

## Impact case study (REF3b)

<b>Institution: Anglia Ruskin</b>
<b>Unit of Assessment: Law UoA20</b>
<b>Title of case study: The Gypsy/Traveller 'problem'</b>
<b>1. Summary of the impact</b>
<p>Home's continuing research on planning and accommodation for Gypsies/Travellers originated as far back as 1980, and contributed key evidence to the Parliamentary Committee in 2004 leading to a statutory requirement on local authorities to undertake local Gypsy/Traveller Accommodation Assessments (GTAAAs). The research-based methodology pioneered in the Cambridge sub-region GTAA has become best practice for GTAAAs in the current REF period, and in 2011 media coverage of the high-profile Dale Farm evictions drew upon his research through media contributions by him (in TV, radio and newspapers).</p>
<b>2. Underpinning research</b>
<p>Professor Robert Home, Professor of Land Management, has researched since 1980 (continuing at Anglia Ruskin from 2002 to the present) on law and practice relating to housing and accommodation of Gypsies/Travellers, especially planning and enforcement issues, and published numerous refereed articles or book chapters on the subject. In the major law and policy review by central government from 2003, his written and oral evidence to the Parliamentary Select Committee inquiry was the most often-cited evidence (17 times) in the Committee's final report, which resulted in the addition to the Housing Act 2004 of a statutory requirement for local authorities to carry out GTAAAs.</p> <p>The six references in section 3 below summarise his research:</p> <ul style="list-style-type: none"><li>▪ His <i>Habitat International</i> article (2002, ref.1 below) placed his research on Gypsies/Travellers within a wider context of land use planning and treatment of marginalised groups, and subsequently involved him in international peri-urban research through UN Habitat's Global Campaign for Secure Tenure and Global Land Tools Network. The article analysed changing case law and processes for planning and enforcement in Gypsy/Traveller development in the UK, and linked them to similar issues of forced eviction in other countries, at a time before the UN advisory group on forced evictions was created and UK practice came under closer international scrutiny.</li><li>▪ His <i>Romani Studies</i> article (2006, ref.2 below) presents the research methodology for GTAAAs pioneered in the externally-funded Cambridge sub-region study, making that research available to a wider European readership concerned with Romani studies. This research led to Home undertaking, on behalf of Anglia Ruskin University, research consultancies for GTAAAs, generating over £200k of external research funding to Anglia Ruskin University between 2005 and 2008. This GTAA consultancy was for consortia of local authorities (North and East Surrey, Dorset and Poole, Cambridge sub-region and the West of England).</li><li>▪ His book chapter (2006, ref.3 below) expanded this research in collaboration with other academics in the field, for the first edited academic collection addressing accommodation issues for Gypsies/Travellers. His chapter linked planning and enforcement issues into the policy area of housing needs assessment, coinciding with policy reviews at the time.</li><li>▪ His chapter on the 'settled nomad' (ref.4 below) placed recent case law within a longer</li></ul>

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historical time-frame of the rules of settlement in pre-industrial poor law, welfare and vagrancy law, showing how evidential requirements on family circumstances and local associations for Poor Law interrogations have continued in recent times through similar investigations in connection with planning appeal procedures.

- In the current REF period Home's research continued in his *Stellenbosch Law Review* article (ref.5 below), invited after a visiting professorship at Stellenbosch University (South Africa). This analysed the planning, housing and human rights aspects (specifically Article 8 of the European Convention on Human Rights), and related them to issues of forced eviction and informal settlement in Third World countries of 'Gypsy law' in the UK, drawing comparisons with South African law on 'influx control' and vagrancy in the *apartheid* era.
- His *International Journal of Law and Built Environment* article (2012, ref.6 below and one of his REF 2 output) investigates a much-publicised recent case at Dale Farm (Basildon, Essex), linking it back to planning appeals from the mid-1980s, the site being forcibly cleared in 2011 in a high-profile action by Basildon Council, with support from the new Coalition Government. His article analysed the legal arguments put to the High Court against the context of internationally agreed guidelines, identified the case as a new development in the long-running history of forced eviction of Gypsies by local authorities, and elaborated its wider relevance for the comparative study of treatment of Gypsies in other European countries, particularly in the context of the recent European Union Roma Inclusion Strategy and emerging international 'soft law' on forced eviction.

