

The National Federation of Gypsy Liaison Groups - was formed to bring groups together to work for a common good. NFGLG was formed by four groups. Three are leading groups that had been around for numerous years. The East Anglia Gypsy Council, Derbyshire Gypsy Liaison Group and The British Committee on Romani Emancipation (BCRE). with the late Len Smith, it also encouraged the younger group Lincolnshire Gypsy Liaison Group as there is a need to encourage young and fledgling groups.

It has representative groups for each of the regions and Wales and it meets regularly through the year. It meets in Birmingham, which is central to the country so that no one group has more to travel. Travel expenses are paid for group members to attend which helps the groups that have no spare funding or no funding at all.

Originally it was formed to highlight some issues that had not been addressed the elder population and the disabled and Gypsy children being taken into care. After the Gypsy and Traveller Coalition disbanded it offered to hold forum meetings for the groups. It became a registered charity in 2009 and now works to strengthen its members in this 'credit crunch' time. This can be by NFGLG paying for conference places for under-funded groups to assisting the groups obtain good working practices a good bench mark for this is the PQASSO mark [planning quality Assurance for Small Organisations] Level 1 or 2. This can act at a safeguard as well as being useful, it assists the groups get in place everything that they should have like everyone else if we want equality we have to work to the same equal guidelines we are no different.

NFGLG holds a two day training course every year for the Gypsy and Traveller community group members This is taught by two leading barristers in the field of Gypsy and Traveller planning. Marc Willers and Timothy Jones and the leading solicitor in Gypsy and Traveller issues, Chris Johnson from the Community Law Partnership in Birmingham.

One of the Federation members has completed a module that included Charity law and this has been very useful. It can also obtain advice from LINKS a CVS that has supported and assisted the community for over 20 years.

Two Gypsy women Janie Codona and Shirley Barrat have become PQASSO mentors, which means that we have a community resource that can assist groups with their own capacity. We are very proud that Janie and Shirley have achieved this qualification and we will support Janie through her university degree for Community Development in any way we can. There has been a fixed focus on goals in this last two years and members of the community have achieved this for

them selves. Janie and Shirley can mentor all community groups and charities it is not refined just to be Gypsy groups, but the beauty of this is that Janie and Shirley can speak the language of the Gypsy Travellers and can get the whole idea of what PQASSO is about for the community.

In order to assist the Gypsy community in the UK there has to be firm foundations and rock solid groups so that no one person can suddenly put them selves forward as representative for the whole community, without the community knowing. We hope that there will be democratic election with regard for two representatives from the groups for European issues in the New Year; notice was given of this in the only magazine for the community Travellers Times.

The NFGLG works as a coordinating and strengthening group. It will assist its members to apply for funding without compromising or poaching on to other groups funding [unfortunately funding in UK is very much a lottery] We are concerned that member groups may lose their funding in the future.

NFGLG acts as a consultative body collectively for the groups as there is no one body that is actively doing that on behalf of the community that is Gypsy/Traveller led and has an all Gypsy /Traveller committee

It also has 8 trustees made up of Gypsy community members and individuals that have for many years worked to improve the situation of the community. This includes Arthur Ivaats OBE for education, 2 planning barristers Alan Masters and Timothy Jones alongside Parvin Dimani MBE who has put the issue of Gypsy and Traveller health on the agenda and worked with our late Len Smith an avid campaigner for our community. Four Gypsy people are co directors

Mr Peter Mercer MBE a co director is Chair of the group. Peter was responsible for obtaining in law that Romany Gypsy people are a recognised ethnic group. *CRE v Dutton* [1989] 1 All ER 306;] which held that the Mandla criteria¹ was proven

¹ *Mandla v Dowell-Lee* [1983] 2 AC 548 For a group to constitute an 'ethnic group' for the purposes of the 1976 Act it had to regard itself, and be regarded by others, as a distinct community by virtue of certain characteristics, two of which were essential. First it had to have a long shared history, of which the group was conscious as distinguishing it from other groups, and the memory of which it kept alive, and second it had to have a cultural tradition of its own, including family and social customs and manners, often but not necessarily associated with religious observance. In addition, the following characteristics could also be relevant, namely (a) either a common geographical origin or descent from a small number of common ancestors, (b) a common language, which did not necessarily have to be peculiar to the group, (c) a common literature peculiar to the group, (d) a common religion different from that of neighbouring groups or from the general community surrounding it, and (e) the characteristic of being a minority or being an oppressed or a dominant group within a larger community.

Because of this case the Irish Travellers also received ethnic status in 2000 followed by the Scots Gypsy Travellers in 2008.²

NFGLG insists on the proper legal channels, although legal challenge can be time consuming and costly, most of all in time as a resource This must be the way forward. There has not been any coordinated group that brings the Gypsy led groups together until the Federation was formed. It is now a registered charity and carries out the following aims.

