

# Gypsies and Travellers

Under UK law, specifically the Race Relations Act 1976, English Romany Gypsies and Irish Travellers are recognised as ethnic minorities who have the right to protection under the law and to be protected from nuisance, harassment, discrimination and harm from others.

This right applies equally to gypsies and travellers, as it does to the settled community. Indeed, gypsies and travellers are at the very least protected from discrimination under the Race Relations Act and the Human Rights Act 1998.

Generally, local authorities have a responsibility to provide space for travellers to camp on permanent sites. However, it is against the law for travellers to occupy land which has not been designated for this purpose.

If a facility manager discovers an unofficial encampment on their property and wants to make use of their land, or simply to ask the travellers to move on, they may do this by agreement, or they may use the legal system. If the land is privately owned, it is not the local authority's responsibility for ending the occupation of the land by gypsies and travellers, it is the landowner's.

It is often best to initially speak to the travellers to find out how long they intend to occupy the land for and, if possible, try to reach an agreement for when they will move on. It can be helpful to contact the local authority for advice. Although the council can only apply for a court order if it owns the land, it may be able to offer advice on preventative measures or occasionally they may be able to find space on their permanent sites

In some limited circumstances, the police may be able to assist in moving gypsies and travellers on from a site using their legislative powers. However, occupying private or council-owned land is not a criminal offence, so they more usually advise landowners to take legal action instead.

The owner or tenant of the land can apply to a County Court to serve an order on the gypsies or travellers to leave the site by a given date. The process will take around ten days and there will be charge for the service of papers, legal and court fees. To ensure that the court order covers everyone occupying the land, it should state those occupying the land at that time and 'any others present' should move on.

*Information on dealing with illegal and unauthorized encampments is available from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)*