

**PUBLIC PETITIONS COMMITTEE CONSIDERATION OF PE1364:
QUESTIONS ARISING FROM COMMITTEE MEETINGS**

Questions specifically for Perth and Kinross and Aberdeenshire Councils

- *Are you satisfied that guidelines used by the police and local authorities to manage unauthorised traveller camps such as "occupational travellers" on private land are clear, unambiguous and properly applied? If not, what are the issues that need to be addressed and by whom?*

Tayside Police and Perth and Kinross Council work closely together to ensure a sensitive and proportionate response to unauthorised encampments in Perth and Kinross whether they are sited on public or private land. A Joint Protocol for the Response to Unauthorised Encampments, produced by Tayside Police and Perth and Kinross Council in consultation with current ACPOS Guidance and Protocols, ensures that both parties have confidence in the clear actions both can take in the event of an unauthorised encampment.

In the event of an unauthorised encampment setting up on private land, Perth and Kinross Council, if asked for advice by the landowner, advises him/her of their responsibilities and Gypsy/Travellers' rights to ensure the encampment is properly managed and no discriminatory or racist actions are taken by the landowner. When staging a public event or entertainment 'occupational travellers' are obliged, under the Civic Government (Scotland) Act 1982, to apply for a Public Entertainment Licence through the Perth and Kinross Council Licensing Committee.

In the event of the unauthorised encampment setting up on private land in an unsuitable or sensitive area, i.e. too close to occupied buildings, machinery, electrical plant/pylons or setting up camp on or near public access and/or egress routes, etc. Perth and Kinross Council may advise the landowner/operator of the most reasonable method for engaging with the Travellers and persuading and ensuring the unauthorised encampment moves to a more suitable location.

Perth and Kinross Council responds immediately to unauthorised encampments and the ethnic origins of those occupying the site is not of primary concern. Each unauthorised encampment is managed in the same way and those occupying the site are treated the same way as Gypsy/Travellers, etc.

An issue which can cause problems when responding to unauthorised encampments is the expectations held by members of the public and the media, which may conflict with the Perth and Kinross Council and Tayside Police duty to responsibly address the Human Rights, Equalities and ethnic status of Gypsy/Travellers occupying unauthorised encampments in Perth and Kinross.

- *The concerns and experience of the petitioner and others in their situation is that local authorities and police forces do not step in for fear they could be accused of breaching a policy of non-harassment of ethnic groups. Is this not an indication that the legal definitions of and guidelines relating to the different groups of travellers could be clearer?*

Perth and Kinross Council does not differentiate between Gypsy/Travellers and other groups who set up unauthorised encampments in the Perth and Kinross area. All

persons occupying an unauthorised encampment are treated equitably and fairly with due deference to Human Rights, Equalities and the ethnic status of Travellers setting up unauthorised encampments in Perth and Kinross.

Tayside Police and Perth and Kinross Council have confidence in their Joint Protocol for Unauthorised Encampments which offers a structured response to unauthorised sites.

At this time, Perth and Kinross Council, is clear on the legal definitions and guidelines relating to different groups of Travellers.

- *Do "occupational travellers" benefit from the same protection afforded to Gypsies travellers?*

Unauthorised encampments are managed in exactly the same way by Perth and Kinross Council without the requirement to define whether the people occupying the encampment are Gypsy/Travellers or any other ethnic group. In addition, occupational travellers, when staging a public event or entertainment are obliged, under the Civic Government (Scotland) Act 1982, to apply for a Public Entertainment Licence through the Perth and Kinross Council Licensing Committee.