



Provision of sites for Gypsy, Roma and Travellers

3 October 2024

I welcome this opportunity to provide information in relation to the Committee's inquiry into provision of sites for Gypsy, Roma and Traveller persons.

I have addressed each of the Committee's areas of interest as set out in their Terms of Reference, in the evidence paper below and I look forward to discussing further with the Committee on Thursday 3 October.

It may be helpful at the start of this evidence paper to outline the recent work on the Anti-Racist Wales Action plan which includes goals and actions related to Gypsy, Roma and Traveller People.

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1. Anti-racist Wales Action Plan

The Welsh Government is taking action to make Wales an Anti-racist nation. On 7 June 2022, the Welsh Government published the ‘Anti-Racist Wales Action Plan’ to tackle systemic and institutionalised racism.

The goals and actions in the plan cover policy areas across government, including, health, criminal justice, culture, homes and places, employability and skills, education as well as a focus on leadership and representation within Welsh Government and across public services. They ensure we will deliver meaningful actions and work towards our vision of making Wales an anti-racist nation by 2030.

The actions in relation to Gypsy Roma Travellers are outlined in **Annex A**.

The second iteration of the ArWAP will cover 2024-2026. Officials have been working with the Anti-racist Wales Action Plan (ArWAP) External Accountability Group (EAG) and Welsh Government’s Internal Support and Challenge Groups to refresh all cross-governmental goals and actions. The focus has been on refining existing goals and actions to strengthen implementation and measurement. The refreshed plan has been approved by EAG members and will be provided to Cabinet for approval in Autumn 2024.

In relation to those actions on Gypsy Roma and Travellers, officials held a workshop with stakeholders and community members to discuss the process of reviewing the actions in May 2024. The feedback received from community members suggested that the language and specific actions to be taken needed to be clearer. The actions relating to Gypsy, Roma and Traveller people were revised accordingly and agreed by the External Accountability Group in July 2024. The refreshed actions will be shared with the committee once they are published.

2. Engagement with the Gypsy and Traveller community in Wales.

Gypsies, Roma and Travellers are amongst the most marginalised groups in our society. We know these groups often experience discrimination, inequality and a lack of opportunities. We want to ensure that members of these communities have the opportunity to fully participate in policy decisions that affect them.

One of the ArWAP actions is to have regular meetings with Gypsy, Roma and Traveller people and stakeholders to inform Welsh Government policy. Whilst there is Gypsy, Roma and Traveller representation in the ArWAP groups and in the Wales Race Forum, we are establishing a specific Gypsy, Roma and Traveller Group consisting of community members, local authorities and key Welsh Government officials. This gives community members the opportunity to share their lived experiences and inform our policy decisions.

We will procure a third sector organisation to help us facilitate community engagement on a number of Welsh Government External Guidance documents including:

- Managing Gypsy and Traveller Sites in Wales;
- Designing Gypsy and Traveller Sites;
- Guidance on Managing Unauthorised Camping 2013;
- Undertaking Gypsy Traveller Accommodation Assessments; and
- The Police Forces Protocols on Managing Unauthorised Encampments.

We have awarded a new 3-year advice and advocacy contract to provide support to families, from September 2024. This will help provide support to Gypsy, Roma and Traveller community members seeking advice in relation to their rights and provide advice and advocacy support to families on issues such as accommodation, sites, planning and accessing services. It also supports consultation networks and engagement groups within the community and helps ensure Welsh Government are aware of the site conditions and

lived experiences of nomadic housing needs across Wales, so at every stage of our policy thinking, we are listening to this community.

3. Gypsy and Traveller Accommodation Assessments (GTAA's).

The **Housing (Wales) Act 2014** requires every Local Authority in Wales to prepare a Gypsy and Traveller Accommodation Assessment (GTAA) and report on the need for additional Gypsy and Traveller pitches in their area, both permanent residential and temporary.

Section 101 and 102 of the Housing (Wales) Act 2014 places a duty on local authorities to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area and submit the report to the Welsh Ministers for approval of the authority's assessment. This is their GTAA. Section 103 of the Act places a duty on local authorities to meet those assessed needs. Local authorities are required to publish approved GTAA's on their websites.

All Welsh local authorities Cycle 2 (2016-2022) Gypsy Traveller Accommodation Assessments (GTAA's), have now been approved and local authorities notified. The next cycle of GTAA's will cover the period 2022 – 2027, and each Local Authority is required to submit a new GTAA by 24 February 2027. We want all accommodation needs identified in Cycle 2 to be addressed and evidenced in their Cycle 3 GTAA's.

All local authorities have been reminded that any existing approved GTAA remains valid until it is superseded by the next GTAA. This clarifies for local authorities that irrespective of whether the local authority has submitted a new GTAA for approval, they remain under a statutory duty to meet any outstanding need which has been identified in their existing approved GTAA up to the date the next GTAA is approved.

