that the guidance referred to in Recommendation 35 should include advice on additional homework support for Gypsy and Traveller children.	Education	Suggested action same as recommendation 35	Suggested timing the same as recommendation 35	Assembly Government in consultation with LEAs and Gypsies and Travellers
41	We recommend that schools review their curriculum, lesson plans and course material to ensure that it is relevant to Gypsy-Traveller pupils and, where appropriate, it draws on examples from Gypsy-Traveller culture.	Education	<ol style="list-style-type: none"> 1. Assembly Government to prepare guidance, in consultation with service providers, on ensuring curriculum materials are relevant 2. Schools to review curriculum materials and make changes as necessary 	<ol style="list-style-type: none"> 1. By end 2003 2. By end of March 2004 	Assembly Government, service providers and schools
42	We recommend that the Assembly Government should ensure that any activity to review the National Curriculum to tackle racism and promote tolerance includes specific consideration of Gypsies and Travellers.	Education	Assembly Government to ensure that any review of the curriculum to tackle racism includes consideration of Gypsies and Travellers	As any review takes place	Assembly Government
43	We recommend that the Assembly Government consider making provision for additional flexibility in the National Curriculum at key stages 2, 3 and 4 to meet the needs of Gypsy and Traveller children.	Education	<ol style="list-style-type: none"> 1. Education and Lifelong Learning Committee to consider additional flexibility in curriculum 2. Assembly Government to consider and implement 	<ol style="list-style-type: none"> 1. By end of 2003 2. During review of curriculum 	Education and Lifelong Learning Committee and Assembly Government
44	We recommend that the Assembly Government pays particular attention to transition between primary and secondary education and that additional support is made available to Gypsy and Traveller pupils to enable them to make the transition effectively.	Education	Assembly Government to come forward with a strategy for additional support at transition, developed in consultation with service providers	By end of 2003	Assembly Government in consultation with service providers
45	We recommend that the Assembly Government ensures that any proposed system for transfer of pupils and data-sharing takes account of the situation of Gypsy-Traveller pupils.	Education	Assembly Government to ensure that the development of these systems takes account of the specific requirements of Gypsies and Travellers	As the new system is developed	Assembly Government
46	We recommend that schools should aim to	Education	Schools should develop these programmes	During 2003	Schools

No.	Recommendation	Subject area	Suggested action	Timing	Agent
	make learning relevant to the whole family through the development of supported literacy groups etc.				
47	We recommend that schools actively encourage family members' involvement in the life of the school, for example involvement in Parent Teacher Associations/ Boards of Governors or by offering opportunities to work as teaching assistants.	Education	<ol style="list-style-type: none"> 1. Assembly Government to provide guidance on how parents can be involved in the life of the school, drawing on existing good practice 2. Schools to implement 	<ol style="list-style-type: none"> 1. Guidance to be issued by end of 2003 2. Schools to implement during 	Assembly Government and schools
48	We recommend that consideration be given to the role of education in schools, at home and via distance learning and that having done so the guidance on education otherwise than at school is revised to ensure that its provisions are being applied appropriately.	Education	Assembly Government to review application of education otherwise than at school provision	Review to start by summer recess 2003	Assembly Government
49	We recommend that multi-agency groups should be set up in every local authority area. These should include representatives of all the bodies with an interest in providing services to Gypsies and Travellers, for example representatives from health, education, social care, planning, site management and so on. Every effort should be made to involve local Gypsies and Travellers in the work of those groups to ensure their voices are heard.	All	Assembly Government to encourage the establishment of multi-agency groups, via the structures supporting the All-Wales Co-ordinator (see recommendation 50 below)	See recommendation 50 below	Assembly Government to encourage and groups to be set up at local level
50	We recommend that the Assembly Government appoint an All Wales Co-ordinator to champion the views and needs of Gypsies and Travellers and drive forward service provision, working with Traveller Education Service staff, Gypsy Liaison Officers and other service providers and advocates for Gypsies and Travellers.	All	<ol style="list-style-type: none"> 1. Assembly Government bring proposals to Equality of Opportunity Committee for discussion 2. All-Wales Co-ordinator to be established 	<ol style="list-style-type: none"> 1. Proposals to Committee during autumn term 2003 2. To be established by June 2004 	Assembly Government and Equality of opportunity Committee
51	We recommend that special effort be made to ensure that specialist workers, in the sites management, health and education fields, do not become isolated from other colleagues and that they are given adequate support and training and career development opportunities.	All	Assembly Government to discuss with service providers ways to combat isolation and then implement these ideas	Discussions to start before summer recess 2003 and to be implemented by March 2004	Assembly Government and service providers
52	We recommend that longer term funding, i.e. for more than one year, should be made available to support service provision.	All	Assembly Government to report to Equality of Opportunity Committee on how this might be done	Report for Committee meeting in autumn term 2003	Assembly Government and Equality of Opportunity Committee

