

Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

IN THE HIGH COURT OF JUSTICE

KINGS BENCH DIVISION

IN THE MATTER OF

SECTION 222 LOCAL GOVERNMENT ACT 1972 AND

SECTION 187B TOWN AND COUNTRY PLANNING ACT 1990

Claim Number: KB-2024-003315

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF RICHMOND**

Claimant

-and-

**1) PERSONS UNKNOWN FORMING AN UNAUTHORISED
ENCAMPMENT AND / OR OCCUPYING FOR
RESIDENTIAL PURPOSES (including temporary occupation)
WITH OR WITHOUT VEHICLES ON ANY OF THE 8 SITES
WITHIN THE LONDON BOROUGH OF
RICHMOND UPON THAMES
LISTED ON SCHEDULE 1 ATTACHED TO THIS CLAIM**

and

**2) PERSONS UNKNOWN DEPOSITING WASTE ON
ANY OF THE 8 SITES WITHIN THE LONDON BOROUGH
OF RICHMOND UPON THAMES
LISTED ON SCHEDULE 1 ATTACHED TO THIS CLAIM**

Defendants

and

LONDON GYPSIES AND TRAVELLERS

Intervener

SECOND WITNESS STATEMENT

OF DEBORAH JANE KENNETT

1. My name is Deborah Jane Kennett, CEO of London Gypsies and Travellers ("LGT"), of Mildmay Community Centre, Woodville Road, Mayville Estate, London N16 8NA. I make this statement in preparation for the hearing listed for 13 October 2026. Insofar as the facts and matters stated herein are within my own knowledge, they are true; insofar as they are not within my own knowledge, their source is indicated and I verily believe them to be true.

London Gypsies and Travellers' interest in wide injunction proceedings

2. I am the CEO of LGT. In my role I lead the strategy on engagement with Gypsies and Travellers living in London and those pursuing a nomadic way of life, and on communications with Local Authorities, the Greater London Authority and central government to advocate for the accommodation needs of Gypsies and Travellers to be met, including through the provision of permanent sites, temporary stopping places and approaches such as 'negotiated stopping'. In my statement for the hearing on 13th of February 2025, I explained how LGT had repeatedly engaged with Richmond Upon Thames council officers with regards to adopting a negotiated stopping approach. I presented LGT's 2020 letter to Richmond Council about the problems with injunction orders as exhibit DJK2.
3. I am concerned that since Richmond served the temporary injunction in November 2024, several other local authorities have followed suit: Havering, Rushmore, Basingstoke and Deane, and Test Valley, as far as LGT has been notified.

Barking & Dagenham still has its 'final' injunction in place from 2017. Since the Supreme Court's judgment in *Wolverhampton and others v London Gypsies and Travellers and others*, [2023] UKSC 47, LGT receives letters by email from local authorities or their lawyers, informing us of the new orders, apparently to conform with the requirement to notify persons unknown of the existence of the injunction. In many cases, I am in doubt as to whether the conditions have been fulfilled that make injunctions "an exceptional remedy, [and] a proportionate response to the unlawful activity to which it is directed," as required by the *Wolverhampton* judgment, para 225. However, LGT does not have the resources to examine and challenge every injunction as it comes in.

4. I am gravely concerned that the spirit of the *Wolverhampton* judgment has been completely ignored in the way local authorities have recently sought injunctions. LGT is ready to support constructive dialogue and co-operation, as recommended in the *Wolverhampton* judgement, para 203, which states: 'We have no doubt that local authorities, other responsible bodies and representatives of the gypsy and traveller communities would benefit from a dialogue and co-operation to understand their respective needs; the concerns of the local authorities, local charities, business and community groups and members of the public; and the resources available to the local authorities for deployment to meet the needs of these nomadic communities having regard to the wider obligations which the authorities must also discharge. In this way a **deeper level of trust** may be established and so facilitate and encourage a constructive approach to the implementation of proportionate solutions to the problems the nomadic communities continue to present, without immediate and expensive recourse to applications for injunctive relief or enforcement action.' LGT offers training to London's local authorities that supports their engagement with, and accommodation of, families living roadside. No local authority has requested that training since 2024. In the case of Richmond, the first communication we received about the wider injunction was notification by email on 20th December 2024, informing LGT that an interim order had been granted and the court hearing for final order was scheduled for 13th February 2025. I am not aware of any prior efforts by the council to seek constructive dialogue to understand the needs of

Gypsy and Traveller communities in Richmond or to seek to establish a 'deeper level of trust' (as set out in par 203 above) I therefore do not consider this approach by the council as constructive or proportionate.

Concerns about the lack of accommodation for nomadic families

5. In the wider London region, there are no permanently established transit sites where families pursuing a nomadic way of life in accordance with the Travelling culture, what we call 'roadside living', can rent communal pitches for short-term stays (stays up to three months). In counties that are near Richmond, there is only one transit site, in the Chichester area of West Sussex. There is no transit site in Surrey or Buckinghamshire, according to the local authorities' websites.

6. The 2025 London Gypsy and Traveller Accommodation Needs Assessment published by the Greater London Authority found that there is a minimum need for 87 transit pitches across London (see **Exhibit DJK3** pages 87-89 of the GTANA including figures for permanent pitches in Richmond and **Exhibit DJK4** pages 163 and 164 of the GTANA 2025 including a summary of need figures across London and negotiated stopping information). The provision of transit pitches and negotiated stopping sites across London over the next 10 years has recently been set out in the Mayor's draft London Plan which was published in July 2026. Policy HN4 Gypsy and Traveller Accommodation states under Plan-Making B 'LPAs should allocate a Gypsy or Traveller transit site and/or make provision for negotiated stopping. And under Implementation para 3.61 'an estimated 87 transit pitches are needed across London. Transit provision can comprise permanent transit sites or negotiated stopping arrangements. Which type of provision is most appropriated will depend on local circumstances' (see **Exhibit DJK5** Policy HN4 of the Draft London Plan).

7. The research and policy guidance that resulted from engagement with local authorities and with Gypsies and Travellers across London during 2019 came out as the report: "The potential for a negotiated stopping approach in London" which was published on 4th of December 2019. This report was presented as evidence

exhibit DJK1 attached to the Witness statement submitted for 13th of February 2025. 'Negotiated stopping' is an approach that builds on traditional ways of accommodating roadside living by landowners, such as councils, by making more formal arrangements with families on ad-hoc arrangements for shorter stays than those accommodated by transit pitches. Hannah Brown, Head of Housing Strategy for the Greater London Authority, by letter to LGT dated 9 July 2026 speaks to the report and the difficulties for Gypsies and Travellers, particularly those travelling, and recognised 'the urgent need for Gypsy and Traveller accommodation in London, including provision of both permanent and temporary stopping sites' (see **Exhibit DJK6** for this letter).

8. Enfield Council officially adopted a negotiated stopping policy in 2023, accommodating around 20 caravans during each summer month since then, in arrangements that have saved the Council substantial sums of money that would have otherwise been spent on eviction enforcement, according to Enfield's Gypsy, Roma, Travellers, Boater and Showman Lead Officer. Enfield Council prepared a presentation titled 'Enfield's Journey: How we have created opportunities for our Gypsy Roma Traveller Residents' for dissemination on 10 June 2026 on the occasion of the Local Government Chronicle Awards, where Enfield Council was shortlisted for an award for 'Diversity and Inclusion'. In the presentation, on the second slide, under the title 'Enfield is transforming GRT inclusion', it says: '£1.95m saved in enforcement costs: Since 2018, our Negotiated Stopping model, now shared with other Local Authorities and recognised by the GLA, has transformed our relationship with travelling communities and delivered measurable financial savings' (please see **Exhibit DJK7** for this slideshow, 2nd slide).
9. Kingston Upon Thames Council has proposed a Negotiated Stopping approach in their new local plan (Regulation 19), policy KH8, on 22 June 2026 (see **Exhibit DJK8**, Kingston Policy KH8). Elsewhere in England, Leeds has implemented negotiated stopping arrangements since 2009. Durham County Council implements negotiated stopping in the spring and summer since 2011¹. The

¹ Available at: <https://www.durham.gov.uk/article/18460/Temporary-Stop-Over-Areas> last accessed 19 August 2026

approach in Leeds was evaluated by our partner organisation Leeds GATE in 2016 and assessed independently by De Montfort University in 2017. Three local authorities in Scotland implemented negotiated stopping in 2019, and the process was evaluated in 2024². As indicated in that report, negotiated stopping was found to be successful in:

- (1) allowing medical checkups and treatment;
- (2) enabling children's access to schools;
- (3) managing waste, sanitation, hygiene with consequent improvements to health of Travelling families;
- (4) reducing complaints from local 'settled' residents;
- (5) reducing negative media coverage of Gypsy and Traveller ways of life; and
- (6) challenging negative stereotypes of Gypsies and Travellers, leading to support for inclusive policies.

Additionally, Neil Evans, then Leeds Council's Director of Housing, said in 2016 after 7 years of negotiated stopping: 'We were able to save well over £100,000 in legal and clean-up costs. Negotiated Stopping is a solution that's been proven to improve the lives of a group that can suffer enormously'³.

10. In applying negotiated stopping approaches, Enfield, Kingston, Leeds and other Councils are simply abiding by the advice of the National Police Chiefs' Council, which states: 'Where there are no authorised sites, and the authority reaches the view that the incident [roadside living] is not causing a level of damage, disruption or distress which cannot be effectively controlled, it should consider providing services, such as toilets, a refuse skip and a supply of drinking water at that site' as published on 27th of June 2022 in the document titled 'Operational Advice – Trespassing On Land Without Consent / Unauthorised Encampments' (please see

² Available at: <https://migrationscotland.org.uk/uploads/Negotiated%20Stopping%20evaluation%20-%20Final%20report%20FV.pdf> last accessed 19 August 2026

³ Available at <https://www.negotiatedstopping.co.uk/ns-explained> (quote in the middle of the page), last accessed 19 August 2026

Exhibit DJK9). Aside from Enfield and Kingston to my knowledge, there is no place in Greater London where roadside families can make short, authorised, stops.

11. I note that according to the Claimant's exhibit YF25, Richmond Council and in particular witness Joanne Capper have known since 20 January 2025 that the GLA's suggested way of dealing with so-called unauthorised encampments, or families living roadside, was to implement Negotiated Stopping, having raised this in her email to GLA planner Kate Gordon on 17th January 2025. Kate Gordon replied by email on 20 January 2025 and highlighted ways of obtaining support with implementing this approach. Nevertheless, Richmond Council has not proceeded to implement negotiated stopping.

The injunction, especially with power to arrest, is a disproportionate response

12. In relation to the advice of the National Police Chiefs' Council, compared with Exhibit YF23, 'London Borough of Richmond upon Thames Guidance Procedures for Unauthorised Encampments' dated 29th of January 2025, I note that Richmond Council considers whether a roadside family camped on any of the sites causes 'nuisance'. In my opinion, 'causing nuisance' is a lower threshold than 'causing damage, disruption or distress'. Families going about their lives on the edge of a park may be experienced as 'nuisance', for instance, if there is a dog that barks and a child who scoots on a path, but they cannot be said to be causing damage, disruption or distress. I object to the low threshold for seeking both eviction and power of arrest, as Richmond's injunction grants, as a response to roadside living. The injunction is not a proportionate response.

13. I also believe that an injunction is a disproportionate response to the number and frequency of encampments. Looking at Yvonne Feehan's Witness Statement of 17th September 2024, the evidence shows a very small number of encampments on the named 8 sites, outlined at Exhibit YF4. As detailed below, 6 out of the 8 locations had only 1 camp over the approximately 5-year period

- 1) Ham lands - 1 camp for 1 day (2020)
- 2) Ham Riverside Drive Open Space - 1 camp for 1 day (2021)

- 3) Ham Riverside Pitches - 2 camps (4 days, 2021, and 21 days respectively, 2020, the latter was during Covid)
- 4) Kew Green - 7 camps (across 2021 to 2023, days from oldest to newest = 7 days, 3 days, 2 days, 2 days, 4 days, 1 day and 4 days)
- 5) Old Deer Park - 1 camp of a few hours (2021)
- 6) Richmon Green - 1 camp for 1 day (2023)
- 7) Ham Common - 1 camp for 7 days (2024)
- 8) King George's Field (including ham riverside pitches) - 1 camp for 5 days (2024)

According to the witness statement of Matthew Almond on 7th of August 2025, there were two camps in May and July 2025, the first at Ham Common (previously identified in 2024 as having 1 camp) with residents moving off of their own accord, and the second, the July camp, also at Ham Common with HCEO and police were instructed to attend the scene by the Council to 'manage the process' and 'ensure the July encampment left as directed', though there is no evidence this was required. This makes a total of 3 camps on the Ham Common Site from the evidence of the Council between 2019 to 2025. In 2025 there were then 2 or possibly 3 camps. Richmond Council's announcements on the social media platform X suggests there was a third camp 15 August 2025. According to the same witness statement of Yvonne Feehan mentioned above, there were between 1 and 4 camps each year between 2019 and 2024.

14. In my view, an injunction is not a proportionate response to this small number of encampments. In using an injunction in this way, the Council does not meet the requirement of the Wolverhampton Supreme Court Judgement to use an injunction as an 'exceptional remedy' (paragraph 225 of the Judgment).

The Council has not exhausted alternative means to achieve the remedies sought

15. The Supreme Court's judgment in Wolverhampton noted in para 174 that the lack of procedural fairness wired into newcomer injunctions is 'an objection which applies to all forms of without notice injunction and explains why they are

generally only granted when there is truly no alternative means of achieving the relevant objective, and only for a short time'. In addition to ignoring the alternative method, which is Negotiated Stopping, Richmond Council has a record of implementing Public Space Protection Orders. According to Richmond Council's announcements on the social media platform X on 21 July and 15 August 2025 (see **Exhibit DJK10** for 15 August 2025), the Council's Parkguard were able to apply the Public Space Protection Order to evict the families' camps. The camp on 21 July appears to be the same one as the camp described in the Claimant's exhibit MA2, which mentions the injunction rather than the Public Space Protection Order. There is contradiction between the Council's public communications on X and the evidence presented to the Court. Even though I also object to over-broad Public Space Protection Orders, I note that this method to achieve the remedy at the very least removes one of the elements of unfairness, in that such orders are directed at specific and known persons.

16. Alongside Liberty, Amnesty International, Friends Families and Travellers, and other organisations advocating for equal rights and protection of minoritized communities, we have repeatedly objected to the formulation in the relevant laws (such as the Police, Crime, Sentencing and Courts Act 2022) of encampments causing 'significant distress'. The Equality and Human Rights Commission's briefing of July 2021 on the Police, Crime, Sentencing and Courts Bill (as it was then) noted that the Bill, when passed, would criminalise roadside families' way of life when their unauthorised residence or intended residence 'has caused or is likely to cause significant damage, disruption or distress', and that the invocation of 'likelihood of causing significant damage, disruption or distress' substantially lowered the threshold for enforcement action in relation to previously upheld trespass laws⁴. I also note that parts of the Police, Crime, Sentencing and Courts Act 2022 were found incompatible with the Human Rights Act in May 2024, the 'no return' period length, which has now been amended through s168 of the Crime

⁴ Available at:

https://www.equalityhumanrights.com/sites/default/files/ehrc_briefing_on_the_police_crime_sentencing_and_courts_bill_report_july_2021.docx last accessed 19 August 2026

and Policing Act 2026⁵. The mere likelihood of any ‘distress’ to residents, let alone ‘nuisance’, is, in my opinion, too low a threshold for justifying the eviction of a family.

