



London Housing Panel

London Gypsies and Travellers: Seeking alternatives to evictions and injunctions

Many Gypsies and Travellers who live on the road, stopping where they can, don't do so out of choice. There simply aren't any other places for them to stay. Across London, just 10 new pitches for Travellers have been built on social rented sites since 2008, when over 800 are needed and there is no provision of transit sites or temporary stopping places. Continual evictions cause great hardship for families on the roadside – encouraging public prejudice, disrupting family life, threatening health and wellbeing, and preventing access to education, work and services.

Over the last three years, 38 local authorities across England have obtained wide injunction orders against 'persons unknown' stopping on public land, which disproportionately affect Gypsies and Travellers and their traditional way of life. In London 15 local authorities currently have injunction orders in place. People who breach these injunctions can be imprisoned, fined or have their assets seized.

Our initiative

London Gypsies and Travellers (LGT) was able to intervene in the case of Bromley council's injunction with pro-bono legal representation in the High Court. Given the potential risks for individuals and families to be involved in legal proceedings, this was the first time that a Judge heard legal arguments on behalf of Gypsy and Traveller communities, and it was a successful intervention. The Council subsequently appealed the ruling and LGT also intervened in the Court of Appeal hearing in December 2019 which was again successful. LGT ran a crowdfunding campaign to support with some of the legal costs.



The benefits and impact

The Court of Appeal ruling is a landmark judgment as it upholds the rights of Gypsies and Travellers to pursue a nomadic way of life and finds many flaws regarding wide injunction orders. Importantly, the Court of Appeal provides guidance to local authorities seeking a wide injunction. Such authorities should provide evidence showing what other suitable and secure alternative housing or transit sites are available. They should engage properly with the Gypsy and Traveller community and should assess what impact an injunction might have, considering the specific needs and vulnerability. Following the Court of Appeal judgment, LGT and other organisations working with Gypsy and Traveller communities

around the country have continued challenging these bans. A court hearing in January 2021 will scrutinise existing injunctions very carefully and might decide whether local authorities can pursue such disproportionate powers or not.

Positive alternatives and the way forward

In addition to advocating for more permanent site provision, LGT has been working with local authorities and the GLA to explore the potential for negotiated stopping approaches, through a piece of research that was published in December 2019. As opposed to evictions and criminalisation, negotiated stopping involves dialogue with roadside families, understanding their needs, agreeing stopping time on a suitable piece of land and making provision for basic facilities such as water, sanitation and waste collection

This work is particularly important during the current public health crisis, when roadside families are even more vulnerable. However, to take negotiated stopping forward across London effectively, there needs to be strong political leadership from the Mayor and councils, adequate resources and collaboration with other community groups to build the public support for an initiative that is proven to achieve better outcomes for families and also savings in public spending.