

The Rt Hon Richard Benyon
Member of parliament for Newbury
House of Commons
London
SW1A 0AA

18 July 2018

Dear Rt Hon Benyon,

Thank you for your letter of 6 July 2018 regarding illegal traveller encampments.

As requested I attach the National Police Chief's Council (NPCC) Operational Advice on Unauthorised Encampments. You will see that the advice on the use of police powers is clear and explains the framework within which police officers should act, recognising the requirement to balance the needs of a range of interested parties. The decision to use police powers remains at the discretion of the senior officer present. His/her decision, however, should be made in accordance with the advice, and the grounds for any action or inaction fully recorded.

It is essential that the police response takes account of the issues of behaviour, whether criminal, anti-social or nuisance, in combination with the impact on the landowner and settled community rather than simply because encampments are present at a specific location. Police powers to evict people from unauthorised encampments do exist, as provided for by Sections 61 and 62 A-E of the Criminal Justice & Public Order Act 1994. These powers will be used where behaviour or conduct is considered to be inappropriate, or where the impact of an encampment on others is deemed unacceptable. This position is consistent with all other areas of enforcement within the community.

Forces should consider becoming involved in bringing about the prompt and lawful removal of unauthorised encampments, including the use of police powers under Section 61 or 62 A-E of the Criminal Justice & Public Order Act 1994 where :-

- local amenities are deprived to communities or there is significant impact on the environment
- there is local disruption to the economy
- there is other significant disruption to the local community or environment
- there is a danger to life
- there is a need to take preventative action



The Operational Advice has much more detail and examples of where the above criteria might apply.

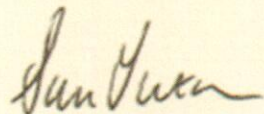
The key issue that drives the establishment of unauthorised encampments is the lack of accommodation for the Travelling communities. The shortage of suitable sites of all types for Gypsy and Traveller families to live on and access as they move around the country leads to groups setting up unauthorised encampments, thus creating the biggest single source of conflict between the Travelling and settled communities.

There are regional variations but there remains a shortage of Gypsy and Traveller sites nationwide, resulting in a minority of caravan dwelling Gypsies and Travellers living on unauthorised sites and effectively being homeless. Local Authorities have a fundamental role to play in both dealing with these encampments and, ideally, in preventing them from happening in the first place with proper site provision.

The Operational Advice is intended to help police officers respond to unauthorised encampments in a consistent way, balancing the human rights of Gypsies and Travellers, with those of landowners and the wider public. Working effectively with other agencies is also fundamentally important.'

I hope this is of assistance. Please do let me know if there is anything further I can assist with.

Yours sincerely



Chief Constable Sara Thornton
Chair, National Police Chiefs' Council