There is not a compelling need to evict roadside families, however there is a need for fulfilling statutory duties

17. In Exhibit YF23 [‘London Borough of Richmond upon Thames Guidance Procedures for Unauthorised Encampments’] it is stated that Richmond Council Community Safety Team Lead Officers are required to conduct welfare checks to determine ‘humanitarian, welfare or legal reasons why the encampment should not be evicted’. It is correct and necessary to conduct welfare checks, however, the balance of consideration on eviction should follow the opposite logic, in my opinion and in line with the principles of negotiated stopping: unless there is evidence that roadside living is causing damage, disruption or some forms of measurable distress, and these cannot be effectively brought under control, then (and only then) the local authority may need to resort to eviction, as required by the Wolverhampton judgment, para 225, conditions must have been fulfilled that make injunctions “an exceptional remedy, [and] a proportionate response to the unlawful activity to which it is directed,” The presumption should be in favour of permitting roadside living, in line with the Public Sector Equality Duty to ‘foster good relations between people who share and people who do not share a relevant protected characteristic’. Again, at paragraph 203 of the Supreme Court’s judgement in Wolverhampton, there is reference to the wider obligations of local authorities ‘..the resources available to the local authorities for deployment to meet the needs of these nomadic communities having regard to the wider obligations which the authorities must also discharge’ This paragraph also makes clear that local authorities should not resort to seeking injunctions without having first sought constructive dialogue and alternative, proportionate solutions.

⁵ S168 of the Crime and Policing Act 2026
<https://www.legislation.gov.uk/ukpga/2026/20/section/168#section-168-5>

18. I find puzzling that in Exhibit YF23, the Claimant's witness differentiates so starkly between rough sleepers, to which the Council acknowledges a duty under homelessness provisions, and roadside families. Under s.175(2)(b) of the Housing Act 1996, a family is homeless when their accommodation 'consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he [sic] is entitled or permitted both to place it and to reside in it'⁶. When Gypsies and Travellers have no authorised or at least tolerated place to make a stop, as is the case in Richmond, then they are homeless.
19. With regards to the witness statement of Matthew Almond on 7th of August 2025, and the associated exhibits MA1 and MA2, these appear to be two examples from May and July 2025 where roadside families would have benefitted from a negotiated stopping approach. According to exhibit MA2, 'Everyone was very amenable and they said they were just waiting on one more van and hoped to be gone by 18.00hrs.' According to the witness statements and exhibits from the employees who spoke directly with the encamped family members, they engaged with the park services and negotiated the time of departure. Had the Council negotiated rather than evicted, the families may have stayed in a suitable location and contributed towards the disposal of waste, which according to the witness Matthew Almond and exhibits MA1 and MA2 was mostly cleared up and bagged in an orderly way. To my eyes, the evidence presented indicates that the families living roadside were not causing damage or disruption – they were hanging up their laundry and pursuing employment – and they should not have been evicted.
20. The Supreme Court's judgment in Wolverhampton said in para 238 (iv)(a) that an application for a newcomer injunction will be required 'to demonstrate a compelling need for the protection of civil rights or the enforcement of public law not adequately met by any other remedies (including statutory remedies) available to the applicant'. In my view, the evidence presented by the Claimant that I referenced in the preceding paragraphs - regarding Travelling families camping on the edges of large parks, their co-operating with welfare checks, agreeing to curtail the length of their stays, and mostly clearing up their waste - indicates that

⁶ S175(2)(b) <https://www.legislation.gov.uk/ukpga/1996/52/section/175>

there is no compelling need for protections and enforcements. On the contrary, I note that the reports from actual camps and their evictions, in the Claimant's testimonies referenced above, do not mention any of the 'aggravating factors' that can lead the police to use Section 61 powers, as listed in the Claimant's exhibit YF23, 'London Borough of Richmond upon Thames Guidance Procedures for Unauthorised Encampments'. Other evidence from Richmond Council itself, such as its 'Update on the unauthorised encampment in Ham', of 6th August 2024 (see **Exhibit DJK11**) also indicates that no 'aggravating factors' occurred: no communities were said to be deprived of local amenities; no disruption to the local economy; no other significant disruption to the local community; and no claim that 'a group of trespassers have persistently displayed antisocial behaviour at previous sites, and it is reasonably believed that such behaviour will be displayed'. In fact, the Council's update of 6th August 2024 to residents of Richmond called on members of the public to promptly report any antisocial behaviour to the police 'as this can support the court process [of applying for a permanent injunction]'. To my mind, this is evidence that there had been no antisocial behaviour from the families living roadside, and then mentioned in this update to local residents published on 6th August 2024. In any case, antisocial behaviour can be dealt with using Antisocial Behaviour Orders that target individuals, rather than stopping entire ethnic groups from pursuing nomadic ways of life. The 'Update on the unauthorised encampment in Ham', 6th August 2024 states 'Welfare checks were carried out this morning and evidence gathered to allow us to swiftly apply to the courts today for a hearing on Friday'. This suggests that council's approach to welfare checks is to undertake them as a procedural necessity before eviction, rather than as a process wherein there is a careful consideration of needs which informs the council's decision, along with other factors, as to the appropriate action.

21. With regards to the Third Witness Statement of Joanne Capper on the 6th of August 2025, most of the research referenced by the Claimant in paras 14-17 was designed to identify the need for permanent pitches on communal Gypsy or Traveller sites in Richmond. Research on need for permanent sites is not relevant

to the issue of accommodating roadside living. Neither the surveys conducted by Richmond Housing Partnership at the permanent Hampton site and their attempt to reach Gypsies and Travellers living in unsuitable conventional housing, nor the reliance on Census data (which do not accurately record many members of minoritised groups in general, and households with no permanent address in particular), are adequate methods for identifying the need to accommodate households living roadside. There is no evidence to show that the council has reached out to roadside families to assess their need for transit pitches or negotiated stopping sites.

22. Pointing to the fact that other local authorities record more 'unauthorised encampments' than Richmond does, in para 18 of the same Third Witness Statement of Joanne Capper, stating 'When compared to the London Borough of Bromley, the Council saw approximately six times fewer encampments in comparative years'. There is a contradiction inherent in saying that there are very few encampments and therefore 'no further provision of accommodation is required' (paras 30, 33 and passim of the same Third Witness Statement of Joanne Capper), and concurrently saying that 'following the number and size of the encampments in the subsequent years, the associated cost to the Council of dealing with them, and the Council's assessment that the current means of dealing with the encampments were ineffective, it became clear that the Council needed to consider an alternative [in the form of the permanent injunction]', as per the Sixth Witness Statement of Yvonne Feehan, dated 1 May 2025, para 15. Whatever the case of the matter, the analysis still indicates that the injunction is not the solution, in my view: if there are very few camps, then the injunction is disproportionate, but if there are many large camps, then transit pitches are needed. The London Gypsy and Traveller Accommodation Needs Assessment, published in November 2025, using a methodology based on the Government caravan count, found that there is a minimum need for 87 transit pitches across London. I consider that even if there were only one family making a stop in Richmond every summer, then that family should be accommodated humanely, in accordance with the cultural right to pursue a nomadic way of life and to private and family life. Every encampment is evidence of need.

23. Throughout the submission of the Claimant, the issues of waste disposal, anti-social behaviour and roadside living are intermingled. In accordance with the Court of Appeal judgment in *Bromley v Persons unknown*, [2020] EWCA Civ 12, para 14 (noted again in the Supreme Court's *Wolverhampton* judgment para 91), these issues are separate. Fly-tipping and anti-social behaviour are not unique to Gypsies and Travellers and therefore can be dealt with using general provisions without including also the issue of roadside living, for instance in the Public Space Protection Order. In fact, our community members find it offensive that there is a presupposition that roadside living will inherently lead to fly-tipping and anti-social behaviour. The humane solution would be to provide waste disposal facilities such as any family may need, in the context of negotiated stopping.

Consequences of the suppression of Travelling culture

24. Roadside living is a legal, indeed protected, way of life, but the absence of stopping places and transit pitches, and the presence of punitively wide injunctions such as Richmond's injunction, are preventing its pursuit. The suppression of roadside living, and the consequent loss of Travelling culture, has been noted by the UN Committee on Economic, Social and Cultural Rights when it stated in its concluding observations on the seventh periodic review of the UK on the 28th of February 2025:

'The Committee urges the State Party to [...] Ensure adequate, culturally appropriate accommodation and stopping sites for Gypsy, Roma and Traveller communities, including access to water, sanitation and electricity, in coordination with local authorities; and review and repeal laws or policies that undermine their traditional ways of life, such as Section 83 of the Police, Crime, Sentencing and Courts Act 2022, which criminalizes unauthorized encampments in England and Wales'⁷.

⁷ Available at: <https://digitallibrary.un.org/record/4078754?v=pdf> last accessed 19 August 2026

25. The Council of Europe also noted the risk of forced assimilation of Gypsies and Travellers in the UK if nomadic ways of life are suppressed, in violation of Article 5 of the Framework Convention for the Protection of National Minorities which the UK ratified in 1998. The Fifth Opinion on the UK, published by the Advisory Committee on the Framework Convention for the Protection of National Minorities on 25 May 2023, stated in para 107⁸:

‘The Advisory Committee urges the authorities to take priority measures to address the accommodation needs of persons belonging to Gypsy, Roma and Traveller minorities [...]. They should also reconsider the implications of the criminalisation of unauthorised sites and the seizure of property in light of the risk of forced assimilation this poses to the minorities’.

26. The suppression of roadside living and other forms of discrimination against Gypsies and Travellers cause measurable distress, evident in the alarming rates of deaths by suicide recorded by social and health workers who have found that young Traveller men were seven times more likely to take their own lives than the British population average, and rates among Gypsies and Travellers in general were six times higher; according to reports by the NHS Race and Health Observatory (published 2023) and by Unwin and Hulmes (published 2025) in ‘Inequalities in mental health services for Romanies and Travellers’.

27. In sum, the Claimant has not demonstrated that there is a compelling need, as required by the Supreme Court, for this injunction. In my view, the commitment to dialogue, cooperation, trust-building, and proportionate solutions that respond to the needs of Gypsy and Traveller communities has been disregarded.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes

⁸ Available at: <https://rm.coe.int/5th-op-uk-en/1680ab55b4> last accessed 19 August 2026

to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth



Signed:

Printed: DEBORAH JANE KENNETT

Date: 27 August 2026

Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2024-003315

KING'S BENCH DIVISION

**IN THE MATTER OF SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972
AND SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990**

B E T W E E N:-

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH
RICHMOND UPON THAMES**

Claimant

-and-

**(1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT AND /
OCCUPYING FOR RESIDENTIAL PURPOSES (including temporary occupation)
WITH OR WITHOUT VEHICLES AT ANY OF THE 8 SITES WITHIN THE LONDON
BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO THIS
CLAIM**

**(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES WITHIN THE
LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO
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Defendants

-and-

THE LONDON GYPSIES AND TRAVELLERS

Intervener

Exhibit DJK3

- 5.96 Surveying 94 households living on unauthorised encampments revealed that 12 of these households require an authorised, permanent pitch in the study area.

Step 11: Households on unauthorised developments seeking Gypsy and Traveller pitches in the study area

- 5.97 Households on unauthorised developments were identified through analysis of council data; and verified by visiting sites to confirm developments' existence and whether they were occupied. There are 35 pitches on unauthorised developments, including pitches regarded by the local authority as tolerated, and those refused planning permission where enforcement action has been taken.

- 5.98 This resulted in a need for 35 pitches.

Step 12: Households on overcrowded Gypsy and Traveller pitches in the study area

- 5.99 Pitches are considered overcrowded if there is insufficient space to accommodate household members; and/or the pitch is unable to accommodate the number of caravans required to accommodate all household members. Pitches can also be overcrowded due to 'hidden' and/or additional households residing on the pitch without alternative accommodation (households 'doubling up'). This includes adult children; other household members; and couples in the process of divorce or separation where one of the former couple will need a separate pitch, or pitches.

- 5.100 This resulted in a need for 128 pitches.

Step 13: New households expected to arrive from elsewhere

- 5.101 In the absence of any data derivable from primary or secondary sources (beyond anecdotal evidence) on whether households residing outside London intend to move into the area, it is assumed that the inflow of Gypsies and Travellers to the study area will be equivalent to the outflow (Step 4).

- 5.102 As Step 4 identified six households intending to leave the study area in the next five years, Step 13 identifies the need for six additional pitches to accommodate households moving into the study area.

Step 14: New household formations expected from within existing households on sites

- 5.103 The number of individuals expected to leave pitches to create new households was estimated from survey data. This relates to the number of household members aged 16 or over at the time of the survey, and who respondents reported will require a separate pitch in the study area during the first five years of the study period.

- 5.104 This resulted in a need for 132 pitches.

Step 15: Households in bricks and mortar with need for a pitch

- 5.105 The method used to calculate the need for additional pitches arising from households in bricks and mortar is outlined in Chapters 4 and 7. It draws on responses to online surveys with GRT households residing in bricks and mortar. Chapter 7 determines that 19 per cent of those households need to move and have a cultural preference to live on a pitch (see paragraph 7.61). It identifies a need for 381 pitches for households in bricks and mortar with a cultural preference to live on a site.
- 5.106 Four of the six boroughs for which this assessment uses data from their GTANAs and/or Local Plans, identify a need for 13 pitches from those living in bricks and mortar. (See Appendix 13). For these four boroughs the London-wide online survey of households in bricks and mortar identifies a need for 57 pitches (see paragraphs 4.68 to 4.71). To avoid double counting, the need identified in the borough GTANAs and Local Plans is deducted from the need calculated using the London-wide online survey of Gypsy and Traveller households living in bricks and mortar (see Step 16 below).
- 5.107 This results in a total need for additional pitches from households living in bricks and mortar of 368 pitches.
- 5.108 In addition to need arising from cultural preference, there is need arising from overcrowding in housing and future household formation. However, as there is insufficient evidence to confirm the number of households in need for such reasons, boroughs need to consider any need for these reasons that might arise from households living in bricks and mortar during the London GTANA period separately from need identified in this assessment. According to DCLG guidance, they should do so through enquiries; applications for a council pitch; and planning applications.

Step 16: Households with need for a pitch from the six boroughs⁶⁵ as identified in their borough GTANA and Local Plan

- 5.109 As shown in Appendix 13 and Table 5.32, these boroughs' GTANAs and Local Plans identified a need for 68 additional pitches. This includes an additional need for 13 pitches for households in bricks and mortar, which are removed from Step 15 to avoid double counting but included here. The accommodation need of 68 pitches in Step 16 (Table 5.32) reflects net need these GTANAs identify after subtracting additional supply from the additional need. For these boroughs, the need shown in Table 5.32 relates to the definition of Gypsies and Travellers (see Appendix 17).

⁶⁵ Bexley, Haringey, Havering, Merton, Newham and Richmond upon Thames as set out in paragraphs 4.10 to 4.23, 4.61 to 4.73, and 5.5.

Balance of need and supply

5.110 Following the steps above, the total number of additional pitches needed is calculated by deducting additional supply from additional need.