Survey of local authorities - information about local authority sites

The Survey was sent out to all Local Authorities in Wales in January 2003. Replies were received from almost half the local authorities in Wales: Bridgend; Cardiff; Carmarthenshire; Caerphilly; Gwynedd; Merthyr Tydfil; Monmouthshire; Neath Port Talbot; Swansea; Torfaen and Wrexham

There are 25 sites identified in total, of that:

- 9 unauthorised sites with a total of at least 10 pitches, and 48 travellers
- 6 Local Authority contracted out sites with 104 pitches.
- 5 Local Authority run sites with 133 pitches.
- 5 Privately run sites with at least 46 pitches.

Details about individual sites are given overleaf

Table 3: Facilities on Local Authority Gypsy and Traveller Sites

Facilities	Llandygai Bangor Gwynedd	Glynmil Park Merythyr Tydfil	Wharf Road Briton Ferry Neath	Wharf Road Briton Ferry Neath	Cae Gaww Caravan Site Pyle	Shirenewton Site Wentloog Road Nr Rumney, Cardiff	Rover Way Docks Cardiff
Age of Site	1980's	1980's	Not Given	Not Given	Not Given	1990's	1980's
Community Hall	No	No	No	No	No	Yes	No
Boundary fences/walls for pitches	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Electric with a meter for each pitch	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Gas with a meter for each pitch	No	No	No	No	No	No	No
Water with a meter for each pitch	Yes	No	Yes	Yes	Yes	Yes (1)	Yes (1)
Green communal space	No	Yes	No	No	No	No	No
Green space for each pitch	No	No	No	No	No	Yes	No
Horse tethers within the site	No	No	No	No	No	No	No
Individual pitch wash rooms	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Playground facilities for children	Yes	No	No	No	No	No	No
Permission for work/business activities	No	No	No	No	No	No	No

Source: Equal Opportunities Committee, Gypsy Traveller Survey

(1) Water but not with a meter for each pitch

Table 3: Facilities on Local Authority Gypsy and Traveller Sites (cont.)

	Shepherds Hill Race, Pontypool Torfaen	Tygwyn Road Llansamlet Swansea	Pen-y-Bryn Bynea, Llanelli Carmarthenshire	Ruthin Road Wrexham
Age of Site	1970's	1980's	1990's	1980's
Community Hall	No	No	No	No
Boundary fences/walls for pitches	Yes	Yes	Yes	Yes
Electric with a meter for each pitch	Yes	Yes	Yes	Yes
Gas with a meter for each pitch	Yes	No	No	No
Water with a meter for each pitch	Yes	Yes	Yes	Yes (1)
Green communal space	No	No	Yes	No
Green space for each pitch	No	No	No	No
Horse tethers within the site	No	No	No	No
Individual pitch wash rooms	No	Yes	Yes	Yes
Playground facilities for children	No	No	No	No (2)
Permission for work/business activities	No	Yes	No	No

Source: Equal Opportunities Committee,
Gypsy Traveller Survey

(1) Two main meters for the whole site

(2) Destroyed by fire