The Aims of the Federation are:

1. To promote social inclusion for the public benefit by working with Gypsy and Traveller groups who are socially excluded and to relieve the needs of such people to assist them to integrate into society, in particular by:-
Providing a network group that encourages and enables members of the Gypsy and Traveller community to participate more effectively with the wider community.
Increasing, or co-ordinating, opportunities for members of the Gypsy and Traveller community to engage with service providers, to enable those providers to adapt services to better meet the needs of that community.
 2. To educate the public, for the benefit of the public, in the culture, life and traditions of the Gypsy and Traveller community.
- The federation aims to share good practice and encourages groups to work together

The Federation does not get involved with local consultation as this should be undertaken by the local groups, however it will apply to join as an interested party or make representations on a case that will make a strategic difference. It will assist any member group that asks for help and assistance.

The UK has had a change in government and the Secretary of State made some announcements that he will abolish the Regional Strategies [RS]³ and will also revoke the Gypsy and Traveller Planning circular. Circular 1/06 Planning for Gypsy and Travellers

² Respectively *O'Leary v Allied Domecq*, 29/8/2000, CL 950275 *K. MacLennan v Gypsy Traveller Education and Information Project S/132721/07* October 2008

³ <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmcomloc/writev/abolition/arss50.htm>

A leading House builder Cala Homes challenged the decision to revoke the RS s There are many people that have put a lot of time and effort into this planning policy and law. The Gypsy groups had worked hard on the Gypsy and Traveller Accommodation Needs Assessments⁴ where they were able and allowed to assist, this came about by an amendment on the Housing Act 2004 and is still law. The assessment figures were fed into the regional plan [Spatial Strategy] so if the RS is abolished then what would happen to these figures and where would they go?

Cala Homes challenged on the facts that the Secretary of State had gone beyond his powers that there was no Environmental Impact Assessment undertaken a requirement by law and we supported this argument with the fact that there has not been a Race Impact Assessment on the decision to abolish either.

NFGLG got in contact with Cala Homes and we sent in representation to support the argument we could not join as an interested party as there was the threat of the hearing being lengthened for time to consider our specific arguments but on the 22nd of October one of its members spent the day alongside Chris Johnson of the Community Law Partnership in the High Court in London. The decision of that case was good,⁵ however the Secretary of State made a statement that in other words the judgment did not matter as the Government still intends to abolish the Regional Strategies.⁶

We are waiting now regarding the further Judicial Review to this latest flouting on law.

The host agency to the Federation is the Derbyshire Gypsy Liaison Group, which is in its 23rd year. It has an all Gypsy committee bar 1 and it employs two Town and Country Planners⁷ on job share. These planners send in representations to every Core strategy document and Local Development Framework documents that is needed with regard to Gypsy and Traveller accommodation across the east and West Midlands, they have also made comment in the south East and the London Plan. The expertise of the planning casework from the DGLG office [which has never been funded in all the years DGLG has been undertaking

⁴ <http://www.communities.gov.uk/documents/housing/pdf/accommneedsassessments.pdf>

⁵ Eric Pickles, SoS at DCLG, acted unlawfully in scrapping the Regional Strategies for housing development, which also, included requirements for local authorities to identify and develop sites for Travellers and Gypsies. Mr Pickles had announced the decision to scrap the strategies under s79(6) of the Local Democracy Economic Development and Construction Act 2009. Access <http://www.bailii.org/ew/cases/EWHC/Admin/2010/2866.html>

⁶ SoS issued a letter to all local authorities telling them that the intention to revoke Regional Spatial Strategies (RSSs) should form a "material consideration" when determining applications, despite the High Court ruling that they had been illegally revoked. Cala Homes has issued a fresh JR.

⁷ Town and Country Planning Act came into force in 1947 The main requirement of the legislation was to establish that planning permission was required for land development; ownership alone no longer conferred the right to develop the land.

cases] means that we have an expert base to answer to all the consultations coming through from Communities and Local Government.

The beauty of NFGLG is that all the groups are totally independent of it but are supported by it. Traditionally in the UK there is no one group or one person that can purport to representing the Gypsy people we are too individual for that and that is the richness of the community so here there is a democracy. So far regarding the important issues of the day NFGLG has given evidence to the UK parliament on the issue of Localism it has consulted on the Mobile Homes Act and is at the moment consulting on the two new recent consultations New Planning Fees⁸ and New Homes Bonus and we are preparing for the proposed changes regarding the planning circular. This has started by sending all MPs copies of letters and a poster flier campaign⁹. Individuals and other groups are also sending the fliers.