In April 2024, The Public Service Ombudsman for Wales published a report in relation to an investigation into complaints by two families. The Welsh Government accepted and all six recommendations of the report from the Public Services Ombudsman, and all have now been implemented. We have committed to review the GTAA guidance within this

financial year, taking learning from GTAA Cycles 1 and 2. Setting out a plan for this was the final recommendation from the report.

In addition to the recommendations, Welsh Government have been working with the local authorities to ensure the problems identified in the report are resolved for the families concerned. More broadly, we have now set up a rolling programme of monitoring with local authorities.

4. Provision of Gypsy and Traveller residential and transit sites across Wales

The Anti-racist Wales Action Plan sets out how we will address the barriers to new and better-quality pitches, and work alongside both local authorities and residents, to provide suitable and sufficient pitches to those who need them.

To improve the quality of public local authority run sites for Gypsy, Roma and Traveller families, £3.44 million is available for the Gypsy and Traveller Sites Capital Grant in 2024-25. Local authorities can use the grant to support site development, refurbish existing accommodation, construct new pitches and improve the sustainability of sites for residents, including other capital expenditure related to improving sites as well as fund either residential sites or transit provision across Wales. This year we revised the scope of the grant in response to feedback from local authorities, to include land purchase where needed and also to explicitly enable awards for work on transit sites, which had been unclear previously.

Local authorities have been proactively encouraged to submit applications for 2024/25. The funding allocated to these projects will support Local Authorities to meet the need identified in their GTAAs, providing sites and pitches within a safe and secure environment whilst improving accessibility, energy efficiency, digital inclusion and improving well-being in the community for residents. As of 5 September 2024, we have made 10 awards totalling £2.49m, to 5 local authorities. Further applications have been received and are being considered.

Some families wish to reside on their own private sites. We know that families can sometimes be sold land that is unsuitable and unlikely to receive planning permission, for a range of reasons. As part of the ArWAP, Welsh Government will be procuring a pilot programme to provide independent and professional advice on all planning matters to families, wishing to purchase land for private sites.

Another ArWAP action is to work with Gypsy, Roma and Traveller community members, local authorities and others to provide appropriate transit provision. Feedback from local authorities indicates that a national evidence base is needed to understand movement of Gypsies and Travellers both in and out of Wales and in and out of local authority boundaries. Welsh Government will start the process to procure this work in this financial year from an organisation who can work with the community and make recommendations about the most appropriate location for transit provision across Wales. We continue to discuss suitable approaches to meeting transit needs with local authorities and where approaches are being piloted we will share examples to inform thinking.

Gypsy and Traveller communities pay high rates for fuel, particularly local authority site residents, because their sites are classed as commercial premises and can pay higher rates. Caravans also have limited options for sustainability and are costly to heat. Some families rely on expensive gas bottles. In 2023-24, Welsh Government funded £290k for a package of winter fuel support to the Gypsy, Roma and Traveller community, which provided support to 332 families across local authority sites. A similar winter fuel programme for 2024-25 is in development to be available for the coming winter months.

5. Crime and Justice.

Criminal justice and policing is reserved to the UK Government. However, policing interfaces with a range of devolved areas and we work in a collaborative way with Policing in Wales to support Welsh communities and prevent crime.

The Police, Crime, Sentencing and Courts Act 2022 ("the Act") applies equally to Wales and England. The Act, which was passed by the previous UK Government before the 2024 general election, created a new offence for England and Wales and an accompanying power for the police to seize property (including vehicles) where individuals reside or intend to reside on land with a vehicle. We have been working with policing partners to ensure any potential negative impact on Gypsy and Traveller communities in Wales is limited.

We are concerned about this approach. During the passage of the Act Welsh Ministers repeatedly raised concerns directly to the then UK Government about the provisions and asked them to reconsider the approach. In these exchanges we highlighted that Gypsies and Travellers are an ethnic minority who have been part of Welsh life and history for many hundreds of years. The Welsh Government fundamentally oppose the criminalisation of the Gypsy and Traveller communities. We would prefer to focus on engagement with communities, investment for adequate provision of authorised sites and enabling local authorities to meet residential and transit accommodation needs.

The National Police Chiefs Council have published operational guidance relating to the offence, which emphasises:

1. Police officers must consider their obligations under the Human Rights Act, the Equalities Act, and the Public Sector Equality Duty in their approach to the offence and related power.
2. Any response should be a multi-agency effort, led by the relevant Local Authority and supported by the police.
3. There must be 'significant' disruption or damage before the new offence is committed, so the offence should not be pursued unless significant disruption or damage has taken place.