Need for Gypsy and Traveller pitches 2022-23 to 2026-27

5.111 The following shows the additional accommodation need for the whole of London, based on Steps 1 to 16 (above).

Table 5.33: Summary of accommodation needs 2022-23 to 2026-27 (pitches)

Area	Pitches
Additional supply	68
Need	752
Study area total	684

Need for Gypsy and Traveller pitches 2027-28 to 2031-32

5.112 In calculating the future accommodation need beyond the first five-year period, the following assumptions are made, that by 2027-28:

- existing occupied pitches will still be occupied
- vacant pitches will be occupied
- potential pitches will have been developed and occupied
- households currently living in bricks and mortar housing who need to move and have a cultural preference to reside on a pitch rather than in bricks and mortar, and those living on unauthorised developments and encampments, will move onto sites within the first five-year period⁶⁶
- any need not met in the first five-year period has been carried over to the second five-year period
- any additional supply not made available within the first five years has been removed from the supply and reinstated as part of the assessed need.

5.113 As such, only natural population increase and mortality need to be considered.

5.114 The starting point for calculating need for the second five-year period is the number of pitches (with planning permission and occupied) at the start of 2027-28. A total of 1,437 pitches are expected to be in place with planning permission and occupied by 2027-28.

⁶⁶ While this might be viewed as an optimistic assumption, it is necessary for the purpose of this assessment.

Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2024-003315

KING'S BENCH DIVISION

**IN THE MATTER OF SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972
AND SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990**

B E T W E E N:-

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH
RICHMOND UPON THAMES**

Claimant

-and-

**(1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT AND /
OCCUPYING FOR RESIDENTIAL PURPOSES (including temporary occupation)
WITH OR WITHOUT VEHICLES AT ANY OF THE 8 SITES WITHIN THE LONDON
BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO THIS
CLAIM**

**(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES WITHIN THE
LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO
THIS CLAIM**

Defendants

-and-

THE LONDON GYPSIES AND TRAVELLERS

Intervener

Exhibit DJK4

Table 9.1: Summary of accommodation needs 2022-23 to 2031-32

	2022-23 to 2026-27	2027-28 to 2031-32	Total need
Gypsies and Travellers permanent pitches	684	177	861
Gypsies and Travellers transit pitches			87
Travelling Showpeople permanent plots	66	17	83
Gypsies and Travellers bricks and mortar homes	633	373	1,006
Roma bricks and mortar homes	5,129	2,033	7,162

- 9.5 It is likely that accommodation needs not identified in this GTANA could arise during the period for which it calculates need. Therefore, it is recommended that LPAs also consider accommodation needs that might materialise over that period from GRTTS households not considered by this assessment. This could include a need from households residing on authorised and unauthorised developments or unauthorised encampments, from bricks and mortar or from those moving into the area.
- 9.6 It is possible that there is or will be an overlap between the need for bricks and mortar homes identified by the GTANA and housing needs assessments undertaken by boroughs and/or the GLA. It is for boroughs to determine whether this is the case. The next London SHMA will seek to recognise that the 2025 GTANA includes a calculation of need for bricks and mortar homes arising from the Gypsy and Traveller, and Roma populations.

Negotiated stopping

- 9.7 Negotiated stopping is based on a mutual agreement between a landowner (often a local authority) and Gypsy and Traveller, and Showpeople households who are seeking a stopping place. The agreement allows the households to stop at a site for a specified period, subject to meeting particular conditions. Agreements will vary but may include households agreeing to leave sites clean and not make too much noise. The landowner typically provides waste disposal and basic temporary facilities, such as portaloos. Some London boroughs (for example, Hackney and Enfield) have implemented a negotiated stopping policy.
- 9.8 For negotiated stopping to work, local authorities negotiate with Gypsies and Travellers to agree on solutions. It can sometimes involve directing Gypsy and Traveller households away from contentious public spaces to more appropriate places. The approach is proven to achieve significant savings in public spending and to decrease social costs for Gypsy, Traveller and Travelling Showpeople communities.
- 9.9 Places used as stopping places may not require planning permission if they are in use for fewer than 28 days in a year. This may be the case if a site will only be used for a proportion of the year; and individual households will normally only stay at the

agreed location for a few days. In such cases, land does not have to be formally designated for use as a stopping place.

- 9.10 Research undertaken by LGT and De Montfort University on behalf of the GLA (2019) recommended negotiated stopping as a balanced and humane approach to managing roadside camps, compared with local authorities undertaking enforcement action.
- 9.11 The GLA (2019) report cites several examples of good practice, including Hackney Council. There are multiple locations in the borough that were common stopping places – some used for short periods of time by households passing through or visiting relatives, others used for months and even a couple of years. Hackney has worked closely with the Gypsy and Traveller community, and involved them in dialogue and negotiation. This has resulted in a consistent practice, over many years, of allowing stopping time and providing basic facilities at those locations. This practice has, to some extent, been formalised through leniency agreements, which specify arrangements between the local authority and households using the sites. A standard leniency agreement was incorporated in the council's unauthorised encampment protocol. (Please see Appendix 12 for an example negotiated stopping protocol.)

Gypsy and Traveller group housing schemes

- 9.12 One recent example of good practice in Gypsy and Traveller accommodation provision is group housing schemes. These are groups of homes – either standalone developments or part of a wider housing development – with additional facilities and amenities, specifically designed to accommodate large households that include extended family members. For example, homes may have sufficient bedrooms to accommodate larger families, and sufficient space for occupants and visiting families to park vehicles such as caravans. Design considers safety issues related to increased vehicle traffic. The group housing approach originated in Ireland.
- 9.13 Group housing allows Gypsies and Travellers to live in close proximity, preserving their traditions, languages and cultural practices. By living together, families can support each other, fostering a strong sense of community and mutual aid. A good example of a group housing is a site in Hackney. This mixed scheme has eight homes – six of these are bungalows, and two are more traditional pitches with amenity blocks ('sheds'). The residents, who had family in Ireland, suggested this approach to the council. Finance for the scheme was available through the London 2012 Olympic Fund, as a site had to be relocated to allow for development of the Olympic Park. Although not necessarily easy to replicate in some other contexts, it demonstrates an innovative approach that could be adopted elsewhere.¹⁰³

¹⁰³ Jo Richardson and Janie Codona MBE, '[Managing and delivering Gypsy and Traveller sites](#): negotiating conflict', 2016

Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

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-and-

THE LONDON GYPSIES AND TRAVELLERS

Intervener

Exhibit DJK5

HN4 Gypsy and Traveller Accommodation

- **Policy aim:** to meet the accommodation needs of Gypsy and Traveller and Travelling Showperson households by providing pitches, plots and other culturally appropriate accommodation
- **Applies to:** plans and applications for Gypsy and Traveller and Travelling Showpeople accommodation
- **Locations:** all

Plan-making

A Plan-making authorities should seek to meet the needs of London’s Gypsy and Traveller and Travelling Showpeople communities and should:

- (1) adopt the targets set out in Table 3.4 and Table 3.5 as a minimum
- (2) make provision for other types of culturally suitable accommodation where there is a need
- (3) consider granting permanent permission for temporary sites where these are in suitable locations
- (4) identify areas of potential extra capacity within or adjacent to existing sites
- (5) provide pitches or plots and other culturally suitable accommodation as part of large scale residential and mixed-use allocations and regeneration proposals where there is scope to do so
- (6) identify pitches in need of refurbishment and/or provision of enhanced infrastructure (including utilities, open space and landscaping).

B LPAs should allocate a Gypsy and Traveller transit site and/or make provision for negotiated stopping.

C LPAs are encouraged to work collaboratively with providers, community organisations and the GLA with the aim of securing provision for and delivery of permanent pitches, plots, transit sites and other culturally suitable accommodation.

Development management

D Development proposals that would entail the loss of Gypsy and Traveller pitches and Travelling Showpeople plots should secure replacement provision that is equivalent or better in terms of size, quality and suitability of location.

E Where existing Gypsy and Traveller pitches or Travelling Showpeople or Circus People's sites or plots have to be re-located or re-provided, the new provision should take into account existing family or community groupings and avoid splitting these up wherever possible.

F Development proposals for new sites should ensure sites will be well-connected to social infrastructure, health care, education and public transport facilities, and contribute to a wider, inclusive neighbourhood.

G Pitch and site layouts and the design of service blocks should be accessible and adaptable to ensure they are suitable for all, including disabled and older people, and families with young children.

From: <https://www.london.gov.uk/programmes-strategies/planning/london-plan/next-london-plan/draft-london-plan-consultation/draft-london-plan-consultation-resources/draft-london-plan/3-delivering-homes-and-neighbourhoods-londoners-need#hn4-gypsy-and-traveller-accommodation-1145758-title>

Accessed: 19 August 2026

Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

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THE LONDON GYPSIES AND TRAVELLERS

Intervener

Exhibit DJK6

GREATER LONDON AUTHORITY

9 July 2026

Negotiated stopping approaches for Gypsies and Travellers living roadside on public land in London boroughs

I am writing to outline the GLA's position on the above.

Negotiated stopping is an approach whereby public bodies, in particular local authorities, come to an agreement with Gypsy and Traveller communities encamped on land they own that they can stay there, with that public body providing basic temporary facilities, with agreed rules and time limits. It has been found to have positive outcomes for Gypsies and Travellers needing roadside accommodation.

In 2019, we commissioned London Gypsies and Travellers and De Montfort University to produce a research report on the model of negotiated stopping. The report found that eviction-led approaches worsen health, safety and education outcomes for Gypsy and Traveller communities and fuels prejudice against those communities. The report outlined successful examples of negotiated stopping across the UK and found that negotiated stopping saves money for boroughs.

The GLA recognises the urgent need for Gypsy and Traveller accommodation in London, including provision of both permanent and temporary stopping sites. Insufficient provision can negatively impact the health and way of life of Gypsies and Travellers. A lack of transit provision may pose particular challenges to Gypsies and Travellers who are travelling, especially in the context of the Police, Crime, Sentencing and Courts Act 2022. London Plan Policy H14 requires boroughs to plan to meet Gypsies and Travellers' accommodation needs, protect existing pitches, audit local authority sites and plan to address issues identified. The 2025 London Gypsy and Traveller Accommodation Needs Assessment (GTANA) identified the need for 861 new pitches across London between 2022 and 2032.

The surveys of Gypsy and Traveller households that informed that assessment showed that they considered negotiated stopping opportunities would assist their communities. A negotiated stopping protocol can be an important tool to support better relations between members of the Gypsy and Traveller communities and landowners. The GLA have included an example negotiated stopping agreement produced by Leeds Gypsy and Traveller Exchange as an appendix to the 2025 London GTANA.

Yours sincerely,

Hannah Brown

Head of Housing Strategy
Greater London Authority

Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

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Intervener

Exhibit DJK7

Enfield's Journey

How we created opportunities for our
Gypsy, Roma and Traveller residents

www.enfield.gov.uk

In partnership with



Enfield is transforming GRT inclusion

Not as a standalone project, but as a core commitment embedded across every area of council life.

£1.95m saved in enforcement costs

Since 2018, our Negotiated Stopping model, now shared with other Local Authorities and recognised by the GLA, has transformed our relationship with travelling communities and delivered measurable financial savings.

Nothing for GRT without GRT

Eight dedicated working groups spanning health, education, employment, heritage and more, all with community representatives who shape decisions from the outset, not after the fact.

A national model, not just a local one

Enfield's approach is now being actively shared with other Local Authorities. We are building infrastructure — a new Shared Community Hub, two permanent Traveller sites in planning — that will endure long after individual projects end.

Embedded across the whole council

GRT inclusion is written into the Fairer Enfield Strategy and the Equality & Diversity Policy. This is not a project that can be cut, it is woven into how the council operates across all departments.

Snapshot key achievements 2025

A year of significant milestones across every workstream, demonstrating the breadth and depth of Enfield's commitment to GRT inclusion.

700 GP Registrations Via Local Health Stop — removing a critical barrier to primary care access	£50K Encampment Cost 2024 Down from £2m in 2018 — a 97.5% reduction through Negotiated Stopping	70 Schools Celebrating GRTHM 70 schools actively marking GRT History Month with dedicated packs and activities	1,700 Library Attendees Attended GRTHM library activities, exhibitions and intercultural workshops
49 STEPS Completions Residents completing employment and skills training through the STEPs programme	150 Families Supported Via Let's Get Talking outreach, addressing digital exclusion, literacy and financial inclusion		

3 reasons why Enfield is leading the way

Enfield is transforming inclusion and setting a benchmark for local government excellence in GRT inclusion. Our approach is built on three foundational pillars.

💛 Compassion

Placing the lived experience of GRT residents at the heart of every decision we make.

💛 Co-Design

Nothing for GRT without GRT — genuine community leadership at every stage of planning and delivery.

📊 Measurable Impact

Tangible outcomes in health, education, employment and housing that demonstrate real, lasting change.



Integrated, Inclusive Leadership

GRT inclusion is embedded at every organisational level in Enfield — written into the Fairer Enfield Strategy and Equality & Diversity Policy. This is a core council commitment across all departments, not a standalone project.

"Nothing for GRT Without GRT"

Genuine co-design at every stage — community members are not consulted after the fact but shape decisions from the outset.

8 Dedicated Working Groups

Health, Education, Sites, Community Safety, Employment, Heritage, Equalities, and Customer Experience — all include community representatives who shape decisions.

Five Distinct Communities

Covering Gypsy, Roma, Traveller, Boater and Showmen communities — each with distinct needs, from roadside families and permanent site residents to waterway boaters and travelling showpeople.



Bold, Sustainable Change

Enfield's most significant achievements represent systemic transformation — creating national models, lasting infrastructure and embedded inclusion that will endure long after individual projects end.



Negotiated Stopping

A national model now being shared with other Local Authorities. GLA-recognised approach has transformed relationships with travelling communities and saved **£1.95m in enforcement costs** since 2018.



New Shared Community Hub

The first dedicated shared hub bringing together health, employment, education and cultural services for GRT, Boater and Showmen communities — co-designed with residents and built on lived experience.



Traveller Local Plan

Two permanent sites identified and prepared for planning submission — ensuring culturally appropriate, long-term accommodation that embeds inclusion in infrastructure.

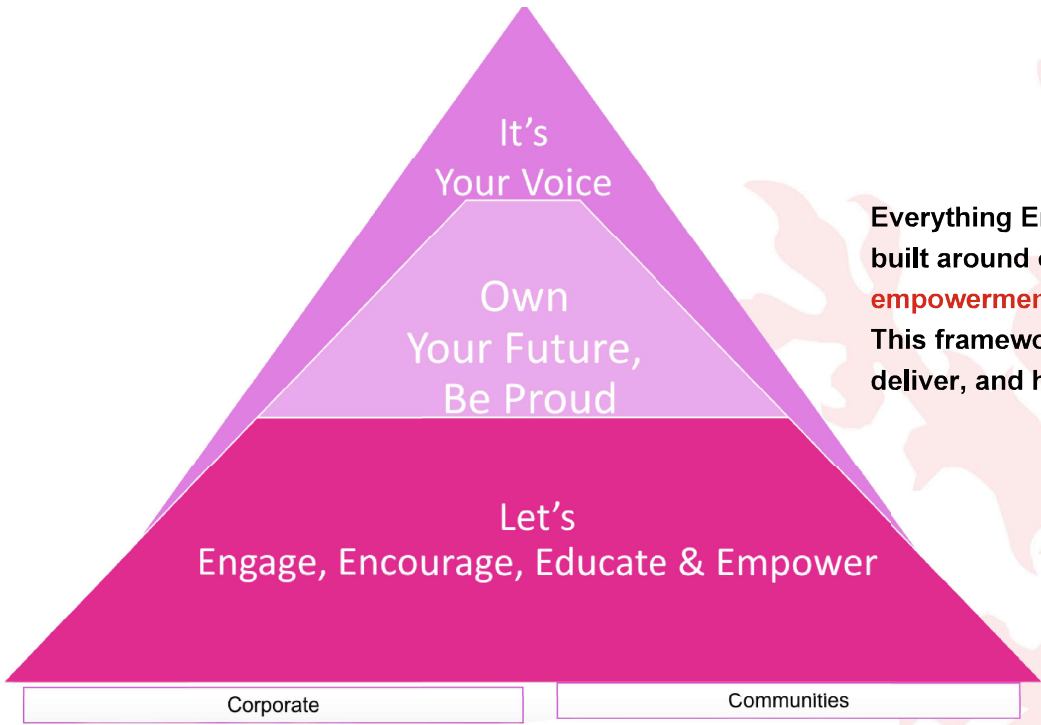


Embedded in Long-Term Plans

Employment pathways linked to Meridian Water regeneration; Domestic Abuse Project launching 2026; weekly library outreach expanding across the borough.



