



**Deprivation by Design:
The Systemic Failure to Protect
Gypsy, Roma and Traveller
Communities in England**

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Executive Summary

This report establishes that the profound inequality and deprivation experienced by Gypsy, Roma, and Traveller (GRT) communities on Local Authority-run sites in England is not an accident of policy but the predictable outcome of a legal and regulatory framework designed to marginalise. Insecure, poor-quality accommodation is a primary driver of the most severe health and educational inequalities in the UK.

The core finding is the creation of a two-tier housing system. Despite functioning as social housing, council-run GRT sites are explicitly excluded from the social housing regulatory regime. This denies residents the Decent Homes Standard, independent oversight from the Housing Ombudsman, and the protections of the Regulator of Social Housing. Instead, they are relegated to an ill-fitting Mobile Homes Act framework, where the council acts as both landlord and enforcement authority—a fundamental conflict of interest that renders rights theoretical.

The consequences are devastating: a mental health crisis with suicide rates up to seven times the national average, a life expectancy gap of 10–15 years, and systemic educational disruption. Comparisons with Scotland and Wales demonstrate that alternative, more equitable frameworks are possible. This report concludes that only fundamental legislative reform—either full integration into social housing law or the creation of a bespoke, equivalently powerful statutory framework—can dismantle this architecture of neglect and deliver housing justice.

1.0 Introduction: Beyond a Housing Issue—A Public Health Crisis

Insecure accommodation for Gypsy, Roma, and Traveller communities in England transcends a simple failure of housing policy. It constitutes a profound public health and social crisis with documented deadly consequences. While political and media discourse frequently focuses on unauthorised encampments, this report scrutinises the lived reality for families residing on authorised Local Authority sites.

Research unequivocally shows that the insecurity and poor quality of these sites are primary drivers of the starkest health inequalities in the UK. This report argues that these outcomes are not incidental but are engineered by a legal framework that

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systematically fails to protect GRT residents. We examine the architecture of this failure, its catastrophic impacts on health and education, and the viable pathways for structural reform, drawing instructive comparisons from devolved UK nations.

2.0 The Legal Architecture of Neglect: A Two-Tier System

The assumption that Local Authority-run Gypsy and Traveller sites are maintained to social housing standards is fundamentally incorrect. Their poor condition is a direct result of a legal design that places them in a regulatory vacuum.

2.1 Exclusion from Social Housing Law

The most significant structural issue is their legal exclusion from the social housing framework. Under the Housing and Regeneration Act 2008, "land occupied as a caravan site" is excluded from the definition of social housing.

This critical exclusion means residents are denied the application of the Decent Homes Standard, have no access to the Housing Ombudsman Service for independent complaint resolution, and are exempt from the oversight of the Regulator of Social Housing. Furthermore, their rights under key legislation like the Homes (Fitness for Human Habitation) Act 2018 remain uncertain. This creates an accountability vacuum where two households renting from the same council—one in a brick-built house and one on a site pitch—have entirely different and unequal sets of enforceable rights.

2.2 The Flawed Application of the Mobile Homes Act 1983

In lieu of social housing law, sites are primarily regulated under the Mobile Homes Act 1983, a statute originally designed for private park homes. This creates an insolvable conflict of interest. While the Act grants residents implied terms in pitch agreements covering security, fees, and site maintenance, the enforcement mechanism relies on the local authority's environmental health department. On a council-run site, the landlord (the council's housing department) and the enforcement body are, in effect, the same entity. This inherent conflict neuters the law's effectiveness, making legal rights largely theoretical for residents who lack the resources to challenge their own landlord in a tribunal.

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2.3 The Regulatory Vacuum and Differential Treatment

The law and its enforcement differ significantly for other types of caravan sites, highlighting the unique disadvantage faced by GRT sites. Private residential park homes, also under the Mobile Homes Act, benefit from stronger resident rights and clearer enforcement routes against a private landlord. Holiday or leisure sites, governed by the Caravan Sites and Control of Development Act 1960, operate under a commercial relationship where planning permission prohibits year-round residence. Local Authority Gypsy and Traveller sites, however, exist in a category of their own: they are not classified as social housing, their landlord is also their regulator, and they suffer from chronic under-investment and normalised disrepair due to the resulting enforcement vacuum.

2.4 The Barrier to Private Site Development

Seeking an alternative, many families attempt to develop their own private sites to escape poor council conditions. This path is legally fraught. Obtaining planning permission is a major hurdle, with applications frequently refused due to entrenched local opposition and restrictive green belt policies. Families who occupy their own land without permission face lengthy, costly enforcement action, including injunctions and eviction. This often leaves them with no choice but to remain trapped within the deteriorating and neglectful public site system.

3.0 The Human Cost: Impacts on Health, Education, and Wellbeing

The flawed legal framework translates directly into material deprivation, creating a vicious cycle that devastates lives.

3.1 Mental Health and Suicide: A Devastating Toll

The mental health crisis within GRT communities is severe and directly linked to the chronic stress of insecure living conditions, pervasive discrimination, and social exclusion. These communities face the highest suicide rates of any ethnic group in the UK; conservative estimates suggest the rate may be up to seven times higher than for the general population. Depression and anxiety are far more prevalent than in the wider population. This crisis is compounded by significant stigma around mental health—often described within communities as "bad

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nerves"—and a deep, historically rooted mistrust of mainstream services, which together create critical barriers to accessing timely and effective support.