Now the Act has passed, creating the new offence and power to seize property, it is for individual police forces to decide how to enforce the offence and use the power locally. Chief Constables have operational autonomy over how they deliver the strategic priorities set by Police and Crime Commissioners. We have been encouraging policing partners to take an approach which avoids criminalising Gypsy and Traveller people wherever possible.

Work is ongoing with partners, including Policing in Wales, the Welsh Local Government Association and the Wales Safer Communities Network on protocols for how the offence should be enforced in each area of Wales. The aim of this work is to embed a supportive, proportionate approach to working with Gypsy and Traveller communities across agencies in Wales which avoids criminalisation and supports the protected nomadic way of life which is so important for Gypsy and Traveller people.

We would like to ensure local authorities and police forces in Wales are empowered to take a preventative and supportive approach to unauthorised encampments which avoids criminal enforcement wherever possible.

We are exploring funding a Gypsy, Roma and Traveller stakeholder organisation to undertake facilitated engagement with Gypsy, Roma and Traveller community members to seek their views on the four police forces protocols and to raise the awareness amongst community members of the existence of the protocols in Wales.

The Criminal Justice Board for Wales published the [Criminal Justice Anti-racism Action Plan for Wales](#) in 2022. The Plan is jointly owned by Criminal Justice Board for Wales members including Policing in Wales, HM Courts and Tribunals Service, HM Prison and Probation Service, Crown Prosecution Service and Youth Justice Board and sets out seven cross-sector commitments to embed an anti-racist approach to criminal justice by 2030.

Delivery of the Plan is led by a Taskforce which reports directly into the overarching Criminal Justice Board for Wales and supported and scrutinised by an Independent Oversight and Advisory Panel composed of experts with lived experience of racism. Welsh Government is a member of the Taskforce and plays a 'critical friend' role in terms of the Plan's delivery.

The Plan specifically emphasises the need to listen to Gypsy and Traveller communities and to ensure it is delivered in a way which meets the needs of Gypsy and Traveller people alongside other ethnic groups and intersectional considerations.

Annex A

Anti-Racist Wales Action Plan

Leadership chapter	
Goal: To support the capacity and capability of leadership in the Black, Asian and Minority Ethnic peoples	Action: Commission a national training scheme for Welsh local authority housing options teams, and other relevant professionals, to improve the approach taken and support offered to community members seeking help for homelessness and accommodation issues by creating Gypsy and Traveller “champions” or “leads” in each local authority.
Homes and Places chapter	
Goal: To recognise that safe, culturally appropriate accommodation is necessary in order for individuals to flourish in other parts of their lives and to address the lack of site provision and poor quality of Gypsy and Traveller accommodation in Wales.	Action: Create a national network of transit provision to facilitate travelling life, with consideration for negotiated stopping, as appropriate.
	Action: Pilot additional or new ways of funding permanent provision.
	Action: Explore the potential for a mobile home rental scheme run through social housing in order to improve quality and cost of rental provision in Wales.
	Action: Capital requirement for mobile home rental pilot.
	Action: Provide learning and development support to Local Authority Elected Members on Gypsy, Roma and Traveller communities’ culture, needs and strengths. The specification for the service will be drawn up to ensure the support will go beyond awareness-raising and will include anti-racism.
	Action: Commission a three-year pilot programme to provide

	<p>independent, trusted advice to those seeking to develop private sites.</p> <p>Action: Review the current funding policy for Gypsy and Traveller sites and assess its effectiveness, with a view to piloting additional or new ways of funding site provision, including support for private sites.</p> <p>Action: Re-draft the Sites Guidance to ensure that the design and location needs of communities are better reflected in this document.</p> <p>Action: Ensure existing legal mechanisms are fully utilised to ensure compliance with existing legislation.</p>
<p>Goal: To continuously improve our policy-development processes to create anti-racist approaches to all aspects of policy creation.</p>	<p>Action: Continue to run a regular Gypsy, Roma and Traveller stakeholder meeting to inform Welsh Government actions and policymaking.</p>
<p>Goal: To ensure we engage with Black Asian Ethnic Minority communities and our services are delivered in a culturally competent and appropriate way</p>	<p>Action: Support to Black, Asian, and Minority Ethnic communities to access services, advice, and benefits</p>
<p>Crime and Justice chapter</p>	
<p>Goal: To tackle racism through building cohesive and integrated communities.</p>	<p>Action: Review “Managing Unauthorised Camping” to reflect changes to legislation since last reviewed and changes to be brought in under the forthcoming Police, Crime, Sentencing and Courts Bill.</p>
	<p>Action: Work with Policing in Wales on the enforcement of the clauses on unauthorised encampments in the Bill, to ensure that partners in Wales take a progressive and constructive approach to working with Gypsy and Traveller communities.</p>