17.5.19

**London Gypsies and Travellers challenges “wide injunctions” in the High Court**

**Background information on the court case and why it was necessary**

Over the last two years 34 councils across England have obtained court injunction orders against unauthorised encampments of Gypsies and Travellers, giving them powers to fine, imprison or seize the property of Gypsies and Travellers if they continue to camp on open land. The number of injunctions has increased markedly since last summer.

In London, 14 borough councils have obtained temporary or permanent injunctions (see graphic at end of this release). The injunction orders apply to various pieces of land, particularly parks, commons and other open spaces but also to industrial land. In some cases, they specifically prohibit depositing waste on the site. The injunction orders are usually against “persons unknown”.

**LGT’s position**

London Gypsies and Travellers believes that borough-wide injunction orders do not offer a solution, and are a disproportionate and discriminatory response to the accommodation needs of Gypsies and Travellers. Because of the lack of caravan site provision for Gypsies and Travellers, the injunctions simply push them to stop on the roadside in other areas. Across London, just 10 new pitches have been built out of over 800 identified as needed in a study commissioned by the London boroughs in 2008 and there is no provision of transit sites or stopping places.

LGT is urging local authorities to support the alternative approach of negotiated stopping which has been proved to reduce costs to councils and improve the lives of Traveller families. It is a more humane response that many local residents are willing to support (more information at [www.negotiatedstopping.co.uk](http://www.negotiatedstopping.co.uk/)). LGT has been commissioned by the Greater London Authority to conduct research exploring the potential for a negotiated stopping approach across London (more information at [www.londongypsiesandtravellers.org.uk/news/2018/12/06/gla-funds-negotiated-stopping-research](http://www.londongypsiesandtravellers.org.uk/news/2018/12/06/gla-funds-negotiated-stopping-research/))

**The LGT legal challenge**

On 26th November London Gypsies and Travellers went to the High Court to try and stop the London Borough of Bromley from preventing people from camping on 171 parcels of land in the borough via in injunction order.

LGT was granted permission to “intervene” in the case of Bromley London Borough Council v Persons Unknown. A hearing took place on 15th May at the Royal Courts of Justice. The High Court decision could have a bearing on whether other local authorities are granted similar injunction orders.

“We asked the court to consider the lawfulness and proportionality of the injunction sought by Bromley,” said Debby Kennett, LGT’s CEO. “We are very pleased to have legal representation from the Community Law Partnership and Garden Court Chambers.”

“A number of local authorities are applying for or have obtained injunctions of a similar nature in their own areas. We are very concerned about the implications of such injunctions for nomadic Gypsies and Travellers. The injunctions against ‘persons unknown’ criminalise the traditional way of life for all Gypsies and Travellers living on roadside camps. There is a serious shortage of authorised sites and stopping places, meaning that many Gypsies and Travellers are forced onto unauthorised encampments with no other options.”

**The LGT legal team**

London Gypsies and Travellers has received pro-bono legal representation from [Garden Court Chambers](https://www.gardencourtchambers.co.uk/) (Twitter: @gardencourtlaw) and the [Community Law Partnership](http://www.communitylawpartnership.co.uk/) (Twitter: @clpsolicitors) for its High Court challenge. The legal team includes Marc Willers QC (Twitter: @mwillersqc), Tessa Buchanan (Twitter: @Tessa\_\_Buchanan) and Chris Johnson.

Further information about the High Court challenge, and why it was mounted, is available at: <https://www.travellerstimes.org.uk/features/using-sledgehammer-crack-nut>

Media enquiries: contact Simon Crompton at media@londongandt.org.uk

