

GRT 13

Ymgynghoriad ar ddarparu safleoedd ar gyfer cymunedau Sipsiwn, Roma a Theithwyr

Consultation on the provision of sites for Gypsy, Roma and Travellers

Ymateb gan: Bettina Hayles

Response from: Bettina Hayles

Inquiry evidence

My name is Bettina Hayles, and I am submitting this evidence as a member of the New Traveller community alongside evidence gained as a professional.

I have a first-class BSc honours degree in Health and Social Care Management and have trained as a social worker. In 2009 some members of the New Traveller community and myself devised, developed and delivered a constituted unincorporated project called ITAS - Independent (New) Traveller Advisory and Support based in Devon, UK.

ITAS's primary aim was to support the local New Traveller community; this was achieved by delivering initiatives and workshops that focussed on empowering New Travellers to help improve their welfare and wellbeing. ITAS worked collaboratively with local relevant Non-Government Organisations (NGO's) alongside statutory agencies.

A further role of ITAS was working in collaboration with Devon Equality Council to co - deliver training to statutory agencies. The aim of this training was to enable these agencies to have an understanding of the key issues that underpin and exacerbate the discrimination and marginalisation experienced by GRT communities and how in turn these aspects impact on the health, education, welfare and wellbeing of GRT and other nomadic communities and cultures

I left Devon in 2011 and moved to Wales, in 2014 myself and other members of nomadic communities set up a Community Interest Company (CIC) called The Off Grid Living Enterprise (TOGGLE), I was a director of TOGGLE. The prescribed geographical area of work undertaken was the border counties of England and Wales. TOGGLE's primary aim was to explore and support the options for setting up of off grid developments, including self-owned and managed traveller sites. In a response to unmet need there was also a welfare aspect to TOGGLE wherein I used my qualifications and experience to support New

Travellers within terms of their health and welfare. TOGGLE ceased in 2018.

I have recently commenced working in a voluntary capacity as an independent project consultant to GRT NGO projects and initiatives. I intend and aim to utilise my qualifications, skills and experiences to support GNO's that work with GRT communities with particular relevance to developing strategies and solutions that address issues that could arise from the PCSC Act.

Further to my previous professional remit with GRT communities I am in the process of writing a proposal for a PhD that researches the impact of the PCSC Act in relation to how it could compound and exacerbate the challenges GRT and monadic communities experience.

This evidence has been collated by means of qualitative and quantitative research that has been undertaken with members from the GRT communities and other nomadic cultures in Wales. Evidence was sourced from individuals, groups and families and utilised a range of communication methods including;

- face to face interviews,
- written testimonials
- social media surveys
- email and telephone interviews
- GRT led meetings
- evidence from organisations, projects and initiatives whose aim is to support and empower Gypsy, Roma Traveller (GRT) and other nomadic cultures.
- I have also included evidence and information from relevant reports, guidance and frameworks that have been undertaken by statutory agencies and NGO's. Where evidence from these sources is used I have ensured that it has been robustly scrutinised to ensure the information is correct and valid.

The responses within this evidence are an amalgamation of the input from the above sources and convey the views and concerns of upwards of over 200 members of GRT communities alongside the organisations that support them. I would like to highlight that the individual testimonials, and the majority of the individual evidence has been gathered mainly from the New Traveller (NT) community and other nomadic cultures. This included people who live in vans, boats and other dwellings that are not bricks and

mortar, although these people may not consider themselves as GRT the need for suitable places to live is as relevant.

GRT and other nomadic cultures have been identified, by means of robust research, as historically and currently experiencing discrimination, marginalisation, prejudice and racism. These factors impact directly on the quality of life for people from these cultures and there are real concerns regarding the health, welfare, education and employment of members of GRT and other nomadic communities, this marginalisation is greatly exacerbated if people have no safe place to reside. Evidence from such research has highlighted that there are vast areas of unmet and unrecognised need and crucially the PCSC Act could compound and exacerbate the challenges, problems and other negative factors that determine quality of life, health and wellbeing of the GRT and nomadic cultures

The statutory publications I have used to aid the research for this evidence are.

- The Housing (Wales) Act 2014
- Enabling GRT 2018
- Circular 005/2018
Planning for Gypsy, Traveller and Show people Sites
- <https://gov.wales/gypsy-and-traveller-caravan-count-january-2021-html>
- Draft WG Circular PLANNING FOR GYPSY, TRAVELLER AND SHOWPEOPLE SITES
- Stats Wales
- <https://gov.wales/sites/default/files/publications/2019-03/managing-gypsy-and-traveller-sites-in-wales.pdf>
- Mobile Homes Act (Wales) 2013.
- Travelling to a better future
- Gypsy count 2019.
- Designing Gypsy and Traveller sites Wales GOV.WALES 2019

1. Are Welsh local authorities and Gypsies, Roma and Travellers communities managing to work together successfully to:
a) identify sustainable residential and transit sites, and
b) discuss Gypsies, Roma and Travellers' accommodation needs?