Our Customer Experience: How We Work With Communities



Everything Enfield does for GRT communities is built around one principle: **genuine empowerment, not passive service delivery.** This framework guides how we engage, how we deliver, and how we measure success.



GRTBS Project Board

Ensuring Enfield's strategic approach to Gypsy, Roma & Traveller communities embedding inclusion across every area of council activity.



Site Delivery – We actively listened

Enfield's approach to site design is rooted in genuine community co-design. Through structured engagement, residents shaped the vision for new permanent sites — ensuring culturally appropriate, safe and welcoming spaces.



SITE DESIGN

- If the site is not located near industrial centres and small sites, that would be better for our families.
- I would be nice if the site is clean in a safe and pleasant area.
- It would be good if the site and pitches have their own post code so I can register with the doctors and for work.
- I want to live somewhere that I will be proud to call home.

GARDENS & COMMUNAL SPACE

- I like to recycle rainwater to water my plants, could that be included?
- It would be good to have spaces for children of all ages to play on the site, and for the adults to relax and grow some food within their pitch.
- Could we include some private space for plants and hanging laundry?

SOCIAL WELLBEING & COMMUNITY

- Sites work best with smaller groups of families, large sites create tensions.
- I have struggled accessing doctors and health visitors for my family, especially my young children.
- It's important to have schools nearby and things for children to do.
- I want my family and children to feel comfortable and safe.

ACCESS & PARKING

- Sometimes there isn't enough parking for visiting families and friends.
- The roads should be designed to allow my caravan and car to turn easily.
- I don't want to feel like I'm driving around in a maze of a site.

“I want to live somewhere that I will be proud to call home.”

“It would be good to have spaces for children of all ages to play on the site, and for adults to relax and grow some food within their pitch.”

“It would be good if the site and pitches have their own postcode so I could register with the doctors and for work.”

Education — No Child Left Behind

GRT Education Action Plan 2021-2026: cultural awareness training for school staff, inclusion charter guidance

Peer groups established for GRT families and school staff - sharing cultural knowledge and competency

Roadside education: **16 cases** enrolled; rapid response for newly arrived families

70 schools actively celebrating GRT History Month with dedicated packs and activities

Commitment to GRTBS Pledge & Mistow Pledge

Case Study — Exclusion to Belonging

“Every student deserves the chance to dream, achieve and feel safe in education.”

Enfield's education inclusion approach ensures that GRT pupils are never left behind. By preventing Elective Home Education in cases where digital exclusion and literacy challenges may be prevalent, the council actively safeguards children's long-term life chances and social connections.

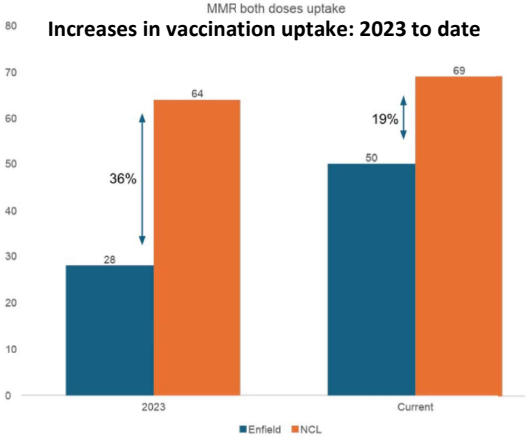
Early Support Identifying at-risk pupils before crisis point — cultural awareness training for school staff is central to this work.	Family Partnerships Building trust with GRT families so that schools feel safe, welcoming and respectful of cultural identity.
Targeted Interventions One-to-one tutoring, managed moves avoided, and tailored plans that address learning gaps without stigma.	The Intervention: We partnered with The Traveller Movement to provide access to an online training and development programme , offering one-to-one tutoring and addressing learning gaps, helping the student re-engage and rebuild confidence.



- What Changed:**
- A GRT family faced the risk of their child being permanently excluded from school
 - Working with the family, Head of Inclusion and Headteacher, we built an understanding of GRT culture
 - A managed move was avoided — **belonging replaced exclusion**
 - The school now actively celebrates GRT culture through regular events
 - The student completed their GCSEs; younger siblings now attend the same school

Health & Wellbeing — 'Your Local Health Bus Stop'

Mobile Local Health Stop Bus visiting sites and stopping locations	Cultural Competency Training Delivered to NHS and partner health professionals
NHS Partnership Partnership with NHS, Vax UK, Unity PCN — bringing specialist services directly to families	Integrated Welfare & Housing Advice Available at health outreach events
Health Assessments Ensuring enquiry is addressed in emerging health initiatives	Suicide Prevention Strategy Targeted support and prevention work within GRT communities
On-Site Services GP registration, dental, antenatal and sexual health all available on-site	PAN London GRT Steering Group Coordinating strategic health representation across London
Women's Health Focus Group Co-created with GRT women to design bespoke pathways	



Health — Removing Barriers



YOUR LOCAL HEALTH STOP
How we can support you

GP registration	Diabetes checks & referrals	Health checks and advice
Smoking cessation	Children's health support (including home visits)	Mental health
Contraception referrals	Maternity support	Menopause support

Welcome and talk to us

27 FEB 10:00-14:00
Green Town Community Centre 10100

27 MAR 10:00-14:00
Green Town Community Centre 10100

Enfield Council logo and various partner logos.



Employment - Equity & Equality Matters

49 STEPs Training Participants enrolled in STEP's training programme → Weekly Library Outreach Worker Embedded across Enfield's branch networks	150 Families Supported Through Let's Get Talking outreach sessions → Meridian Water Regeneration Links GRT residents connected to construction, green skills and apprenticeships	25+ ODET Enrolments Young people enrolled on the ODET training programme → Roma Midwives Conversion Course Roma midwives currently undertaking conversion course at Middlesex Hospital
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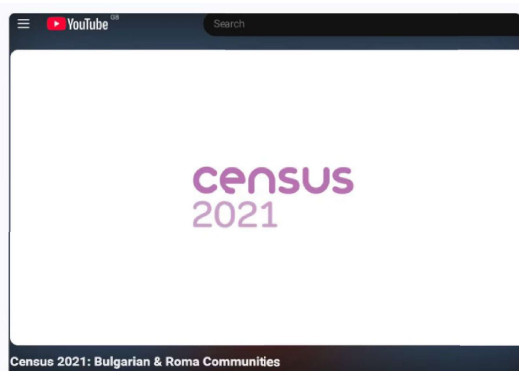
Inclusive recruitment & workforce culture

 Inclusive wording, diverse panels, reasonable adjustments and data-led reviews.	 Staff networks merger ("The Network") strengthens belonging and participation.	 Mandatory EDI learning and wellbeing support; culture programme in train.
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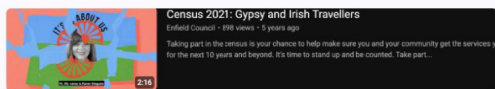


Heritage & Culture: Working in Collaboration

Enfield Council has worked in partnership with communities and national bodies to ensure GRT residents are heard, counted and celebrated. Below are examples of community-facing campaigns that have shaped participation and inclusion.



Census 2021: Bulgarian & Roma Communities



Census 2021: Gypsy and Irish Travellers – Enfield Council, 898 views.
"Taking part in the census is your chance to help make sure you and your community get the services you need for the next 10 years and beyond. It's time to stand up and be counted."



Community Celebrations

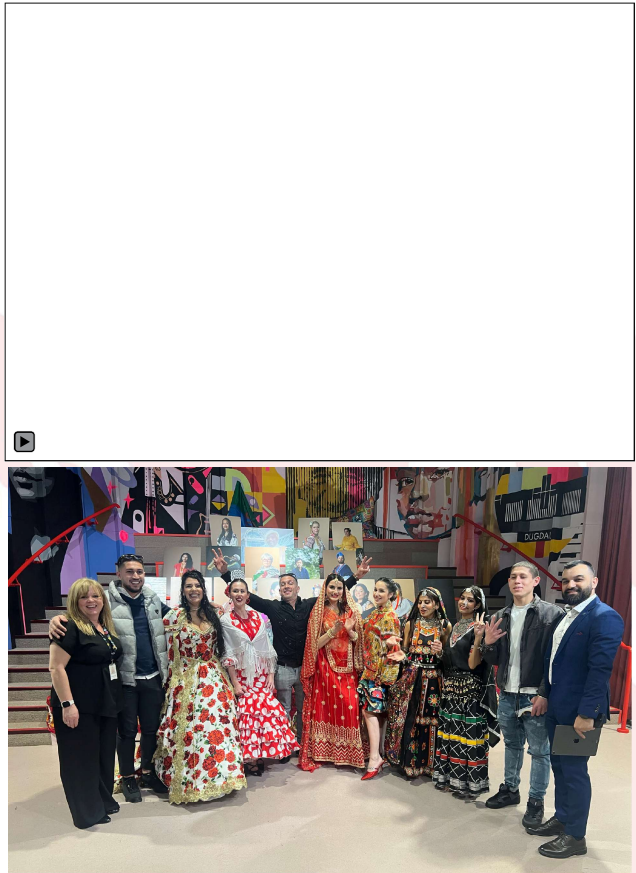
- Celebrating significant dates for our communities in Enfield
- Flying Roma Flag at Civic Buildings
- Roma Celebration – 200 attended Civic event
- Crystal's Vardo performances

Libraries & Learning

- Storytelling and Nursery Rhymes with young Mums
- GRTHM library activities, exhibitions and intercultural workshops
- Ensuring our Libraries have reading materials and activities that resonate with our communities

8th April International Roma Day

Enfield celebrated International Roma Day on 8th April at the Dugdale Centre, to recognise and honour the history, culture and contributions of our Roma Communities in Enfield. It was a celebration to acknowledge our community's rich heritage and the challenges they face. We stand united together, promoting understanding, acceptance and equality.



Systemic Change

Enfield's achievements are only possible through deep, sustained partnership. Our network spans community organisations, health bodies, strategic regional partners and specialist support services — all united by a shared commitment to GRT inclusion.

GRT Community Organisations



Health Partners



Regional & Strategic Bodies



Elected Members & Councillors
Enfield Wider Community

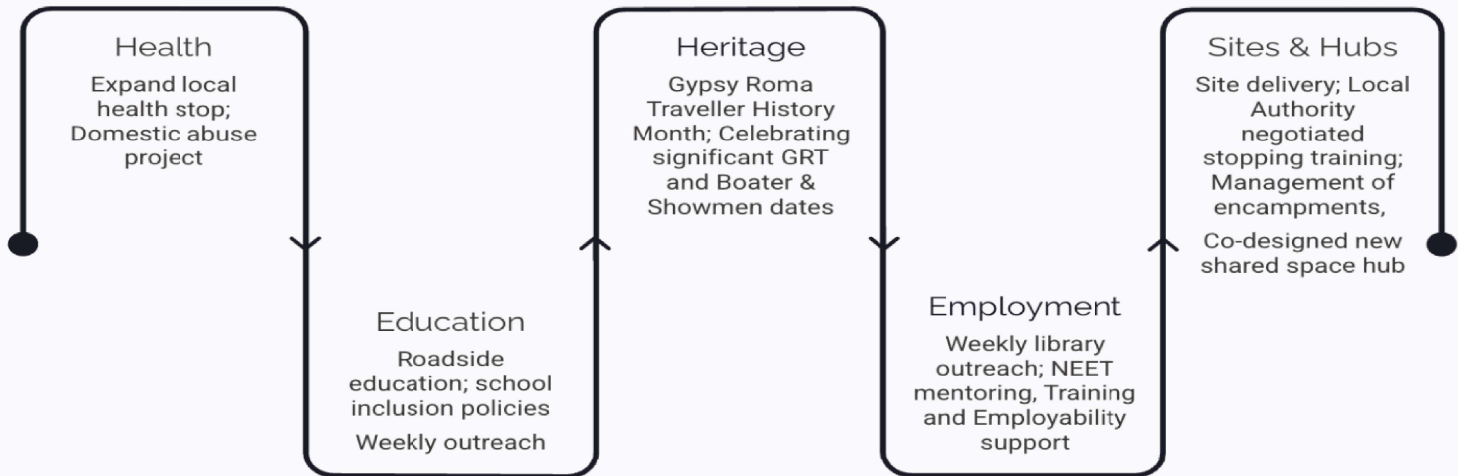
Specialist Support



How we work together: Monthly drop-in sessions co-hosted with partners · Bi-weekly housing meetings with London Gypsy Travellers · Cultural awareness events and joint training · Shared representation on GRTBS Project Board · Joint outreach presence in the communities

Road Map for 2026

A clear and committed programme of action for the year ahead, spanning all six strategic workstreams.



Every strand of this road map has been shaped with community input — ensuring Enfield's ambitions for 2026 reflect the priorities of GRT, Boater and Showmen residents themselves.



Follow our Journey

[February 2026: Your Local Health Stop \(Enfield Case study\) | The Traveller Movement](#)

[Beyond Basics: Empowering Roma Traveller Adult Learners - Meet Kolyo](#)

[Gypsy, Roma and Travellers in Enfield | Enfield Council](#)



<https://www.enfield.gov.uk/services/your-council/grt>





Any questions? Thank you

Email

grt@enfield.gov.uk

Phone

020 8132 0958



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Witness Statement: 2

Exhibits: 9, DJK3-DJK11

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IN THE HIGH COURT OF JUSTICE

Claim No. KB-2024-003315

KING'S BENCH DIVISION

**IN THE MATTER OF SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972
AND SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990**

B E T W E E N:-

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH
RICHMOND UPON THAMES**

Claimant

-and-

**(1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT AND /
OCCUPYING FOR RESIDENTIAL PURPOSES (including temporary occupation)
WITH OR WITHOUT VEHICLES AT ANY OF THE 8 SITES WITHIN THE LONDON
BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO THIS
CLAIM**

**(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES WITHIN THE
LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO
THIS CLAIM**

Defendants

-and-

THE LONDON GYPSIES AND TRAVELLERS

Intervener

Exhibit DJK8

must be guaranteed by a formally recognised local community organisation, and the public benefits must be legally protected through an asset lock.

- 6.49 To ensure architectural cohesion on multi-plot self-build sites, applicants are required to submit site-wide design codes alongside individual Plot Passports. In accordance with the design-led approach established in Policy KD1, these documents must set strict parameters for building heights, building lines, external materials, and landscaping to guarantee that independent builders contribute to a high-quality, unified streetscape.
- 6.50 All CLH schemes are bound by the affordable housing thresholds and requirements set out in Policy KH2. The Council will apply a flexible approach to the tenure mix for community-led projects where it is robustly demonstrated that the bespoke model meets an acute, un-met local housing need. Examples of such needs include senior living, co-housing for older residents, or dedicated accommodation for essential local workers.

