

Wolverhampton City Council and others (Respondents) v London Gypsies and Travellers and others (Appellants)

Case ID: 2022/0046

Case summary

Issue

Does the court have the power to grant "newcomer injunctions", i.e. injunctions against persons who are unknown and unidentified as at the date of the order, and who have not yet performed, or threatened to perform, the acts which the injunction prohibits? If so, on what basis and subject to what safeguards?

Facts

Between 2015 and 2020, a number of local authorities obtained injunctions designed to prevent Gypsies and Travellers from camping on local authority land without permission. The injunctions were addressed to "persons unknown" because the Gypsies and Travellers who might wish to camp on a particular site could not generally be identified in advance. At the time the injunctions were granted, these unknown persons, or newcomers, had not yet camped, or threatened to camp, on the local authority land without permission, or to commit any other relevant unlawful activity. The local authorities obtained the injunctions without notifying any other party, at hearings where the interests of Gypsies and Travellers were not represented.

From around mid-2020, the local authorities made applications to extend or vary injunctions which were coming to an end. After a hearing in one of these cases, the High Court judge decided that there was a need to review all newcomer injunctions affecting Gypsies and Travellers. He gave the appellants, who represent the interests of Gypsies and Travellers, permission to intervene so that the interests of Gypsies and Travellers could be represented. Following the review hearing, the judge concluded that the court did not have the power to grant newcomer injunctions, except on a short-term, interim basis. He therefore made a series of orders discharging the newcomer injunctions obtained by the local authorities.

The Court of Appeal held that the court had the power to grant newcomer injunctions, and allowed the local authorities' appeal. The appellants now appeal to the Supreme Court.

Judgment appealed

[\[2022\] EWCA Civ 13](#)

Parties

Appellant(s)

- (1) London Gypsies and Travellers
- (2) Friends, Families and Travellers
- (3) Derbyshire Gypsy Liaison Group

Respondent(s)

- (1) Wolverhampton City Council
- (2) Walsall Metropolitan Borough Council
- (3) London Borough of Barking and Dagenham
- (4) Basingstoke and Deane Borough Council and Hampshire County Council
- (5) London Borough of Redbridge
- (6) London Borough of Havering
- (7) Nuneaton & Bedworth Borough Council and Warwickshire County Council
- (8) Rochdale Metropolitan Borough Council
- (9) Test Valley Borough Council and Hampshire County Council
- (10) Thurrock Council
- [(11) Persons unknown]

Intervener

- (1) Friends of the Earth
- (2) Liberty
- (3) High Speed Two (HS2) Ltd
- (4) Secretary of State for Transport

Appeal

Justices

Lord Reed, Lord Hodge, Lord Lloyd-Jones, Lord Briggs, Lord Kitchin

Hearing start date

8 February 2023

Hearing finish date

9 February 2023

Watch hearing

8 February 2023 [Morning session](#) [Afternoon session](#)

9 February 2023 [Morning session](#) [Afternoon session](#)