

THE 'HIPPIY' CONVOYS

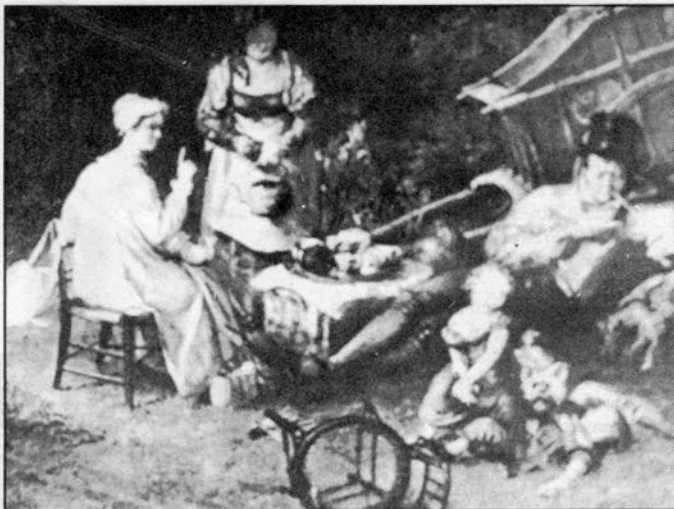
MEANWHILE, A COURT VICTORY FOR GYPSIES

AS HAMPSHIRE'S chief constable calmly showed there are laws enough to 'deal with' hippy convoys, TIM MALYON describes how gypsies have won a court victory on behalf of all 'travellers'

IN JULY 1985 a group of gypsies moved on to the Briton Ferry industrial estate at Neath. The owner, West Glamorgan county council, provides no sites for gypsies. Yet there's a legal 'duty' on all local authorities, under the 1968 Caravan Sites Act, 'so far as may be necessary to provide adequate accommodation for gypsies residing in or resorting to their areas.'

When West Glamorgan took out eviction proceedings, the gypsies contested them. The Appeal Court finally settled the case this 22 May. It ruled in the gypsies' favour, stating that 'the council was not entitled in law to seek possession of the land until such time as it made reasonable alternative provision for the accommodation of gypsies.' West Glamorgan will not be appealing the judgment.

It is a ruling which will provide welcome relief to the travellers. Ever since the 1960 Caravan Sites and Control of Development Act forced them to live on licensed sites, and the 1965 Commons Registration Act



To set against the hatred of nomads just expressed, shamefully, at Cabinet level — herewith Constable's friend C. R. Leslie's *Londoners Gypsying*, of 1820 (detail)

assigned ownership of common land on which they stayed to local authorities — who could then evict them under the 1960 Act — their way of life has been increasingly threatened.

Despite the duty imposed on local authorities by the 1968 Caravans Act to provide adequate sites, provision has been woefully inadequate in many areas, and evictions from sites with no alternative pitches frequent. But as a result of this new ruling, local authorities who go to court for eviction orders against gypsies on their land will be under great

pressure to show the courts that they are providing alternative sites for those travellers who 'reside in or resort to their area', before such orders are granted.

In principle, this legal victory for gypsies is a victory for all travellers 'new' and 'old-age'. The 1968 Act clearly states that "gypsies" means persons of nomadic habit of life, whatever their race or origin' *viz* 'hippy' caravans. The introduction to the Act is equally categorical. It is 'an Act to ... secure the establishment of sites by local authorities for the use of gypsies and

other persons of nomadic habits.'

Stephen Sedley QC, an expert in travellers' law, believes the Caravans Act does cover 'new-age travellers'. 'Under the Act' he advises the NS, 'gypsy is not a tribal or racial definition. It is a concrete concept related to a person's way of life.' However, Home Secretary Douglas Hurd has publicly written 'new-age' travellers out of the Caravans Act, and the DoE, responsible in law for the Act, has stated that 'the whole problem is to be considered by the Home Office Working Party.' In the Shires, Hants County Councillor Bob Millard, chair of the Gypsy Sites Panel, has informed the NS, 'we as a county would resist providing sites for these people.'

Both Hampshire and Wiltshire are 'still studying the implications' of the recent Appeal Court decision. With crowds and carnivals expected in Salisbury this weekend for the start of a two-week agitation for a legal Stonehenge Festival, widespread disgust at Monday's 'de-commissioning' (a chilling de-humanisation of language) of over 100 caravan homes, and further land squats inevitable, their homework needs to be swift.

If council land is squatted, courts can now refuse or delay eviction orders, at least against named travellers — people of nomadic habit who have resorted to Stonehenge for twelve years and claim their right of transit. ●