Policy KH8: Gypsy and Traveller Accommodation

- A) To meet the borough's assessed Gypsy and Traveller accommodation needs, the Council will support the delivery of at least 52 permanent pitches over the ten-year period from 2022/23 to 2031/32.
- B) To ensure that pitch provision is integrated within sustainable communities, development proposals for major residential developments on sites exceeding 2 hectares, are required to contribute a portion of land (approximately 0.2 hectares) to permanent traveller pitch provision. This contribution is expected to be made on-site as an integrated component of the development, particularly where development involves land released from the Green Belt or Metropolitan Open Land.
- C) Development proposals for new Gypsy and Traveller sites, or the sensitive expansion of existing sites, will be supported where it is demonstrated that the development:
 - 1) Provides a minimum of 400 square metres of usable space per pitch to safely accommodate a static caravan, a touring caravan, parking for two vehicles, and a permanent amenity block;
 - 2) Secures safe and convenient vehicular access and turning space suitable for large trailers and emergency service vehicles;
 - 3) Incorporates landscape-led boundary treatments that respect the character of the surrounding area, actively avoiding hard enclosures or high fences that visually isolate the site from the wider community; and
 - 4) It is supported by a comprehensive Management Plan, secured through

a legal agreement, detailing the responsibilities for ongoing site maintenance, safety, and communal waste collection.

- D) A 'negotiated stopping' protocol will be utilised to manage any unauthorised encampments, permitting temporary residence at agreed locations for defined periods, subject to compliance with a formal code of conduct.

Supplementary Text

- 6.51 Under the Planning Policy for Traveller Sites (2024) and the London Plan, the Council is expected to take a proactive approach to meeting the accommodation needs of Gypsy and Traveller communities. In line with the 2025 London Gypsy and Traveller Accommodation Needs Assessment (GTANA), Policy KH8 sets a target for pitch provision in Kingston, committing the Council to support the delivery of at least 52 permanent pitches over the ten-year period between 2022/23 and 2031/32. This target reflects the broadened national definition of Gypsies and Travellers, which includes those who have ceased travelling either temporarily or permanently.
- 6.52 Kingston is significantly constrained by extensive Green Belt and Metropolitan Open Land (MOL), which historically has rendered the delivery of standalone traveller sites financially and spatially challenging. These constraints have contributed to a backlog of unmet need, overcrowding on authorised sites, and an increase in unauthorised developments. To overcome these barriers and avoid pushing Gypsy and Traveller communities to isolated peripheral locations, Policy KH8 requires developers bringing forward major residential developments on sites exceeding 2 hectares to dedicate approximately 0.2 hectares of land to permanent traveller pitch provision. Integrating pitches directly into new neighbourhoods from the outset ensures that traveller sites benefit from the same high-quality highway and utility infrastructure as conventional housing. Furthermore, tying pitch provision to major strategic land releases on Grey Belt or MOL constitutes a critical component of the 'exceptional circumstances' and public benefit required to justify the release of these land for development.
- 6.53 To ensure a high quality of life, parity with conventional housing, Policy KH8 requires each new permanent pitch must provide a minimum of 400 square metres of usable space. This footprint is necessary to safely accommodate a static mobile home, a touring caravan, parking for two vehicles, and a permanent amenity block. Applicants are also required to demonstrate that the site layout secures safe and convenient vehicular access, including adequate turning space for large trailers and emergency service vehicles.
- 6.54 In accordance with national policy, site designs must utilise landscape-led boundary treatments that respect the surrounding character and actively avoid high walls, gates, or hard enclosures that give the impression that occupants are isolated from the rest of the community. To ensure the long-term stewardship of these pitches and their environments, all permanent sites must be supported by a formal Management Plan secured through a Section 106 legal agreement, detailing responsibilities for ongoing maintenance, safety, and communal waste collection.

- 6.55 The 2025 GTANA also identified a specific 10-year need for bricks-and-mortar housing to address overcrowding and unsuitable conditions, equating to 87 homes for Roma households and 13 homes for Gypsy and Traveller households. However, culturally specific allocations are not required for standard bricks-and-mortar housing. Consequently, this identified requirement is absorbed within the borough's general housing need and will be addressed through the Council's affordable housing policy.
- 6.56 To manage temporary unauthorised encampments, the Council will implement a 'negotiated stopping' protocol where appropriate. This mutual agreement allows transient households to stop at agreed, suitable locations for a specified, limited period in exchange for adhering to a formal code of conduct regarding noise and site cleanliness. Under this arrangement, the Council provides essential temporary facilities, such as waste disposal and sanitation. This flexible approach significantly reduces the public costs associated with enforcement evictions while ensuring travelling families maintain access to essential healthcare and education services.

Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

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Intervener

Exhibit DJK9



Operational Advice – Trespassing On Land Without Consent / Unauthorised Encampments

Police Crime, Sentencing and Courts Act 2022: Changes to Legislation

27th June 2022

Security Classification	
Documents <u>cannot</u> be accepted or ratified without a security classification in compliance with NPCC Policy (Protective Marking has no relevance to FOI):	
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Author:	DCC Janette McCormick
Force/Organisation:	NPCC
Date Created:	27/06/2022
Coordination Committee:	NPCC Diversity, Equality & Inclusion Co-ordination Committee
Portfolio:	Gypsy, Roma & Travellers
Attachments @ para	Appendices 1-5
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Operational Advice – Trespassing On Land Without Consent / Unauthorised Encampments

Police Crime, Sentencing and Courts Act 2022: Changes to Legislation

27th June 2022

This revised operational advice has been produced and approved by the NPCC Diversity, Equality and Inclusion Co-ordination Committee. This document covers circumstances in respect of trespassing on land without consent, also referred to as unauthorised encampments.

Operational advice produced by the NPCC should be used by Chief Officers to shape police responses to ensure that the general public experience consistent levels of service. The implementation of all operational advice will require operational choices to be made at local level in order to achieve the appropriate police response. It will be updated and re-published as necessary.

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NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

1. Introduction and Context

This document is guidance covering the options to be considered in using the powers available for police to respond to circumstances in respect of trespassing on land without consent, such powers having been amended by the Police, Crime, Sentencing and Courts (PCSC) Act 2022.

The most significant legislative change in the Act is the introduction of a new summary criminal offence of residing on land without consent in or with a vehicle. The Act also amends existing powers previously available under the Criminal Justice and Public Order Act (CJPOA) 1994.

This document should be read in conjunction with the statutory guidance issued by the Secretary of State under Section 62F of the CJPOA 1994 which will also help police forces exercise the powers in both the new and amended provisions of the Act. As the Act states, the Secretary of State must issue guidance relating to the exercise of these powers and Police Officers in England and Wales must have regard to that guidance when exercising the powers.

The statutory guidance states that these measures have been designed to apply to anyone who meets the conditions for enforcement action regardless of race or ethnicity. It also states that whilst the Government expects the police to act where appropriate against those who break the law, the police must also continue to consider their obligations under human rights legislation, their Public Sector Equality Duty and wider equalities legislation.

This is an important point as, in many cases, Gypsies, Roma and Travellers – recognised ethnic groups in England and Wales – are often involved in setting up what are referred to as unauthorised encampments. A wider understanding of why this happens and the context of these events, is necessary to make a reasoned judgment on appropriate action, together with the evidence of individual events.

The NPCC has stated for some years that the key issue to address on a national level in respect of Gypsy, Roma and Traveller communities is the lack of appropriate accommodation for them. The shortage of suitable sites for families to live on and access as they move around the country often creates the biggest single source of conflict between the Travelling and settled communities.

Issues of trespass without consent can raise many concerns with the landowner and neighbouring members of the settled community. Some of these concerns are unfounded, however some circumstances do cause disproportionate harms. NPCC Operational Advice explains the framework within which the police should act, recognising the requirement to balance the needs of all parties involved.

The ultimate solution to these issues will be found in the provision of sufficient lawful accommodation accompanied by closer working between the police, local authorities and all other public services.

2. New offence relating to residing on land without consent in or with a vehicle, as introduced by the Police, Crime, Sentencing and Courts (PCSC) Act 2022.

The primary conditions of this new criminal offence are contained in Section 60C(1) of the Criminal Justice and Public Order Act 1994, as amended by the PCSC Act 2022. The offence applies where:

- a) a person is aged 18 or over;
- b) a person is residing, or intending to reside, on land without the consent of the occupier of the land;
- c) a person has or intends to have at least one vehicle with them on the land;
- d) one or more conditions in subsection 60C(4) of the CJPOA are met (see below);
- e) the person is requested to leave and/or remove their property by the occupier, a representative of the occupier or police.

Section 60C(2) goes on to say that a criminal offence is committed when a person meets all the conditions in Section 60C(1) as above and also meets one of the following:

- a) a person fails to comply with the request to leave as soon as reasonably practicable; or
- b) a person re-enters or enters the land with an intention of residing there without consent and has, or intends to have a vehicle with them, within 12 months of the request being made.

Specific conditions related to harm – Section 60C(4)

The conditions are —

- a) in a case where a person is residing on the land, significant damage or significant disruption has been caused or is likely to be caused as a result of their residence;
- b) in a case where a person is not yet residing on the land, it is likely that significant damage or significant disruption would be caused as a result of their residence if they were to reside on the land;
- c) that significant damage or significant disruption has been caused or is likely to be caused as a result of conduct carried on, or likely to be carried on, by that person whilst on the land;
- d) that significant distress has been caused or is likely to be caused as a result of offensive conduct carried on, or likely to be carried on, by that person whilst on the land.

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Thus people **aged 18 or over** would commit the proposed offence if they: -

- reside or intend to reside on land without consent and;
- they have or intend to have at least one vehicle with them;
- they cause or are likely to cause **significant damage, disruption or distress** as a result of either residing / intending to reside on the land or their conduct / potential conduct whilst on the land;
- they fail as soon as reasonably practicable to leave when directed to by the owner, someone representing them or the police, or return within the prohibited period of 12 months.

Key Points and Considerations...

The word **significant** will be crucial in establishing if any criminal offence has been committed under this new legislation.

Possible definitions for “significant” damage, disruption or distress are outlined in the statutory guidance which states that the police will be the party who determines if any “significant” damage, disruption or distress has been caused.

The statutory guidance states: **“If the police deem the harms to not be significant, then the offence under Section 60C would not apply.”**

3. Amendments to previously existing powers

As stated in the statutory guidance, in cases where no significant harms have been committed, police may decide to take other enforcement action using previously existing powers under Section 61 of the Criminal Justice and Public Order Act 1994, depending upon the circumstances of each case and providing the relevant conditions are met.

Section 61 gives police the powers to direct trespassers on land who have the common purpose of residing there for any period.

The power applies where the senior officer present reasonably believes that two or more people are trespassing on land with the purpose of residing there, that the occupier has taken reasonable steps to ask them to leave, and any of the following have occurred:

- a) any of the trespassers has caused, damage, disruption, or distress, including threatening, abusive or insulting words or behaviour etc or
- b) the trespassers have between them six or more vehicles on the land.

The conditions that can be caught by the power to direct under 61(1) (a) have now been broadened. These replicate the damage, disruption and distress included in the new offence but will not need to meet the threshold of “significant”.

Failure to comply with the direction, by failing to leave the land as soon as reasonably practicable, without reasonable excuse, is an offence.

Similarly, it is an offence for a trespasser who has left the land in compliance with a direction to re-enter it as a trespasser within 12 months of the direction being given.

The period of prohibited return has now been extended from 3 months to 12 months.

If breached, without reasonable excuse, police will be able to exercise powers of arrest and seizure.

If a person fails to remove their vehicle as directed, without reasonable excuse, or enters the land as a trespasser within 12 months of the direction to leave being given, the police officer may seize and remove that vehicle under section 62 of the CJPOA.

A direction under 61 can be issued to trespassers on land that forms part of a highway, but only where other conditions are met.

Reasonable Excuse

A person can show they have a reasonable excuse for failing to leave the land as soon as reasonably practicable or for entering again within the prohibited period.

Police will be expected to consider what constitutes a reasonable excuse depending on the factual circumstances of each case.

The following examples may be unlikely to be considered reasonable excuses:

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

- a) the vehicle has broken down; the legislation states a vehicle is any vehicle, whether or not it is in a fit state for use on roads and includes any chassis or body, with or without wheels;
- b) the attendance of events;
- c) the attendance of an appointment, unless for medical reasons to which the police and courts deem a reasonable excuse for residing on land without permission applies.

4. Working with Other Agencies

“It remains the case that the response to unauthorised encampments and to individuals who do not leave land when asked to do so, causing harm in the conditions set out, requires a locally driven multi-agency response, led by local authorities and supported by police.”

Home Office Statutory Guidance

Forces should work with local authorities to agree Joint Agency Protocols for the management of trespassing without consent. Forces should also consider establishing a liaison officer to work with local authorities on the implementation of joint protocols. This should be progressed within local Community Safety Partnership (CSP) forums in England and Wales or through other relevant local strategic frameworks.

Following on from the above, forces and local authorities should also consider working with other major landowners in their areas to agree similar protocols. Other major landowners may include Housing Associations, the National Trust or local farmers.

The Equality Act 2010 makes it unlawful to treat someone less favourably because of a range of protected characteristics, including race, nationality or ethnic or national origins. The following of a nomadic lifestyle is lawful, indeed it is a culture that is recognised and protected through legislation. Romany Gypsies and Irish Travellers are protected under this Act. The Public Sector Equality Duty applies to the police and all other public authorities. The Act places a duty on all authorities to have due regard to the need to eliminate unlawful racial discrimination and promote equality of opportunity and good relations between persons of different racial groups.

A joint decision should ideally be reached between the local authority, landowner and the police regarding the most appropriate course of action taking into account the impact on the landowner and wider community.

Local Authorities should be the lead agency in the initial stages of assessing the welfare of trespassers.

If forces are made aware of issues relating to trespassing without consent, they will be expected to respond to each case on its own merits and determine through gathering evidence what the appropriate action should be. It is likely that the police will be contacted in respect of the new powers available and asked to make a judgement as to whether the threshold of ‘significant’ has been met.

Consideration should be given to the legislation available, whichever is the most appropriate to manage the circumstances. Ultimately, the final decision on using the new Section 60C(1) CJPOA power rests with the police, but the use of police powers should not be the default position.

When considering how to respond, police should consider the potential impact issuing a direction to leave, arresting a person or seizing a vehicle may have on the families involved and on the vulnerable, before taking an enforcement decision.

On occasions other agencies may request police officers to accompany them to an incident to assist them for a lawful purpose. Such assistance is a matter for local discretion. Officers must take care to ensure that they do not become agents for the other parties, and on such occasions

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maintain neutrality from the other's purpose, but to provide reassurance to all involved that the peace will be maintained.

Where there are no authorised sites, and the authority reaches the view that the incident is not causing a level of damage, disruption or distress which cannot be effectively controlled, it should consider providing services, such as toilets, a refuse skip and a supply of drinking water at that site.

5. Use of Police Powers

“The decision on which police powers are used remains at the discretion of the police officer attending a particular incident who must, when exercising that discretion, have regard to this guidance.”

Home Office Statutory Guidance

The co-ordinated use of powers available under the Criminal Justice and Public Order Act 1994 allows for a proportionate response to incidents covered by this guidance based on the behaviour of the trespassers.

Current legislation affords the police and local authorities a range of powers, the use of which is subject to a range of factors. Groups of known individual families where there are small numbers in acceptable locations, not causing anti-social behaviour or crime, can be allowed to remain in that location longer than would otherwise be the case if the law were different. This approach leads to the Gypsies and Travellers having a real incentive to act in a responsible manner.

