



**TAYSIDE POLICE**  
*Making a Difference*

# TAYSIDE POLICE

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Justine Curran • Chief Constable

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Date:	01 February 2011

**Franck David**  
**Assistant Clerk to the Public Petitions Committee**  
**Scottish Parliament**  
**EDINBURGH**  
**EH99 1SP**

Dear Mr David,

## **PETITION PE1364**

I refer to your letter dated 13th January 2011, relative to the above, and forward the following observations for your information and consideration.

In relation to the specific points highlighted in the EHRC response, I would respond on behalf of Tayside Police as follows:

1. ***'The Commission feels that a network of halting sites across the North East, augmented by a network of permanent, properly resourced and managed sites would contribute greatly to easing the pressure of unlawful encampments in high profile areas.'*** I would agree with the view of the Commission, and would suggest that consultation with Gypsy/ Traveller representatives might assist with determining appropriate areas for the location of such halting/ permanent sites. There is a need to meet the accommodation requirements of the Gypsy/Traveller communities and by doing so; this is likely to reduce tensions which can occur between local residents/ business people and travellers on unauthorised encampments. As unauthorised encampments reduce in number there will be an associated reduction in Police and Local Authority resources which are required to respond to local community concerns/ complaints and this will benefit the Community as a whole. Tayside Police works closely with Local Authorities to support their work with Gypsy/ Travellers on their current permanent sites and this will continue with any future such developments.

## **HEADQUARTERS DIVISION**

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2. ***'We (EHRC) feel that for the avoidance of doubt, the scope of the intended application of the guidance should be clarified as in its current form (paragraph 2) its references to Occupational Travellers could be misinterpreted.'*** The current legal definitions relating to the different groups of Travellers are clear, however it might be of assistance if this was clarified within the Scottish Government guidelines or, as suggested by the EHRC, that the term is removed completely to avoid further confusion.

3. ***'Where there has been unauthorised encampment on a private landowner's land, local authorities can request that the Police intervene where criminal acts are believed to have been committed. We (EHRC) therefore feel that the guidance could be revised in this respect to reflect the full range of remedies available to different factors.'*** In relation to allegations of criminality, the Police response is clearly specified within the ACPOS guidance on this issue, which states that *'The Guidance is based on a presumption against prosecution and applies only to the physical occupation of land and does not give Gypsy/Travellers any other protection against contravention of statute or common law.'* When any allegation of criminality or anti-social behaviour is received by officers, as with any report those believed to be responsible are targeted individually, rather than targeting whole communities/ encampments.

I trust that this response is of assistance.

Yours sincerely

Jennifer Thornton  
Chief Inspector  
Force Representative on the ACPOS Gypsy/ Traveller Reference Group