1. it was strongly voiced, and with particular reference to the NT community that Local Authorities are not managing to work successfully with communities, either in terms of identifying sites or being supportive of or enabling the planning process for self-managed and private sites.

2. There is evidence of challenging problems that are faced when seeking planning permission for private sites, especially within the New Traveller culture. Within NT culture there is a high instance of striving to live as low impact life as possible, examples include being as self-sufficient as possible in terms of employment, energy and food production, providing low impact accommodation and initiating schemes that provide employment. It was strongly felt however that these positive aspects are not recognised when it comes to gaining planning for privately owned sites. The planning model laid out in the current Welsh frameworks for site provision and development does not take into account the diverse nature of sites that is required, neither are these positive, sustainable approaches recognised and taken into account when applying for planning

3. when land has been identified there is very often local opposition, a case of 'not in my back yard', whereby planning is blocked at a local level. There have been instances where racism towards GRT communities have been noted from local elected council members alongside concerns from the settled community or those who live in bricks and mortar

4. There are currently no transit sites in Wales for any culture of traveller, this factor was raised in several of the written testimonials I received, and the evidence concluded that the lack of transit sites impacts directly on GRT employment; travelling from one place to another is essential for many of the types of employment undertaken by GRT cultures – farm work and crop picking, making and selling of one's own work and working at events such as festivals and fairs.

5. It has been strongly suggested that a solution as to how LA's and GRT cultures can work together is that steering groups in each local authority are formulated. In practice these would ideally include and comprise members from the rich diversity of GRT cultures and ethnicities and relevant personnel from the LA departments. Each LA has different needs and issues, and these can only be identified by adopting a regional approach that is represented by all stakeholders.

6. Whilst undertaking this research I had testimonials relating to interactions between LA's and NT's that occurred during the first lockdown due to covid. There were several incidences of Local Authorities not only failing to support them, rather they were told to 'go home' – it was not recognised that their vehicles are their homes; due to there being no transit sites, or legal short-term stopping places the only option was to reside on land without planning permission which was then brought to the LA's attention and as stated they were simply told to move on.

7. There is a privately owned New Traveller site in Powys; gaining planning for this was an extremely long-drawn-out and very stressful process for those concerned. Planning was eventually granted but initially only granted for two-year periods at a time over a course of six years. Eventually the site gained planning permission and is an outstanding example of a self-run, supportive sustainable community, however the site was treated with hostility and opposed by the LA and from people from the local settled community.

8. Only a small percentage of land could be deemed suitable for sites within Wales. One of the challenges is that much land is privately owned and the persons owning the land do not want GRT communities to reside there. Further to this within certain counties of Wales there are large areas of land that is assessable to the public in the form of National Parks but therefore not be deemed suitable for site provision.

9. Many of the places that have traditionally been used for short-term stopping places such as green lanes, byways and common land is now inaccessible, has been blocked or closed off meaning that these traditionally stopping places have been lost. The reopening and unblocking of these places are a solution for short and medium term stopping places and sites.

10. Land that is identified and deemed suitable for site provision is very often in an area that is not suitable for healthy habitation due to pollution from roads, it is also often out of reach of local amenities such as schools and healthcare facilities without a car or other personal transport

2. Gypsy and Traveller Accommodation Assessments (GTAA's) are intended to assess the accommodation needs of the Gypsy, Roma and Traveller community. In your view, are Welsh local authorities as a whole, implementing, monitoring and reviewing GTAA's effectively?

1. Gaining statistics and therefore being able to undertake GTAA's can be problematic within GRT communities by the very nature of our culture, it is very challenging to get accurate statistics regarding how many members of GRT communities reside in Wales due to GRT families and individuals moving around. This is compounded if members of GRT communities are forced to be on unauthorised sites, due to lack of provision; these people are less likely to be included as will often strive to remain hidden for fear of eviction due to not having planning or permission to be there.

