Gypsy Traveller encampments are a relatively small feature of policing in Scotland. However, we know that they can cause high levels of concern to members of the public who are not part of the Gypsy Traveller community and have a disproportionate call on police resources.

This is not said to minimise the importance or significance of the Gypsy Traveller community in Scotland but to draw attention to the fact that this group can be excluded from mainstream public life and society in Scotland, and can, as a result, have greater negative involvement with the Police Service than with any other public sector service provider.

More generally, the public perception of the communities is negative and tainted by criminal connotations which do not always have a solid foundation in fact.

In 2010 the Equality and Human Rights Commission (EHRC) produced information about the reality of lives for people from the Gypsy Traveller communities in Scotland. It is clear that they suffer discrimination and disadvantage in access to health, education, and housing provision. This was a welcome addition to the available information available on the Gypsy Traveller community in Scotland, but, although published in 2010 it referred to data most recently from four years before. It is striking that there is a lack of accurate up-to-date data about the Gypsy Traveller community.

We note that members of the Gypsy Traveller community have a life expectancy of about 55 years whereas in Scotland as a whole women live, on average, into their early 80s, and men until they are about 75. This is unacceptable for any community living in Scotland in the 21st century.

We also note that the Equal Opportunities Committee undertook an extensive inquiry into Gypsy Travellers and Public Sector Policies in 2001 and made a total of 37 recommendations for action and to improve the service delivery provisions of public sector organisations to people from the Gypsy/Traveller communities.

The Inquiry made reference to the concerns expressed by Gypsy Travellers, voluntary and statutory agencies about policing, in particular:

- frequent site visits for checks on vehicles and property;
- lack of awareness of Gypsy Traveller lifestyles and culture;
- complaints of intimidation and threatening attitudes during evictions.

Four of the Inquiry’s recommendations related to the Police Service; namely:

- **Recommendation 11**
  National good practice guidance for local authorities and police forces on the management of unauthorised camping should be developed, based on a clearly articulated national policy taking into account the Scottish legislative context and in consultation with all stakeholders.
• **Recommendation 34**
  Racial diversity strategies and training materials for the police and other relevant bodies in the criminal justice system should include reference to Gypsy Travellers as a separate ethnic group.

• **Recommendation 35**
  Schemes should be developed to promote the confidence of Gypsy Travellers in the police, whether contact relates to experiences as victims of crime, racial harassment or as suspected offenders:

• **Recommendation 36**
  Policing practices and arrangements should continue to be reviewed and specific monitoring of relations between Police and Gypsy Travellers relations established. Guidance should be provided for use by the Police in working with Gypsy Travellers, as:
  - victims of crime, including racist incidents and harassment;
  - when evicting Gypsy Travellers from unauthorised camps;
  - to ensure that Gypsy Traveller communities are not over-policed.

Many elements of these recommendations were incorporated into new guidance published by the Association of Chief Police Officers in Scotland (ACPOS) in October 2011: The Management of Unauthorised Gypsy/Traveller Encampments. 

These guidelines were designed to complement policy and guidance produced by each Local Authority in Scotland.Whilst Local Authorities take a lead role in the response to unauthorised encampments, the role of the police is designed to be balanced and consistent, with the overriding principle of support for the Local Authority, to ensure that the peace is maintained. Unfortunately these guidelines are, of necessity, a response to potentially unlawful behaviour associated with Gypsy Traveller sites.

The EHRC noted that in spite of Scottish Government guidance stating that planning authorities must identify Gypsy Traveller sites, the number of all-year council-owned pitches for Gypsy Travellers in Scotland has declined from 560 in 2003 to 480 in 2006. This lack of provision of suitable sites for Gypsy Travellers in Scotland creates knock-on problems for the Police Service in Scotland, particularly in relation to informal or unauthorised encampments.

The Association of Scottish Police Superintendents (ASPS) is aware that few members of the Gypsy Traveller community report crimes that have been perpetrated against them. They can be victims of hate crime and racially aggravated crimes. There is likely to be domestic violence and child abuse, as in every community, that goes unreported.
Reports of crime are dependent on trust between the community and the Police Service, and it would be reasonable to say that this relationship has never properly developed between the police and this particular community. This situation can at least partly be attributed to the pressures which can be brought to bear on the police when Gypsy Travellers occupy land otherwise than at an authorised encampment. This is particularly so where privately owned land is involved. Landowners expect the police to take robust action to evict Gypsy Travellers; the more informed citing the Trespass (Scotland) Act 1865 in justification. ASPS is of the view that the wording of the Act is in conflict with the declared position of ACPOS in relation to Gypsy Travellers, that use of this legislation would not be supported by COPFS and that clarification of the on-going relevance of the statute would be helpful.

While it would be true to say that there are criminal groups within the Gypsy Traveller community which can present particular challenges for the police, we know that there are pockets of good practice: for example, there are officers tasked as Local Gypsy Traveller Liaison Officers in Lothian and Border Police who have established a positive relationship with Gypsy Traveller Groups around Edinburgh.

ASPS welcomes the decision of the Committee to consider further the reality of life for Gypsy Travellers in this inquiry into accommodation. We believe that this should build on the work of the 2001 Equal Opportunities Committee Report and recommendations. We are aware that although much has changed since then, there is much that is still outstanding. The Police Service can only do its part within a concerted plan of action by all public sector services.

**Going forward ASPS would like to see**

1. The provision of more Local Authority sites with better facilities for Gypsy Travellers in Scotland and better access to public services including health and education.

2. The development of more local liaison arrangements with the police and other statutory agencies with Gypsy Traveller Groups on established Local Authority maintained sites.

3. Regular publication of facts relating to the Gypsy Traveller community, including biographical information and the availability of public services for their use.

Carol Forfar
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Association of Scottish Police Superintendents
4 July 2012