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BRITAIN'S HIGH COURT LIFTS THE THREAT OF EVICTION FROM THE DALE FARM TRAVELLERS

Dale Farm, UK,: In a far-reaching decision that could galvanize efforts to combat homelessness across Europe, a British High Court judge has halted the eviction of 86 Traveller families from Dale Farm in Southeast England, and ordered the local authorities to find alternative land where the Travellers can live legally and free from discrimination.

The ruling was issued by Justice Andrew Collins last Friday (May 9). It amounts to a stinging rebuke to the Basildon Council, which triggered the crisis in 2005 by ordering the Travellers to leave Dale Farm because they were living illegally and without planning permission. The Council reaffirmed the order on December 13, 2007.

Grattan Puxon, secretary of the Dale Farm Housing Association, which represents the Travellers, described the High Court decision as "a major legal victory for Britain's long harassed Gypsies and Travellers, many of whom have in recent years seen their homes mercilessly bulldozed."

Although the Basildon Council may appeal, it will have to consider the judge's 26-page ruling, which echoes many of the concerns expressed by supporters of the Dale Farm community, including The Advocacy Project.

The judge concedes in his ruling that the Travellers are living outside the law and that "the time must come when they will have to leave." But, he writes, before this happens the Basildon Council must demonstrate that the suffering to Traveller families from eviction will be outweighed by the harm caused by their illegal status. This, writes the judge, has not yet been done: "As a result, I am persuaded that the decisions of 13 December 2007 cannot stand."

At the heart of the judge's ruling is a conviction that the Travellers are victims of a "high degree of prejudice" who were forced to settle at Dale Farm because they cannot find land elsewhere – which he describes as "indirect discrimination." This conclusion differs sharply from the view of the Basildon Council, which has always portrayed the Travellers as profiteers, taking advantage of cheap land prices. The judge also rebukes the Council for refusing to identify new land for Travellers and Gypsies, even though the Council has been asked to find 81 housing plots ("pitches") by the body which governs local councils in Eastern England.

Justice Collins finds that the Travellers suffer from high levels of illiteracy and poor health, which he attributes to an “inequality of opportunity.” He complains that these special needs were not considered by the Council in weighing the impact of any eviction: “A small number who had serious health or educational difficulties might be permitted to remain at least on a temporary basis. I think that option should have been spelt out.”

The judge is particularly critical of the violent methods used by Constant & Co, the firm of bailiffs which has carried out previous evictions and urges the Basildon Council not to hire the firm again. Justice Collins writes that he watched video footage of one eviction and found the bailiffs’ conduct “unacceptable.” Even the presence of police had “failed to curb the excesses,” he writes.

With the immediate threat of eviction now lifted, the Travellers will turn to developing a new community center which was opened last week. The Advocacy Project hopes to support IT training for young people at the center, in an effort to raise literacy levels. AP Peace Fellow James Dasinger has been volunteering at Dale Farm this year.

Meanwhile, other advocates in Europe who are fighting for the rights of Roma and other unpopular minorities, will likely study how the Dale Farm Travellers have forced their campaign onto the political and legal agenda in Britain, in the face of deep prejudice and with little support from the mainstream human rights movement.

Last week, Richard Sheridan, President of the Dale Farm Housing Association, took his case to the British House of Commons, where he told MPs that the practice of eviction amounted to “ethnic cleansing.” Mr. Sheridan has been elected President of the UK Gypsy Council, which will meet on June 10 to review strategy in the light of the High Court ruling.

Read the [May 9 ruling by Justice Andrew Collins](#)

Read the [press release by Keith Lomax](#), the lawyer for the Travellers.

Consult a [timeline of the Dale Farm crisis](#) and more information on the crisis.

Read the [blogs of James Dasinger](#), AP's Peace Fellow at Dale Farm.

Read AP's article on Dale Farm in [The Washington Post](#)

View the [AP footage of Dale Farm](#).

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