Sections 60C to 60E of the Criminal Justice and Public Order Act 1994 set out the criminal offence relating to residing on land without consent, in or with a vehicle, and associated seizure and forfeiture powers.

In cases where no significant harms or any criminal offence have been committed, police may decide to take other enforcement action using Sections 61 or 62 of the Criminal Justice and Public Order Act 1994, providing the conditions of this are met.

Forces should consider becoming involved in bringing about the prompt and lawful removal of groups trespassing without consent using Section 61 or 62 powers where:

i) Local amenities are deprived to communities or significant impact on the environment.

This could include, for example, occupying any part of a recreation ground, public park, school field, village green, or depriving the public use of car parks. The fact that other sections of the community are being deprived of the amenities must be evident before action is taken.

ii) There is local disruption to the economy.

Local disruption to the economy would include occupying a shopping centre car park, or in an industrial estate, if it disrupts workers or customers, or agricultural land, if this results in the loss of use of the land for its normal purpose.

iii) There is other disruption to the local community or environment.

This might include where other behaviour, which is directly related to those present is so impactful that a prompt eviction by police becomes necessary, rather than by other means.

iv) There is a danger to life.

An example of this might be a group gathered adjacent to a motorway, where there could be a danger of children or animals straying onto the carriageway.

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v) There is a need to take preventative action.

This might include where a group of trespassers have persistently displayed anti-social behaviour at previous sites and it is reasonably believed that such behaviour will be displayed at this newly established site. This reasoning will take on greater emphasis if the land occupied is privately owned, as the landowner will be responsible for the cleansing and repair of their property.

The mere presence of a group without any aggravating factors should not normally create an expectation that police will use eviction powers. This should be communicated to the public, landowners, local authorities, and other agencies.

Forces should develop a local communication strategy, ideally together with local authorities, to ensure the rationale for the use or otherwise of legislation is clear to all parties.

An Officer should be mindful that if the threshold of “significant” is met, they should consider the appropriate offence.

If a decision is made to use police powers to evict then the rationale for the decision should be clearly set out and recorded.

In all cases, as stated above, relevant Human Rights legislation must be applied to all decisions made i.e., that the elements of Sections 60, 61 or 62 are satisfied, and that it is necessary and proportionate to use the powers.

Section 62A of the Criminal Justice & Public Order Act 1994 creates a power for the senior police officer present to direct a person to leave land and remove any vehicle or other property with him / her on that land if the senior police officer present reasonably believes that the conditions below are satisfied. The conditions are:

- that the person and one or more others (the trespassers) are trespassing on the land;
- that the trespassers have between them at least one vehicle on the land;
- that the trespassers are present on the land with the common purpose of residing there for any period;
- if it appears to the officer that the person has one or more caravans in their possession or under their control on the land, that there is a suitable pitch on a relevant caravan site for that caravan or each of those caravans;
- that the occupier of the land or a person acting on his behalf has asked the police to remove the trespassers from the land.

The availability of suitable pitches at authorised sites or transit facilities will be an essential consideration before powers under Section 62 A-E can be used and liaison between police forces and their local authorities will be necessary to ascertain such availability or otherwise.

6. Operational Tactics

All police decisions and actions must be made in compliance with the provisions of the Human Rights Act 1998. Any action should only be such as is necessary for public safety, the prevention of crime or disorder, the protection of health, or for the protection of the rights and freedom of others.

All police actions should be conducted in a manner compatible with the operational principles of safety, lawfulness, necessity, proportionality and common humanity. Actions should be completed in a manner that is the least intrusive to achieve the purpose. It is necessary to achieve a balance in the protection of the rights and freedom of all persons concerned with a specified incident.

Where appropriate, it is recommended that the police visit newly established trespass incidents, and that a local supervisory officer be informed. Visits should, wherever possible be done together with the landowner, Local Authority, and other relevant agencies. PCSOs should only be deployed as part of the local neighbourhood policing team response, not in relation to confrontational situations.

Initial contact should be made with the people on the site, and an assessment made of the impact of its location, as well as the behaviour displayed by the occupants. The occupants should be spoken to in order to establish their identities and location of last site, and to ascertain their views on desired duration of stay as well as any pressing welfare needs.

Officers should identify any offences disclosed or apparent e.g., criminal damage caused to gain entry to land, obstruction of any footpaths or other highways, any other anti-social behaviour.

Officers should discuss with those present what constitutes unacceptable conduct. They may consider it appropriate to give them a copy of the recommended *Code of Conduct*. (Example at [Appendix 1](#)).

Officers should assess whether the location of the group, behaviour of residents or needs of the landowner justifies an eviction using police powers.

Liaison should be maintained with the landowner, those most affected by the incident and our partner agencies to assess the need for Police intervention.

In accordance with guidance issued by the Department for Levelling Up, Housing and Communities (DLUHC) in England or the Welsh Assembly Government (WAG) in Wales the Local Authority, as lead agency for unauthorised encampments, should take an active role in engaging with the site residents and will in particular take the lead with sites established on their land, which do not require immediate Police action. Periodic visits by police officers to the site can also be beneficial to get to know site residents and also to pick up on any community tensions that may give rise to more serious incidents. These visits will be enhanced if completed along with designated Local Authority staff members. The absence of such visits will not prohibit the future use of police powers, but may help in justifying the use of these powers if this proves necessary. These visits will also provide an audit trail to support decision-making.

It is suggested that attending officers should complete an initial site assessment. (Example at [Appendix 2](#))

The decision whether or not to utilise police eviction powers should be periodically reviewed to establish if circumstances have changed that will require the use of a police eviction to protect the rights of others. All information concerning the site and the site occupants should be shared with all

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involved agencies (subject to the provisions of the Data Protection Act), to ensure that a balanced common approach is adopted in fairness to all.

Assessment visits should only log details of vehicles and people where there are grounds to suspect those individuals of anti-social behaviour or criminal activity.

Where appropriate, vehicle and / or any person details should be checked on the Police National Computer (PNC) for 'markers' (which if present should be acted upon as appropriate). Any criminal intelligence should be submitted in the normal format using intelligence systems.

A separate log should be created for each trespassing on land without consent incident notified to the Police. Any calls from the public relating to the incident or directly attributable to its occupants, should be recorded within the log, including any complaint calls.

Forces should ensure that there is a clear audit trail of decision making which sets out the rationale for all decisions made. Where separate Command and Control logs are created for specific incidents, which relate to the occupation of the same land, these should be 'incident-matched' to the main log once concluded. At the conclusion of the occupation of the land the log should be endorsed suitably with the outcome, including any eviction powers used, and the general behaviour and conduct of the residents.

A suggested Direction to Leave Land Decision Form and a Notice to Leave Land Form are attached. (Examples at [Appendix 3](#) and [Appendix 4](#))

All officers and police staff are responsible for ensuring that all crimes they become aware of in the course of their duty are identified for crime recording. The principles of the Home Office Counting Rules and the National Crime Recording Standards should be used by officers and staff in their assessment of all potential crimes arising from such situations.

7. Recording of Information

Existing powers under Section 61 of the Criminal Justice and Public Order Act 1994 have been amended. Section 61 gives police the powers to direct trespassers on land who have the common purpose of residing there for any period.

The period of prohibited return has now been extended from 3 months to 12 months.

If breached, without reasonable excuse, police will be able to exercise powers of arrest and seizure.

If a person fails to remove their vehicle as directed, without reasonable excuse, or enters the land as a trespasser within 12 months of the direction to leave being given, the police officer may seize and remove that vehicle under section 62 of the CJPOA.

Where any Police Powers are formally used, local intelligence systems should record this information. As this offence does not relate to any specific group or ethnicity, any record should not include this information. This intelligence should be weeded from systems after a 12-month period when the further provision (arrest for an offence) is no longer applicable.

Where the new criminal Offence under Sec 60C is used, the crime reference number should be retained on Police systems and provided to Local Authorities / Landowners as required.

Where police powers are **NOT** used following any assessment, any intelligence should only be kept for as long as is necessary.

The appendices of this document include a suggested initial site assessment form, notices to leave land that forces may wish to use along with a direction to leave land form. Again, these forms should only be kept as long as is necessary and for a maximum 12-month period.

Chief Constables should have regard to Section 149 of the Equality Act 2010 which sets out “The Public Sector Equality Duty”. That duty applies to all public authorities (including Chief Constables) to have regard to the need to advance equality of opportunity.

There is no statutory duty on public authorities, such as Chief Constables, to complete an Equality Impact Assessment before deciding to act or not act in particular ways that relate to equality. However, it is good practice to do so. Doing so allows an informed and considered view in any decisions because the Equality Impact Assessment should examine the facts in terms of the implications of the different potential courses of action.

This Operational Advice does not seek to direct Chief Constables but it does urge them to give very careful consideration to conducting an Equality Impact Assessment and recognise the potential benefits of doing so.

The new legislation under Section 60(c) provides a new criminal offence which will be recorded on the Police National Computer, so a review of the use of this legislation over time by way of an Equality Impact Assessment / Equality Analysis would be recommended.

8. Safeguarding / Welfare issues

Police should ensure that, in accordance with their wider Equalities and Human Rights obligations, proper welfare enquiries are carried out to determine whether there are pressing needs presented by those involved in these incidents and that, where necessary, the appropriate agencies (including Local Authorities) are involved as soon as possible.

If vehicles are seized during incidents of this nature, officers must be aware that these are, in effect, people's homes, and links to relevant local authorities should be established to ensure subsequent appropriate accommodation is provided.

Incidents of this nature also have potential wider issues in respect of children and animals from a safeguarding perspective and forces should ensure they have local policies and procedures in place to deal properly with such circumstances.

9. Costs / Compensation

Police will be able to exercise powers of arrest and seizure in relation to the offence. The power of seizure includes a vehicle but is not limited to this.

A constable can remove any property on the land which the police suspect the person had or intended to have with them for the purposes of the offence or which was subject to the request to leave if that property:

- a) belongs to the person suspected of committing the offence;
- b) is in the person's possession; or
- c) is under the person's control

Section 60D (2A) provides that a vehicle can be seized 'wherever located' For 'other property' to be seized it must be on the land which was subject to the request to leave, as provided by section 60D(2)(b).

Section 60D (10) and (11) prevent another person retrieving the seized vehicle where the chief officer of police reasonably believes that the vehicle was in the possession or control of the offender with that person's consent at the time of the offence.

The relevant chief officer of police may retain any property that has been seized under subsection (1) until the end of the period of three months beginning with the day of the seizure or, if criminal proceedings are commenced, until the conclusion of those proceedings.

If a prosecution is not taken forward, the property must be returned to the person believed to be the owner as soon as practicable.

If a chief officer of police cannot after reasonable inquiry identify the vehicle owner:

- a) the chief officer must apply to a magistrates' court for directions, and
- b) the court must make an order about the treatment of the property.

Existing vehicle seizure regulations can be found in the Police (Retention and Disposal of Motor Vehicles) Regulations.

10. Complaints / Hate Crimes

Police may receive complaints relating to the behaviour of occupants at trespass incidents, or from the occupants relating to other people. The initial police response to such calls should, of course, be the same as for any other incident, and graded on its priority. If attendance to see a complainant is appropriate, or to investigate a report, then an appropriately staffed police resource should attend to investigate.

The allegation of a crime or identification of an individual suspect at such incidents should not be grounds alone for consideration of a full group eviction. The factors must be weighed accordingly, and a decision taken on the necessary and proportionate action required, and so action that may be considered will include the giving of advice, arrests, eviction or a combination of all.

Where occupants at trespass incidents are victims of crime or anti-social behaviour, they must be given access to services in the usual way. If there is a perception that the incident is racially motivated then the matter should be dealt with in line with Hate Crime policy.

The law on Hate Crime defines “racial group” as a “group of persons defined by reference to race, colour, nationality (including citizenship) or ethnic or national origins”.

This definition is very wide and victims may come within the definition under one or more of these categories. Gypsies, Roma and some Travellers should be considered as falling within the definition.

The hate crime flag is perception-based, meaning that it can be applied if the victim or any other person, perceives the crime to be motivated by hostility or that hostility was demonstrated during the commission of the offence.

To flag a file as a Hate Crime, it is **not** necessary to have the evidence to prove the aggravating element. But this evidence **will be needed** to prove the aggravating element at court.

The perception of the victim is key in Hate Crime but attending officers, supervisors and CPS lawyers can also consider whether to add a Hate Crime flag to a case.

The law on Hate Crime refers to **hostility, not hatred**. There is no statutory definition of hostility and the everyday / dictionary definition is applied.

Local consideration of planning applications for official Gypsy, Roma and Traveller sites and the use of unofficial encampments can trigger online / offline activity, which may become criminal.

The following is not exhaustive but provides a range of victim experience to consider when looking at available evidence. **N.B. each case will depend on its own facts and circumstances: -**

Incident - evidence of:

- derogatory or racist abuse and use of related emojis;
- use of offensive stereotypes;
- threats of violence towards encampments involving criminal damage or arson;
- reference to the Holocaust;
- targeting of cultural identity;

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

- reference to religion or assumed religion.

Further information can be found on the True Vision website – www.report-it.org.uk – or on the Crown Prosecution Service website – www.cps.gov.uk/crime-info/hate-crime

Appendices

Appendix 1 – Suggested *Code of Conduct*

Appendix 2 – Initial Site Assessment Form

Appendix 3 – Direction to Leave Land Decision Form

Appendix 4 – Notice to Leave Land Forms

Appendix 5 – Training Slides: NPCC Operational Advice – Trespassing On Land Without Consent / Unauthorised Encampments

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

Appendix 1 – Suggested Code of Conduct

Moving On Whether you choose to leave or are required to do so, please leave the site as you found it. The condition of the site when you leave will be taken into consideration if you move to another location.	Useful information and contacts Insert local contacts telephone and email e.g. Partnership Unit, Local Authority, Neighbourhood Policing Team, True Vision Hate reporting help line Education e.g. Education Welfare Officers Accommodation e.g. Accommodation Advice, Homeless Line Emergencies <table border="0"> <tr> <td>Police</td> <td>For emergencies 999</td> </tr> <tr> <td></td> <td>Non emergencies 101</td> </tr> <tr> <td>NHS Direct 111 (medical advice)</td> <td>NHS Direct 111 (medical advice)</td> </tr> </table> Insert other local contacts	Police	For emergencies 999		Non emergencies 101	NHS Direct 111 (medical advice)	NHS Direct 111 (medical advice)	Insert Police, Local Authority and Partnership logos here Good Neighbour Code for Gypsy and Traveller Families Version (date produced)
Police	For emergencies 999							
	Non emergencies 101							
NHS Direct 111 (medical advice)	NHS Direct 111 (medical advice)							