2. Due to the rising cost of living, a shortage of houses and rent increases, alongside people striving to live in a more sustainable ways there has been a dramatic upsurge of people either choosing or being forced to live in non-bricks and mortar accommodation. It would be unlikely that these people would be included in GTAA's as they either do not consider themselves as part of GRT culture, nor would they be aware such assessments take place as they are not linked into GRT networks and the organisations that support them. Many seek to find a way of living that they can afford. Such people need to be considered however in terms of sites and stopping places. The PCSC legislation will affect them in the same way as it does GRT as they are still going to need somewhere to live in their non bricks and mortar homes. Therefore, it suggests the number of people needing places to reside to be vastly higher than official figures suggest

3. The length of time between GTAA's is vast in terms of the changes that can happen societally and politically, for example –

the pandemic, changes to legislation and attitudes to how we live due to climate change

4. One size does not fit all – there are various dynamics that need to be considered when undertaking assessments as peoples' lifestyles – this can be due to cultural heritage or changes to their actual lives within individual family and communities are different and can be polarised. As these dynamics change so does need. Without constant updating of assessment processes – which is both lengthy and costly is very challenging to get anywhere near an accurate idea of the need for provision of sites and places for people to live in who do not live in bricks and mortar

5. New Travellers are the 'hidden of the hidden'. There are very few New travellers on LA authorised sites in Wales, there is a tendency to either be transitory due to work and or family commitments and are much more likely to be parked on a piece of land tucked out of the way either with or without permission. In these circumstances individuals and families can be reluctant to come forwards for a GTAA feeling it will serve no purpose as there are no sites and more critically can lead to eviction and losing the small shred of security of having somewhere to park up, albeit not wholly suitable and fit for purpose.

6 The actual number of Travellers is likely much higher than estimated or depicted in the Census numbers as many, even a majority of Travellers do not fill in surveys such as the Census due to distrust for the government and other groups of travelling people such as those calling themselves Vanlifers or Vandwellers do not consider themselves to be Travellers so also do not identify themselves as such in national surveys.

7. Although evidence from GTAA's suggests that there is no need for transit sites it can be seen that it is a 'catch 22' situation, when people are on the move and come and go from Wales, or around different regions within Wales they are difficult to locate so therefore are very often not included in the GTAA's

3. Does the current statutory and policy framework ensure sufficient culturally-appropriate Gypsy, Roma and Traveller residential and transit sites across Wales and within individual local authorities?

1. from the evidence I have obtained and submitted it can be seen that the framework is not working, as highlighted, there is a severe lack of sites let alone ensuring that they are culturally appropriate in terms of different cultures within the GRT community.

2. most authorised sites are predominantly near to urban populations, with scant provision in the more rural areas, where there are sites, they are often overcrowded, in a poor state of repair and do not allow room for families to live healthy lifestyles by lack of green and play areas within sites. Further to this a 'one size fits all' is adopted that does not consider individual or cultural need.

3. evidence gathered cited that it has been difficult to locate Gypsy and traveller liaison officers, and when they have there has generally not been positive outcomes or very helpful responses. This has resulted in a lack of face-to-face intervention and support and without this it is difficult to ascertain culturally appropriate need.

4. it was voiced that a strategy that could be adopted to ensure that site provision and the framework that exists delivers what it is designed to is the formulation GRT led monitoring initiatives. These could be developed to ensure that the existing frameworks and initiatives are fit for purpose. It was also highlighted that such initiatives would need that there needs flexibility to take into account the different cultural needs of the diverse range of GRT and nomadic communities.

5. Central government has adopted a stance that there is a need to build more houses, and this could be in part a solution to the lack of site provision. This would and has entailed forcing travelling people into bricks and mortar against their will and is in direct opposition to the lifestyle and culture of GRT communities. This creates fractured GRT communities and dissolves GRT community cohesion. When GRT communities and families become fractured there is loss of the support that living within a GRT community provides and this has a direct impact on health, welfare, education and employment.

4. What are the key challenges for Welsh local authorities, and the Welsh Government, in

providing suitable and sufficient accommodation sites for Gypsy, Roma and Traveller communities?

1. It was noted by many people I talked to that it feels hopeless even applying for a pitch as there are long waiting lists, some people and families have been on waiting lists for 20 years plus, this needs to be addressed and a range of site provision explored. Sites not only need to be culturally appropriate, but they also need to take into account varying ages, health needs and be suitable for people with disabilities

2. in a testimonial sent via social media it was noted that interactions with Local Authorities were a tick box exercise and their views had not been heard. there was no face-to-face intervention, even though this was requested as the individuals' needs were complex and could not be ascertained by simply filling in a form. They were further dismayed when they were told that they could apply but the reality of getting a pitch was very slim as there was such a long waiting list.