3.2 Physical Health: The Impact of Site Conditions

Poor living conditions on both authorised and unauthorised sites have a direct, negative impact on physical health. Respiratory problems, such as chronic obstructive pulmonary disease (COPD) and asthma, are commonly reported and are frequently attributed to site locations near polluted industrial areas and inadequate environmental standards. High rates of other chronic conditions, including diabetes, cardiovascular disease, and infections, are linked to the broader determinants of poverty and systemic barriers to preventative healthcare. The cumulative effect of these burdens is a dramatically shorter life expectancy, with evidence indicating a gap of 10 to 15 years less than the national average.

3.3 Education: Barriers Created by Insecurity

Housing insecurity creates significant, systemic barriers to consistent education, severely affecting long-term life chances. Frequent evictions or forced site moves cause profound disruption to schooling. Furthermore, children from GRT communities face high levels of bullying and discrimination within schools, leading to disengagement and early dropout. The resulting low literacy and educational attainment in adolescence not only reduce future economic and social opportunities but also complicate navigating health, housing, and bureaucratic systems later in life—a cycle of disadvantage that perpetuates across generations.

3.4 The Vicious Cycle of Deprivation

These health and educational crises are not separate issues but interconnected outcomes of a single, systemic failure. The cycle begins with policy that creates insecurity through a severe shortage of authorised sites and laws that criminalise unauthorised encampments. This insecurity exacerbates poverty, social exclusion, and experiences of discrimination. Poor physical site conditions, such as a lack of clean water, sanitation, or safe utilities, pose direct health risks. Concurrently, the lack of a fixed address and profound distrust of authorities block

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access to GPs, mental health support, and consistent schooling. The inevitable result is delayed diagnoses, untreated conditions, severe educational gaps, and intensified mental distress, thereby reinforcing the initial disadvantage.

4.0 Lessons from the Devolved Nations: Alternative Frameworks

Devolution within the UK has allowed Scotland and Wales to create distinct legal and policy frameworks, providing a clear demonstration that England's failing model is a political and legislative choice, not an inevitability.

Scotland has adopted the most integrated and rights-based approach. There, Local Authority Gypsy/Traveller sites are legally classified as social housing. This fundamental integration means residents should, in theory, have access to the same protections, repair standards, and routes for redress (such as a housing ombudsman) as other social housing tenants. Policy is framed within mainstream housing and anti-poverty strategies.

Wales operates a statutory duty-based model. The Housing (Wales) Act 2014 places a legal duty on local authorities to assess the accommodation needs of Gypsies and Travellers through a Gypsy Traveller Accommodation Assessment (GTAA) and then to meet those identified needs. This is supported by government guidance promoting good practice, resident consultation, and routine maintenance.

In stark contrast, England's model remains the most restrictive. Governed by planning policy rather than housing law, it lacks any statutory duty to provide sites. Its focus is primarily on planning control and managing unauthorised development, with sites explicitly excluded from social housing regulation. This creates a clear spectrum across Britain: from England's conditional, enforcement-oriented provision, to Wales's duty-based model, and finally to Scotland's integrated, rights-based system.

5.0 Pathways to Reform: Dismantling the Architecture of Neglect

Meaningful reform must address the structural roots of inequality rather than proposing piecemeal improvements. Two clear legislative pathways exist to

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dismantle the current architecture of neglect.

5.1 Pathway A: Full Integration into Social Housing Law

The most direct route to equality is to bring Local Authority GRT sites within the existing social housing regulatory regime. This could be achieved by using regulation-making powers under Section 72 of the Housing and Regeneration Act 2008 to designate these sites as social housing. The direct results would be transformative: the application of the Decent Homes Standard (with a technical annex for pitches), guaranteed access to the Housing Ombudsman, proper oversight by the Regulator of Social Housing, and clear rights under the Homes (Fitness for Human Habitation) Act 2018.

5.2 Pathway B: A Bespoke, Equivalently Powerful Statute

If full integration is deemed politically or practically problematic, a new Gypsy and Traveller Sites (Rights and Standards) Act must be created to provide directly equivalent protections. The core requirements of such a bespoke statute would include: a legally enforceable Site Standards Code; a specialist Ombudsman or Tribunal with free, direct access for residents; independent national oversight for enforcement; and ring-fenced funding for maintenance and upgrades tied directly to compliance with standards.

Critically, both pathways must be accompanied by parallel work beyond legislation. This includes the development of culturally competent health and education services through tailored outreach, trust-building, and professional training, as well as supporting and funding community-led organisations that are often most effective at delivering trusted support and advocacy.

6.0 Conclusion

The deprivation experienced by Gypsy, Roma, and Traveller communities on Local Authority sites in England is a predictable output of legal design. The systematic exclusion of these sites from social housing law, combined with a fatally conflicted application of the Mobile Homes Act, has institutionalised a lower standard of protection and care for recognised ethnic minorities. This "deprivation by design" has

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documented deadly consequences, fuelling a mental health emergency, shortening lives, and blighting educational futures.

As the frameworks in Scotland and Wales demonstrate, alternative approaches that prioritise duty, integration, and rights are both possible and practicable. For organisations such as GaTEssex, the evidence is clear: the pursuit of housing justice requires nothing less than the fundamental recalibration of this legal architecture. Equality will remain elusive until GRT families are afforded the same standards, oversight, and enforceable rights as other residents renting from the state. The time for structural reform is now.