This Code explains what is expected of the Travelling community and how we will manage trespassing on land without consent. When we are told you have arrived, a member of the Partnership team will complete a welfare check. We will ask for information like family name, number in the group, and health, education and accommodation needs. Any trespassing on Council owned land will be time-limited. The following are also considered: welfare checks, reasonable behaviour, co-operation of all parties, and previous behaviour whilst in the partnership area. Failure to comply with the Code will result in immediate action and to move you. If you are applying for permanent or transit accommodation, any breaches of the Code will be considered. The Partnership will work with you, local residents and businesses. We ensure everyone's rights and responsibilities are balanced in a fair but firm manner. know your neighbour	What support we can provide: <u>PROVIDE:</u> Portable toilets. These can be made available for the encampment at a cost. You will be charged if there is any damage to the toilet. <u>ARRANGE:</u> Rubbish collections. Bin bags will be provided and collections arranged for domestic waste only. Any dumping on the land will be treated as 'fly tipping' and dealt with as such. <u>VISIT SITE DAILY</u> Visits will be undertaken to ensure the code is being complied with and record any breaches to the Good Neighbour Code. <u>RECORD:</u> Information collected will be managed in accordance with all relevant data protection requirements. All information about an encampment - welfare information, complaints and breaches of this code - is kept and will be used when deciding what any future action.	DO's - Do keep children under control and under adult supervision at all times. - Do keep all animals secured at all times. - Do ensure all rubbish is placed in bin bags and kept in one place. - Do ensure all children (5-16 years old) are accessing suitable full-time education. DON'T - Don't use threatening or abusive behaviour towards any person attending the site. - Don't park vehicles (including caravans) in a way that causes a hazard or obstruction. - Don't cause any damage to the land or environment. - Don't dump or inappropriately dispose of household, human or trade waste.
--	--	--



Appendix 1 - Code of Conduct.docx

Appendix 2 – Initial Site Assessment Form

INITIAL SITE ASSESSMENT

INITIAL INFORMATION					
Day		Date		Time	
Reference Number:					
LOCATION INFORMATION					
Nearest Road					
Borough/District		Post Code			
Division					
LAND & GENERAL INFORMATION					
What is the normal use of this land and how is this use being affected by the persons trespassing? <i>Provide as much detail as possible to this question as this is critical to the assessment of the impact of the incident</i>					
Who is the owner of the land?					
Has the requirement to quit the land been given by the landowner (or their authorised agent) to the trespassers and has any notice period for this expired? <i>Include all details including name of individual who made this requirement & circumstances in which it was given/made</i>					☐ Yes ☐ No
Has a subsequent formal request been made by, or on behalf of, the owner of the land for police to use police powers to remove the trespassers?					☐ Yes ☐ No
Has any damage been reported and/or identified? If so, what?					☐ Yes ☐ Yes, significant damage ☐ No

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

Has any distress been caused? If so, who to?	☐ Yes ☐ Yes, significant distress ☐ No
Has any disruption been caused? If so, what?	☐ Yes ☐ Yes, significant disruption ☐ No
Is there an environmental impact? <i>Consider litter or waste risks</i>	☐ Yes ☐ No
TRESPASSER INFORMATION	
What is known of the trespassers' intentions?	
How many persons and vehicles are present?	
Is anything known about the conduct of all or part of this group of trespassers at their last stopping place? <i>Include details if known of the location and relevant reference number</i>	☐ Yes ☐ No

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

Is there any relevant intelligence relating to this incident from neighbouring areas?	☐ Yes ☐ No
Are any animals present? <i>Numbers tied/untied? Any risk to the public or highway?</i>	☐ Yes ☐ No
LOCAL AUTHORITY INFORMATION & WELFARE	
Has the representative of the Local Authority been made aware of this incident? If so, who was advised and what feedback have they provided?	☐ Yes ☐ No
Has the local authority conducted a welfare visit? If yes what was the outcome? If no why has this not been conducted?	☐ Yes ☐ No
What welfare needs or considerations have been identified for those on the site?	
COMMUNITY INFORMATION	
Have any representations in respect of the incident been received from members or representatives of the local community?	
<i>Where these relate to criminal conduct or anti-social behaviour alleged against those persons trespassing, what steps have been taken to investigate and record these allegations?</i>	
OTHER INFORMATION	
What is the overall impact to the local community / landowner?	

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

Are there any other factors, not detailed above, which should be taken into account when considering the impact of this incident?			
Now set out what policing measures will be put in place to manage this incident and provide reassurance to the local community			
What communications will be put in place following any decision on use of police powers to manage this incident and provide reassurance to the local community?			
OFFICER COMPLETING			
Name		Rank & ID Number	
Date completed		Time completed	



Appendix 2 - Initial Site Assessment Form

Appendix 3 – Direction to Leave Land Decision Form

DIRECTION TO LEAVE LAND DECISION RATIONALE RECORD

Location:		
Date reported to Police:		
Police Ref. No.		
Land Owner:		
Site Reference No (if any):		
General Information / Summary <i>Where/what/when/why/how was the site established, who owns the land, how are they and others affected? What is the previous history of the site and the occupying family? Highway is now covered by relevant legislation.</i>		
Aggravating Factors <i>Record the number of caravans and vehicles present here, together with the factors that have been taken into account regarding the need to direct to leave, such as damage, disruption or distress caused and impact on other communities.</i>		
Mitigating Factors relating to the camp (including welfare issues): <i>If possible, Local Authority staff should attend to complete health and welfare assessments. Although the legislation does not prevent a direction to leave by the police where no formal welfare enquires have been completed, such enquiries should be made wherever practicable. In any event, police should complete welfare enquiries at the time of service of the notice, with any issues noted on the notice.</i>		
Section 60C requirements: SIGNIFICANT damage, disruption or distress		
A person is residing or intends to reside on land without consent of the land's occupier	Select...	A
has (or intends to have) at least 1 vehicle with them on the land	Select...	B
A person has caused or likely to cause SIGNIFICANT damage	Select...	C
A person has caused or likely to cause SIGNIFICANT disruption	Select...	D
A person has caused or likely to cause SIGNIFICANT distress	Select...	E
In order to consider using Section 61 there must be A+B and either C, D or E.	Select...	
Section 61 requirements: Damage, disruption or distress OR 6 or more vehicles		
Unauthorised trespassers have failed to respond to requests from or on behalf of the legal occupier of the land, and that any notice period given by them has expired?	Select...	A
Two or more people are trespassing on land	Select...	B
they are present there with the common purpose of residing there for any period	Select...	C

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

that reasonable steps have been taken by or on behalf of the occupier to ask them to leave	Select...	D
that any of those persons have caused damage, disruption or distress	Select...	E
that people on the land have between them six or more vehicles	Select...	F
In order to consider using Section 61 there must be A+B+C+D and either E or F.	Select...	
Section 62A requirements: Alternative site available		
Two or more people are trespassing on the land	Select...	A
The trespassers have between them at least one vehicle on the land	Select...	B
The trespassers are present on the land with the common purpose of residing there for any period	Select...	C
It appears that the person has one or more caravans in his possession or under his control on the land	Select...	D
There is a suitable pitch on a relevant caravan site for the caravan, or each of those caravans	Select...	E
The occupier of the land or a person acting on his behalf has asked police to remove the trespassers from the land.	Select...	F
All requirements must in place to use Section 62A	Select...	
Have welfare enquiries been carried out? <i>If Yes, ensure Welfare Enquiry Record is attached to Niche from Local Authority</i>	Select...	
Reviewing Inspector's Assessment <i>The information provided should support the Critical Incident Manager in the final decision being made on whether the group and/or an individual should be directed to leave the land.</i>		
[Information]		
Name		ID#
Date		Time

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments

Direction to leave decision (Critical Incident Manager)			
<i>A record of the grounds for the decision, including any action taken to resolve either aggravating factors or welfare issues that may have arisen. A summary of the impact on the human rights of all parties involved should be included, highlighting the legitimacy, proportionality and necessity of the eviction action.</i>			
Is there an immediate need to direct to leave?		Select...	
Who will be directed to leave?		Select...	
Legislation used	Select...		
If Section 60C	Select....		
If Section 61	Select....		
If Section 62A, site to be directed to:			
[Rationale]			
What date are notices to be served?			
Date		Time	
When should the trespassers leave by			
Date		Time	
Signed			
Name		FIN	Rank
Date		Time	



Appendix 3 -
Direction To Leave Lai

Appendix 4 – Notice to Leave Land Forms

NOTICE TO LEAVE LAND

In accordance with Section 60C of the Criminal Justice and Public Order Act 1994, I direct all those on this land to leave for the following reasons:

I believe that you are residing or intending to reside on the land without the consent of the occupier and that you have or intend to have at least one vehicle with you and that you have caused or are likely to cause SIGNIFICANT damage, disruption or distress.

You are required to leave and remove your property with you.

AUTHORISING OFFICER					
Signed		Date		Time	
Name		Force ID		Rank	
Ref. No.					

SERVING OFFICER					
Name		Force ID		Date	
Location				Time	

You must leave this land as soon as reasonably practicable or by the latest Date & Time ➔ If you fail to leave this land as soon as reasonably practicable or enter the land again as a trespasser within twelve months of this date, you commit an offence and could be arrested and/or prosecuted as well as having your vehicles removed by the Police.

NOTICE TO LEAVE LAND

In accordance with Section 61 of the Criminal Justice and Public Order Act 1994, I direct all those on this land to leave for the following reasons:

I believe that two or more of you have entered this land as trespassers, that you have a common purpose to reside on the land and that reasonable steps have been taken by or on behalf of the person entitled to possession of the land, to ask you to leave.

I further believe that:

- Damage, disruption or distress has been caused *and/or**
- You have between you six or more vehicles (including caravans) on the land*

AUTHORISING OFFICER					
Signed		Date		Time	
Name		Force ID		Rank	
Ref. No.					

SERVING OFFICER					
Name		Force ID		Date	
Location				Time	

You must leave this land as soon as reasonably practicable or by the latest Date & Time → If you fail to leave this land as soon as reasonably practicable or enter the land again as a trespasser within twelve months of this date, you commit an offence and could be arrested and/or prosecuted as well as having your vehicles removed by the Police.

NOTICE TO LEAVE LAND

In accordance with Section 62a of the Criminal Justice and Public Order Act 1994, I direct all those on this land to leave for the following reasons:

I direct you to leave this land, and to remove all vehicles and other property you have with you on the land as I reasonably believe that the following conditions are satisfied:

1. That you and one or more others are trespassing on the land and,
2. That you have between you at least one vehicle on the land and,
3. That you are present on the land with the common purpose of residing for any period and,
4. That you have one or more caravans in your possession or under your control on the land and there is a suitable pitch on a relevant caravan site for that caravan or each of those caravans and,
5. That the occupier of the land or a person acting on his behalf has asked the police to remove the trespassers from the land.

AUTHORISING OFFICER					
Signed		Date		Time	
Name		Force ID		Rank	
Ref. No.					

SERVING OFFICER					
Name		Force ID		Date	
Location				Time	

You must leave this land as soon as reasonably practicable or by the latest Date & Time → If you fail to leave the relevant land as soon as reasonably practicable or enter ANY land in the area of the relevant local authority as a trespasser with the intention of residing there within twelve months of this date, <u>you commit an offence</u> and could be arrested and/or prosecuted as well as having your vehicles removed by the Police.
--

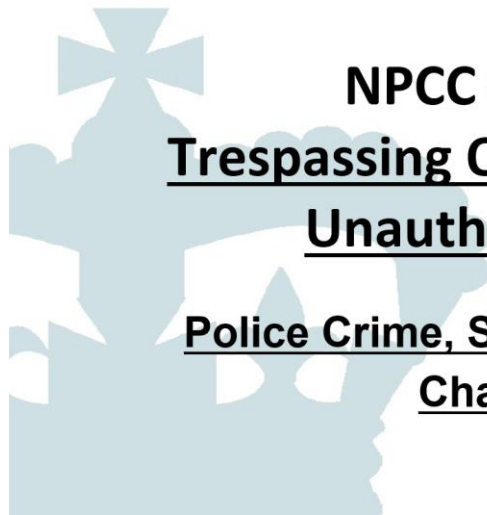


Appendix 5 – Training Slides: NPCC Operational Advice – Trespassing On Land Without Consent / Unauthorised Encampments



NPCC Operational Advice **Trespassing On Land Without Consent /** **Unauthorised Encampments**

Police Crime, Sentencing and Courts Act 2022
Changes to Legislation



Key things to remember...

Damage



Disruption



Distress

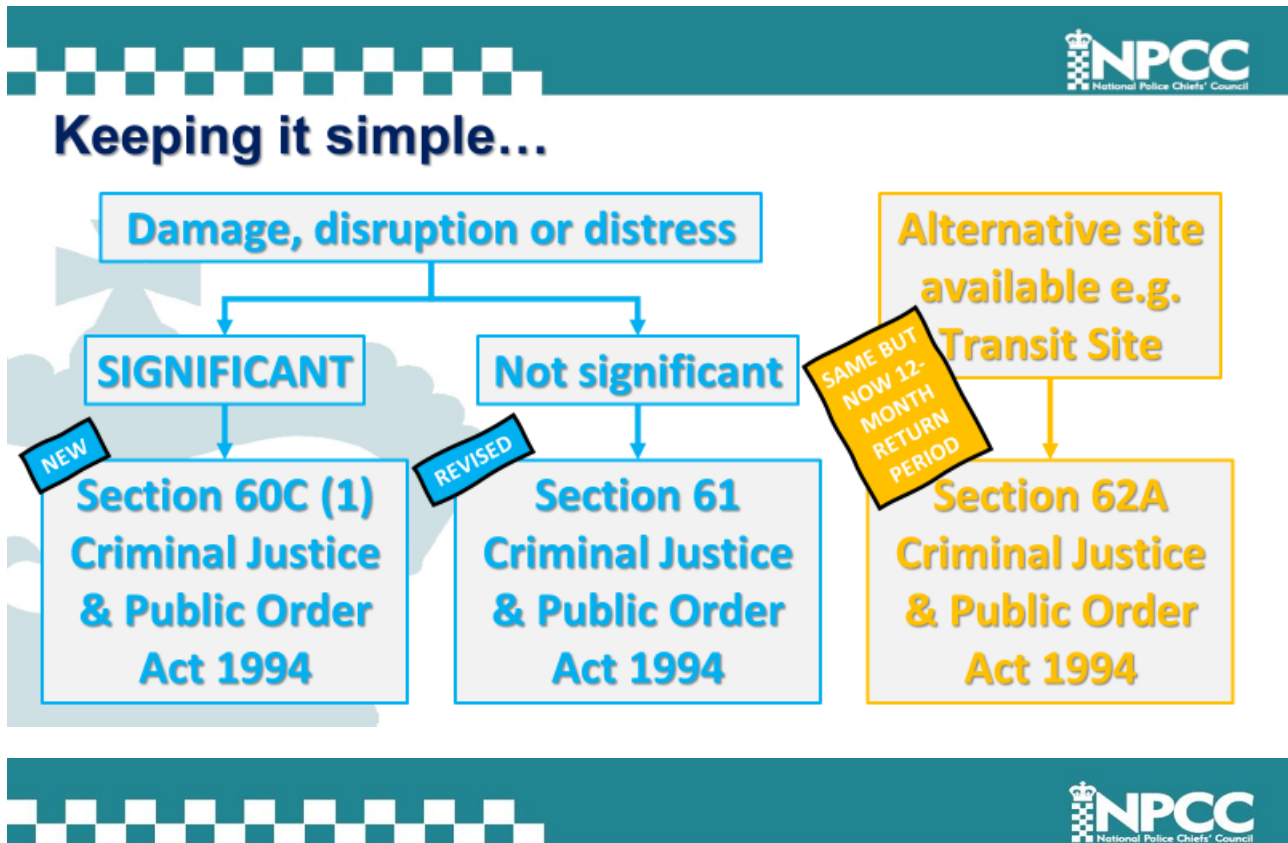


Highway
included



No return for
12 months





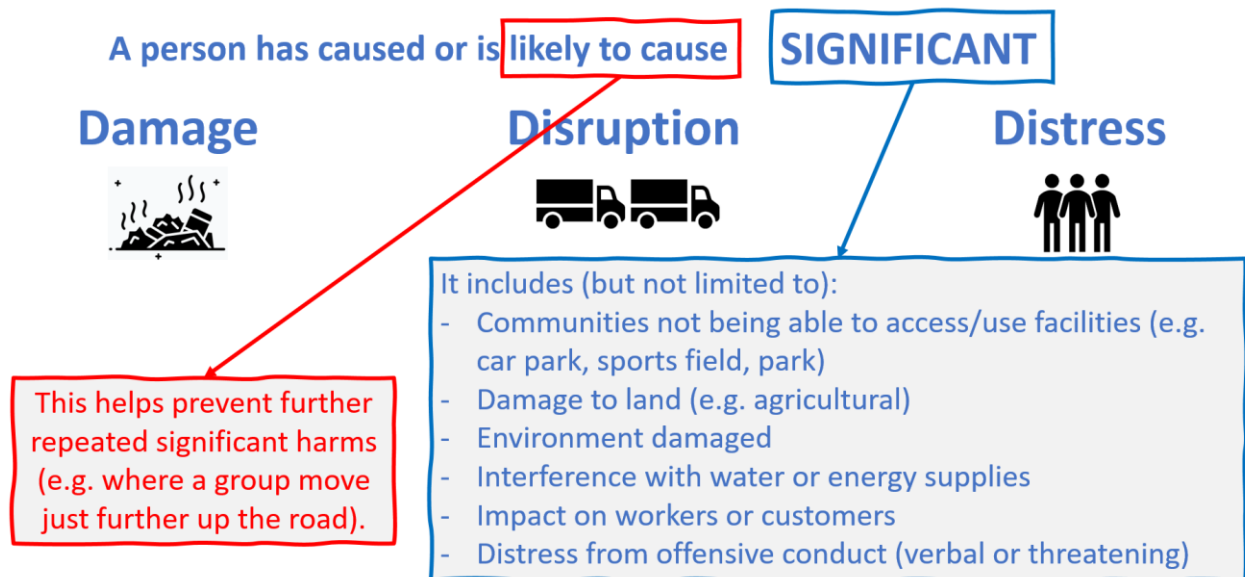
Section 60C (1) Criminal Justice & Public Order Act 1994

New Criminal Offence introduced

NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments



Section 60C (4): What are these conditions?