3. it was noted that although often viewed as problematic, due to the current housing crisis and the lack of social housing, for those who do not want to live in non-bricks and mortar allowing land to be used to reside on can be viewed as a solution

4. It is recognised that there is a need for different types of sites, dependant on the amount of time a person or family resides on them and that it is not as simple as residential and transient. These three levels are a) short stay, i.e., for a few days whilst passing through or visiting family etc, b) medium stay – transit for stays between a few days up to a few months and c) permanent residential sites. These three levels also need to be culturally appropriate for different GRT cultures and take into account the different needs of individuals and families residing on them.

5. Do you anticipate that when/if the UK Government's Police, Crime, Sentencing and Courts Bill comes into force there will be: a) specific challenges to overcome, and/or b) in certain locations in Wales, related to Gypsy, Roma and Traveller sites?

1. It has been ascertained that provision does not meet need, the new legislation is in direct conflict with the guidance which makes it clear that there is a duty to provide provision, how can enforcing the legislation fit into the framework? The PCSC Act, if enforced means that people can be moved on but there is nowhere to go

2. sudden and constant evictions cause a great deal of stress for those being evicted. Enacting the PCSC Act it will impact on LA's already stripped resources. If GRT individuals and families are moved on without welfare assessments being undertaken and their care needs that are not addressed this will cause further problems for LA's as they have a duty of care to all those who reside within their area

3. A multi-agency approach will be required in some circumstances if there are swift and sudden evictions, for example if there are children involved, vulnerable adults or people with health or disability issues.

4. if LA's make a GRT family homeless by enforcing the legislation that LA will then have a duty to house the family or individual. As noted, there is a shortage of social housing and enforcing the legislation will impact upon this by creating more homelessness. Enacting the legislation could also cause contention between people from the settled and GRT communities – there are a large volume of individuals and families within the settled community who need to and are waiting to be housed and if a GRT family was housed in social housing as a result of the legislation this means that a family from the settled community cannot be housed there.

5. The PCSC Act, by means of section four is criminalising trespass – therefore turning people who live and travel nomadically into criminals if they reside on land that they do not have permission or planning to be on. The legislation has been described as draconian as the Act enables harsh enforcement including people's homes and possessions being seized, fines imposed and possible prison sentences. The PCSC legislation will put more pressure on the police – who have stated that they consider current legislation adequate. The Act, if used will further stretch their limited resources even further.

6. Further arguments against the new laws are that what counts as private and public land includes car parks, lay-by's and disused and derelict land where no "owners" are being affected by those parked there. They literally leave no place left to park up but pay per night at

camp sites with legal authorisation for residential use. There are many problems with this,

- many camp sites will not allow members of the GRT community access them
- Camp sites are costly, and many people simply could not afford to reside on them
- There are often time limits imposed as to how long someone can stay on a camp site
- People use camp sites to go on holiday, it could cause contentions if people from GRT communities reside on them; they will in essence have their whole lives with them as opposed to what someone would take on holiday for a short stay on a camp site

7. What counts as damage, disruption and distress have been set at a very minimal level, if your presence distresses a local or passer-by, even though their own prejudices against people living in vehicles, that's enough to move you on. Similarly, if you have a bumper sticker or other sign that someone finds offensive, make noise such as playing music or talking loudly or make any smells (does this include using diesel heaters or wood burners or even cooking food? Only time will tell) the wording of these new laws suggests that makes you a criminal.

8. Most concerning of all is that you can be moved on or ultimately arrested and your vehicle seized because they deem that you may pose a future risk of causing damage, disruption or distress, i.e., you don't even have to do any of these things or have any intention of doing them to fall foul of the wording of the new laws.

9. If you're moved on you can't return to that park up spot for 12 months or you risk arrest and your vehicle being seized, meaning if you're moved on repeatedly from all potential park ups and need to remain in a local area for work, to access medical treatment and/or schooling for your kids you may find there's nowhere left for you to stay.

10. To be a "law abiding Traveller" under these new laws means living in perpetual motion always ready to move on, not upsetting any passers-by or locals even those who are already upset about your existence before you even park up, not making noises or smells or causing anything that can be deemed to be damage, which isn't as high a threshold as you'd think.

11. If you are deemed to have committed a criminal act they can seize your vehicle, i.e., your home, and all possessions within it and/or possessions deemed to belong to you, and even vehicles that aren't with you they believe you meant to bring onto the land, at the roadside and arrest you. They can obviously contact social services to take any children who now have their parent(s)/guardian(s) imprisoned and have just been made homeless. It may take a while for the case to be heard in court and they can keep your vehicle the entire time.