Being aware of the relevant case law and using it to advantage means that NFGLG is achieving achievable outcomes and it is Gypsy led it is not dependent on the wider community although it welcomes the comments of its co workers and knowledge of its trustees, it works like a group should work. It is true that there has been a plethora of very well meaning people that have assisted the community for many years and they are Gaje and we thank them for it and will not attack them for it; however it is obvious that some do not understand the issues of 'gypsy status'¹⁰ that strikes at the heart of Gypsy politics and policies and there is a need for change, that is why there is a need to discuss and reflect the Gypsy view point especially around 'gypsy status' where a member of the community can become a non person and not a Gypsy for the purposes of planning law. Support groups cannot seem to grasp the injustices of this and some support groups seeing the life style as one of choice, this foggies the issues, it does not help it. However in order to get on we must engage and not look so inwardly on ourselves that we implode but the differences need laying on the table and need discussing, it cannot be avoided.

If we reflect back on the years the Gypsy community with their allies have achieved much and we have achieved it legally although the wheels of justice are slow.

⁸This consultation paper seeks views on proposed changes to the planning application fees regime which would decentralise responsibility for setting fees to local planning authorities. also proposes is to allow authorities to charge for resubmitted applications and to set higher fees for retrospective applications.

⁹ Attached as appendix letter to Caroline Spelman for poster see website www.dglg.org & www.nationalgypsytravellerfederation.org

¹⁰ Before planning permission for a Gypsy caravan site can be obtained, the applicant must establish that he or she falls within the statutory definition of Gypsy, that is, has 'gypsy status'. It is too complicated to cover in this paper and will be discussed in a later in depth paper. Traditional Gypsy people have an anger in their identity being eroded in this way.

At one time you could evict without checking on welfare / health enquires that was challenged and now that is not legal¹¹.

Community who own land have found that under the new circular it was working albeit temporary permissions [however DGLG has had good results on all of its temporary permissions with three this year becoming life permissions and this seems to be reflected in many areas] If its not broke we do not have to fix it. We need to be ready for what will come in its place.

NFGLG support small family sites and we believe that over the years this has been proven to work it aids integration [not assimilation] and the settled community get to know the Gypsy/ Traveller community.

Local authorities that do try to bring forward sites need to make sure that they are not over sized as when local authorities run these they come up against traditional differences of groups. It is far better to have two or three smaller sites that one large unmanageable one.

The issue of 'gypsy status' in some of the decisions however need addressing and we will continue to look at this issue.

We hope that the Europe wide network will assist in the future work that we have to do, that we will undertake legally and without putting any of the Gypsy or traditional Traveller community in danger. It is very easy for 'campaigners' from afar who are not from the community to give bad advice, wrong advice and ultimately cause the families to lose their home and end up with a prison sentence. When the legal road is exhausted you have to withdraw and try again along a different path.

The Gypsy Community must act legally, challenge legally and keep going until it wins the cultural right to live on wheels [not a right that can be taken away as is the present law] be included and integrated but not assimilated.

Remember the achievements and celebrate them more and share good practice. There has been a tremendous amount of work undertaken in the UK to improve Gypsy/ Traveller health which has seen some very good schemes for example local health trainers with some local groups for example the Canterbury Support Group and Leicestershire Gypsy Community with health visitor Lynne Hartwell have worked to obtain health support by members of the community. The PCTs¹²

¹¹ *Regina -v- Lincolnshire County Council Ex Parte Atkinson; Regina -v- Wealden District Council Ex Parte Wales and Others* (1995) 8 Admin LR 529

¹² Primary Care Trusts

have funded various health initiatives which have sought to improve mental health for example under the DRE [Delivering Race Equality in mental health] This is a scheme where the Community Development Worker should be from that community background DGLG has a CDW post and has undertaken a variety of initiatives. We do not know at the moment with the proposed disbanding of the PCTs what will be put in its place. We have also lost the very wonderful National Association of health Visitors for Gypsy and Traveller people. There is still a lot of work to be undertaken.

The Traveller Education Service is also being reduced to almost non- existence, which is a worry some Traveller Education Services are better than others but our warnings is “you do not miss it until it is gone” if the TES’s go, we lose some very dedicated people.

We want to promote education in schools about Gypsy and Traveller culture and we have this as a main goal at the moment to work on. The introduction of Gypsy Roma Traveller History Month in June has enabled many groups at Grassroots level hold exhibitions, do work in schools, it has encouraged the arts and music and we hope that we can find funding to further this initiative.

At this moment we wait with bated breath for the Cala Homes number 2 case¹³. Time consuming but we have a feeling worth waiting for with a couple of cases on the side lines waiting to go we would like to see a time when we are not waiting for anything.

Peter Mercer MBE
Siobhan Spencer MBE

Please e-mail at see attachment regarding the proposed new planning system and please note that this is no longer the address of NFGLG the phone number is correct. Contact can be through the website and the correct address.

www.nationalgypsytravellerfederation.org

¹³ Due to be heard 20th December 2010