When is an offence committed?

When all conditions are met in Section 60C (1) + (4) and:

A person fails to comply with the request to leave as soon as reasonably practicable or,

A person re-enters or enters the land (with intention to reside without consent and has, or intends to have a vehicle with them), within 12 months of the request being made.

Even if a person commits SIGNIFICANT damage, disruption or distress but leaves on the request given no offence is committed unless they return within the prohibited 12 months period (other offences may apply e.g. Criminal Damage or Public Order)

Reasonable excuse defence
No offence committed IF they can show they have a reasonable excuse for failing to comply (or re-entering the land)
NOTE that 'broken down vehicle' is *unlikely* to be considered a reasonable excuse



What can we do?

1. Inform Duty Officer
2. Brief the CIM
3. Request group leave once authorised by the CIM
4. Consider arrest if they fail to leave and Code G is met

Under Section 60D we can:

Remove property and/or seize vehicles if they fail to leave or return within 12months

Here lies the issue... as the majority are 'nomadic' and may not have an address for summons - Code G is nearly always going to be met.
The knock-on effect is 'Who do we arrest?' and do we take any children located into Police Protection if their parents are under arrest, thus impacting on Local Authority?

However if we seize property/vehicles we have to return it if we are not seeking to prosecute for the offence.

Vehicle Seizures as per Police (Retention & Disposal of Motor Vehicles) Regs 2002

Section 61 Criminal Justice & Public Order Act 1994



Section 61 Criminal Justice & Public Order Act 1994

Amends the wording to include 'damage, disruption or distress'

Now includes the highway

Extends the period not to return from 3 months to 12 months



NPCC Operational Advice Trespassing On Land Without Consent / Unauthorised Encampments



Section 61 Criminal Justice & Public Order Act 1994



2 or more persons



Trespassing



Land

Reasonable belief by police they are trespassers and intend to reside there

Reasonable steps taken by occupier or on their behalf to ask them to leave

and

~~Damage to land/property~~

~~Used threatening, abusive or insulting words or behaviour towards occupier or their agent~~

or

Six or more vehicles

Any of the trespassers has caused damage, disruption or distress



Section 62A Criminal Justice & Public Order Act 1994

Police reasonably believe that:



2 or more persons



Trespassing



Common purpose to reside

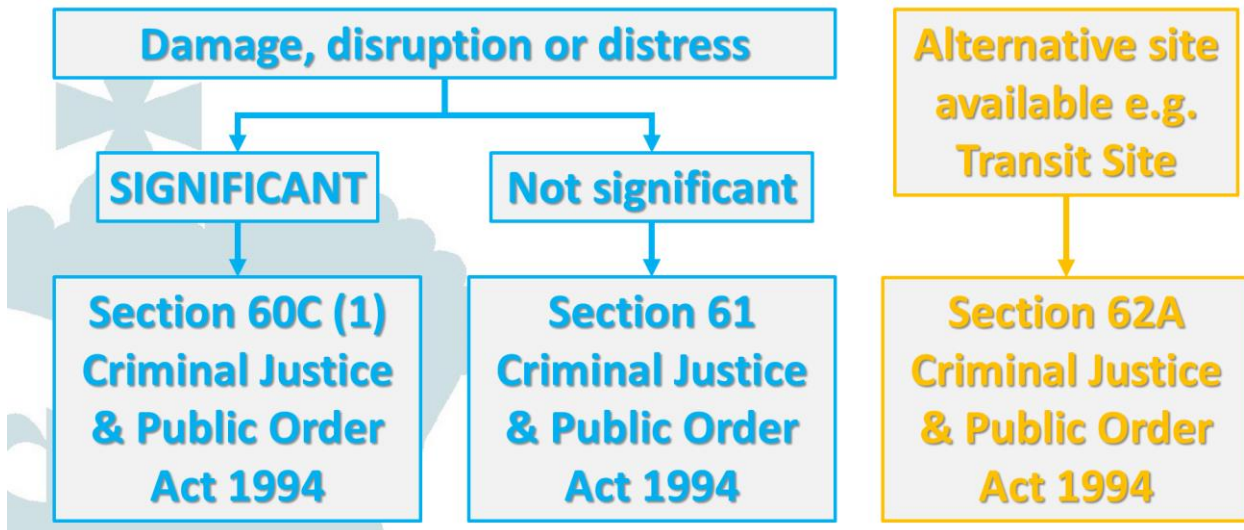
Suitable pitch on a relevant site is available



One or more caravans

Occupier has asked police to remove them

Keeping it simple...



What does the Home Office say?

Where possible, the police should liaise with local authorities when assessing each individual case and rely on the evidence in each to determine the appropriate powers to use.

It remains the case that the response to UEs requires a locally driven multi-agency response, led by local authorities and supported by police.

The decision on which police powers are used remains at the discretion of the police officer attending a particular incident who must, when exercising discretion, have regard to this guidance



Section 77 Criminal Justice & Public Order Act 1994

It appears to Local Authority that:



Persons are for a time residing in a vehicle or vehicles

- (a) on any part of a **highway**;
- (b) on any other **unoccupied land**; or
- (c) on any **occupied land without the consent** of the occupier

...they may direct them to leave.

Offence: Fail to leave

Action: Seek Section 78 order from Magistrates



Training Slides -
PCSC Act 2022 - May



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Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2024-003315

KING'S BENCH DIVISION

**IN THE MATTER OF SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972
AND SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990**

B E T W E E N:-

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH
RICHMOND UPON THAMES**

Claimant

-and-

**(1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT AND /
OCCUPYING FOR RESIDENTIAL PURPOSES (including temporary occupation)
WITH OR WITHOUT VEHICLES AT ANY OF THE 8 SITES WITHIN THE LONDON
BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO THIS
CLAIM**

**(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES WITHIN THE
LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO
THIS CLAIM**

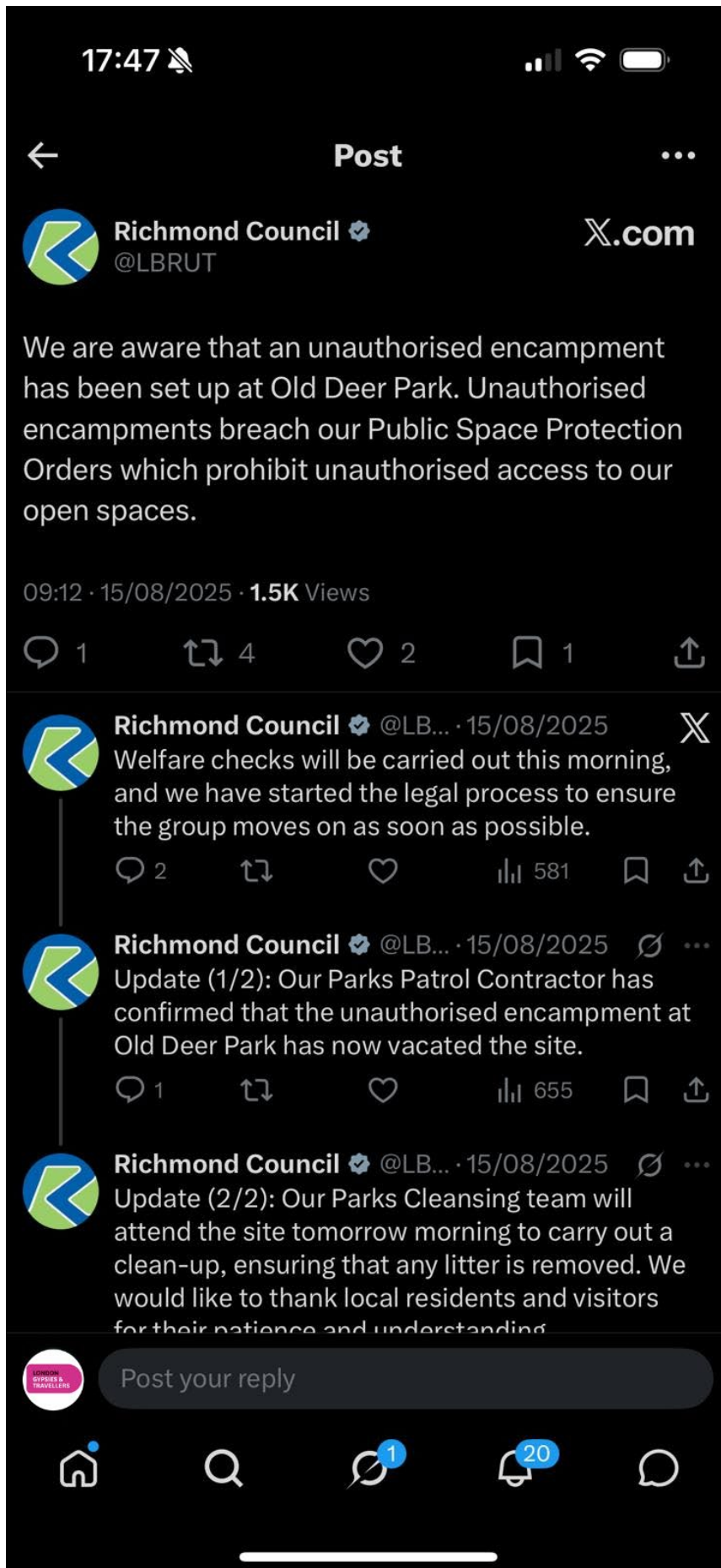
Defendants

-and-

THE LONDON Gypsies AND Travellers

Intervener

Exhibit DJK10



Witness: Deborah Jane Kennett

Witness Statement: 2

Exhibits: 9, DJK3-DJK11

Statement made on: 17 July 2026 to 27 August 2026

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2024-003315

KING'S BENCH DIVISION

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WITH OR WITHOUT VEHICLES AT ANY OF THE 8 SITES WITHIN THE LONDON
BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO THIS
CLAIM**

**(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES WITHIN THE
LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON SCHEDULE 1 TO
THIS CLAIM**

Defendants

-and-

THE LONDON GYPSIES AND TRAVELLERS

Intervener

Exhibit DJK11

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Update on the unauthorised encampment in Ham

London Borough of Richmond upon Thames sent this bulletin at 06-08-2024 07:00 PM BST

[View in browser](#)



Update on the unauthorised encampment in Ham

We are aware that the group of Travellers have returned to the borough late last night and are now on King Georges Field. The group gained illegal entry by forcibly removing two concrete posts.

The group of Travellers first arrived on Ham Common in the evening of Friday 26 July after which we started welfare checks and the legal process to move them on. We issued court proceedings on Monday 29 July successfully obtained an Order and Writ of Possession to legally move the group from the Common on Thursday 1 August.

The group then went to the Hawker Centre which is in the Royal Borough of Kingston upon Thames. During this time, we remained in close liaison with the Police and our Parks Patrol Contractor.

As King Georges Field is a different site to Ham Common, we need to go back to court to obtain a new possession order for this individual site. We do not have a permanent borough wide injunction therefore this is the only legal process available to us at present. We cannot get a blanket possession order for all green spaces in Ham, only where we have evidence of an unauthorised encampment.

Welfare checks were carried out this morning and evidence gathered to allow us to swiftly apply to the courts today for a hearing on Friday. Proceedings have been issued today and will be served by bailiffs tomorrow which need to be displayed on site until the Court hearing on Friday morning. We hope to receive a new Writ of Possession on Friday afternoon from the court to allow us to proceed with eviction once again and subsequent clean-up operation.

How are we securing our sites?

All our sites in Ham are secure for their purpose (excluding Ham Common and Ham Riverside Open Space), with prevention in place to prevent unauthorised access. Ham Village Green has posts and rails, King Georges Field has concrete bollards and a bar gate, and Ham Riverside Pitches also has a bar gate. The unauthorised encampment trespassed onto King Georges Field by removing two concrete bollards.

The possession order still applies to Ham Common for six months, but only to this group of registered vehicles. Individuals have declined to give names so we can only apply the order to the vehicles.

What does the Council do to minimise the impact on public land and to the local area?

We have contractors removing litter twice daily from the site and surrounding areas. After they leave, we will ensure all waste is removed and any damage is repaired. We are also regularly in contact with the Police to ensure they are monitoring the site for anti-social behaviour (ASB) and illegal activity. We encourage residents to report any ASB or illegal activity to the police.

What is the process for moving on unauthorised encampments on Council land?

- Council receives notification of an unauthorised encampment
- Council Officers, Police and/or Parks Patrol Contractor attend site to carry out necessary welfare assessments and appropriate referrals, these include:
 - Traveller welfare needs
 - Safeguarding issues
 - Animal welfare issues
 - Risk assessments
- All relevant information is passed to the Council's Legal Services who lodge paperwork with the court and subsequent Court Proceedings are issued, the swiftness of the us being granted Court Proceedings is determined by the courts
- Court Proceedings served on site (NB Court Rules require two clear days' notice of the Court hearing)
- Court Hearing for Possession Order after 48 hours
- Once we have a Possession Order, we ask the Court to issue a Writ of Possession, which is the authority to evict. We will ask the Court to issue the Writ immediately after the Court hearing, and once issued, the eviction can proceed immediately.

How is the Council going to prevent this becoming a regular event?

The Council with the assistance of our Legal Service (SLLP) is working towards the application of a permanent injunction for sites where we have had unauthorised encampments over the past 3 years, this needs to be robustly evidenced. This is a lengthy process, and it is not guaranteed it will be granted by the Court.

What should residents do while the Council goes through the court process?

Please report any anti-social behaviour to the Police as soon as possible as this can support the court process.

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