12. These new laws legalise the use of fear and intimidation tactics of loss of home and family to turn anyone living in a vehicle into a dispossessed minority culture who can be hounded out of every town by locals with metaphorical pitchforks. Thereby increasing tensions between the settled and nomadic populations

13. it will be difficult, due to the vagaries within the legislation to ensure that the new Act is being applied equitably in terms of using it alongside other existing legislation

14. there are some authorities within Wales where provision is very sparse, these tend to be rural areas, which is where many of the more hidden members of GRT cultures reside – therefore, with nowhere to go the new legislation could impact these areas disproportionately

6. Do you have any additional comments or observations about the provision of accommodation sites in Wales for Gypsy, Roma and Traveller communities?

1. This legislation could be turned around and seen as a changing point wherein in the current key issues are tackled and issues that have previously been overlooked are addressed
2. There are members from all the different GRT communities who have ideas of initiatives that could be set up to accommodate need that would be culturally appropriate and fit for purpose due to their being designed by the people who want to live there
3. Personal testimony from member of New traveller community. 'I have been a New Traveller for over 30 years of my life, for many years I was self-sustaining, lived an environmentally low impact life. Due to ill health, I was no longer able to live on my

own as I needed care. I telephoned my local Authority to enquire if I could go onto LA authorised site for New Travellers – I was told that none existed in my local authority (Powys), the only available option was to move into social housing. I feel I am using a resource that could be given to someone who wants to live in bricks and mortar - it is ironic that I have a totally adequate home on wheels but cannot live in it as there is nowhere for me to park it. This has had a severe impact on my mental health, I feel cut off from my culture and lifestyle and a burden to society

4. Thoughts and solutions.

- GRT and nomadic cultures, are rich in terms of self-reliance, supporting each other and sustainability – these are facets that are imbedded within the GRT and nomadic cultures. These facets, if adopted at a wider societal level could start to address some of the social problems that currently exist, it would be beneficial to see these aspects of GRT culture a positive reflection of a disempowered culture. There are values within these communities that embrace supporting themselves and their extended families each other - they have to offer we can see by the frameworks but there is intent in place we can see that there is funding put aside to address site provision and it has been noted by all people I have spoken to and from considering other evidence there is a real disparity between intention as regards policy framework and initiatives and delivery people ask what is the point of having these frameworks and policies initiatives in place if they are not in actor Don they are not worth words that written
- The irony of how GRT culture is so often negatively viewed by the settled community is that is that some of the solutions to the larger societal problems we face at the moment could start to be addressed by looking at how GRT and nomadic communities cohere into supportive networks. in the settled community many older and vulnerable people experience isolation, loneliness and feel unsupported, they are on their own and can feel a burden. This is not the case within GRT cultures, families look out for and after each other far more than in the settled community.
- more than ever in today's current climate of social inequalities and the cost of living Rising, lack of suitable

housing, a planet that is being over resourced and overused surely the way forwards is around encouraging and developing Communities that can be self-sustaining, self-reliant, use minimal resources and value community cohesion. GRT communities and other nomadic cultures are a beautiful prime classical example of these positive impacts can be achieved

- As an individual from the NT community, I am aware of and appreciate the vast abundance and range of rich skills, knowledge, ideas and experiences that when put together in the form of a community culture does not go towards meeting its own needs but alongside this the positive impact can be seen to ripple outwards and thus encourage these positive ideals.
- The best people to depict and define what actually works in terms of site provision and places to either stop or reside are best identified by those who will live on them – GRT communities are the experts on what is needed – therefore a bottom-up approach, if adopted would be far more likely to be fit for purpose
- regarding the new traveller community - we are a fractured community and many people from our community have been forced to move live in isolation, or illegally simply because there is nowhere to reside; the choice is either live illegally hidden away on a bit of land where you hope you won't get noticed or continually be on the move. Moving continually is hard work and draining, it disrupts children's education, impacts on health, both physical and mental (thus putting more pressure on already stretched and overloaded statutory bodies). Impacts on the ability to work and hold down employment, the impacts and consequences of having nowhere to legally reside and face continual eviction has many far-reaching consequences.
- authorities and statutory bodies need to be held to account they need to be seen to be following through with their promise of initiatives we need to build robust monitoring to make sure these initiatives going forwards this will only happen if we work together and the GRT community is listened to overall respected as the people who have the most knowledge and what is needed
- From the evidence I'm submitting it can be seen there are challenges and issues to address when considering how best to move forwards regarding where GRT and other

nomadic community live and reside. But solutions are being sought and viewed. There are frameworks and initiatives in place so one could ask what is the problem in finding the answers? To move forwards we have to consider the bigger picture as to why this is such a contentious area, we need education and awareness as to understand the rich culture and many positive aspects of GRT and nomadic lifestyles – we need to change the narrative and highlight what needs to be addressed before we can move forwards. To me, and many others this is simple and can be defined in one word – that word is RASISM.