### 3. References to the research (available on demand from HEI where not in current REF2 submission)

1. Robert Home (2002) Negotiating security of tenure for peri-urban settlement: Traveller-gypsies and the planning system in the United Kingdom, *Habitat International* **26**(3): 335-46.  
**Research quality:** Journal established at the UN Habitat Conference, Vancouver (1976) as a refereed journal dedicated to the study of urban and rural human settlements, with papers on both developing or developed world.
2. Margaret Greenfields (of Buckinghamshire New University) and Robert Home (2006) 'Assessing Gypsies and Travellers needs: Partnership working and "The Cambridge Project"', *Romani Studies* **16**(2): 105-131.  
**Research quality:** Professor Yaron Matras, University of Manchester, double-blind refereed.
3. Robert Home (2006) 'Gypsy sites and the planning system', in *Here To Stay: The Gypsies and Travellers of Britain* (ed. C.Clark and M.Greenfields, Hatfield, Univ. of Hertfordshire Press).  
**Research quality:** an introduction for professionals working with the Travelling community, in a series on Gypsy/Traveller research.
4. Robert Home (2006) 'The Gypsy Problem', or the paradox of the settled nomad, in *Feminist Approaches to Land Law* (ed. A. Bottomley and H. Lim). London, Cavendish.  
**Research quality:** peer-reviewed collection of essays, edited by senior academics from Universities of Kent and East London.
5. Robert Home (2009) 'Gypsies and Travellers in the United Kingdom: Planning, housing and human rights in a changing legal regulatory framework', *Stellenbosch Law Review* **20**(3): 533-50.  
**Research quality:** double-blind refereed journal, outcome of funded visiting professorship at

Stellenbosch University.

6. Robert Home (2012) Forced eviction and planning enforcement: the Dale Farm Gypsies, *International Journal of Law in the Built Environment*, 4(3): 178-88. (REF2 output 4)

**Research quality evidence:** double-blind peer-reviewed journal, aimed at legal scholars and practitioners, built environment researchers, policy makers, planners, and housing professionals. The article was Outstanding Paper Award Winner in the Literati Network Awards for Excellence 2013, and was downloaded 141 times in its first year of publication.

#### 4. Details of the impact

Overlapping into the current REF period, Home's research resulted in his being invited onto government working groups which developed the officially-preferred approach to GTAA methodology. He spoke on this at numerous training events for local government officers after 2007, and presented at a workshop for GTAA consultants, held in Birmingham on 10 July 2008, which contributed to a report to government on benchmarking standards for future GTAAs; Home was involved in the resulting robustness checks to identify circumstances or assumptions which might lead to GTAAs either over- or underestimating need, and to suggest what sort of adjustments might be made for greater accuracy and reliability of evidence.

The methodology which Home and Dr. Margaret Greenfields had developed for the Cambridge Sub-region GTAA (*Romani Studies*, ref.2 above) has remained acknowledged as best practice and taken up in many of the GTAAs undertaken for local government consortia from 2006 to the present. Home was invited to give expert evidence at the South West Regional Examination-in-Public of Gypsy accommodation needs, held in Exeter in 2008, resulting in revised regional guidance. In 2012 he advised Doncaster Borough Council on its new GTAA and contributed subsequent planning appeal expert evidence, while other GTAAs in the current round of such studies (for the period 2011-2016) have contributed to draw upon the Cambridge Sub-region approach, especially in relation to survey questionnaire design.

The change of UK government in 2010 was soon followed by Basildon Council's widely-publicized direct action against Gypsies in breach of planning control at Dale Farm (Essex). During this time Home's research expertise resulted in him being asked to give numerous media interviews (local, regional and national), including *Independent on Sunday* (reach metric 109,901, web reach metric 264,952), Radio Essex interviews and Radio Sheffield (total reach metrics of 375,000), TV documentary for BBC1 *Look East* (reach metric 412,000). Home has also been an invited speaker on Gypsy planning and enforcement issues at various training days for the Essex Planning Officers' Association, East of England Royal Town Planning Institute regional branch, and Southern Region Enforcement Officers Group (2007-2011). The average attendance at these events was 25-30, and included:

- Norfolk & Suffolk Planning Officer Group 12 January 2011,
- Essex Planning Officers Association Planning Policy Forum Chelmsford 1 September 2009
- East of England RTPi workshop, Welwyn & Hatfield Council Offices, 19 November 2010,
- East Anglia Enforcement Officer Group meeting, Needham Market, Suffolk, 14 May 2010).

BBC Radio Sheffield, BBC Surrey and Sussex, *Independent on Sunday*, and TV feature in BBC1 *Look East*, and his research was quoted in an article in the *New York Times* (see sources to corroborate below). His continuing research (published in the *International Journal of Law and the*

*Built Environment* and elsewhere) contributes to best practice in the current second round of GTAAAs (for the period 2012-2016 and beyond), including that for Essex local authorities (in the reassessment following the Dale Farm evictions). Since the statutory abolition of Regional Spatial Strategies and the greater local flexibility accorded to GTAAAs, Home's research methodology continues to inform new local approaches to the new round of GTAAAs, especially regarding the legal status of 'tolerated' sites and of Gypsies settled in social housing. He has now been involved in seven GTAA studies (as well as two Regional Spatial Strategy studies), affecting about a quarter of the Gypsy/Traveller caravan population of England (estimated at about 300,000).

Professor Home's Gypsy research has also had international impact, as similar accommodation issues are acknowledged in other countries. This has resulted in invitations to participate in various international workshops for institutes and development aid agencies, One such was for an international workshop for the Onati International Institute for the Sociology of Law on the theme of 'Indignation, Socio-economic Inequality and the Role of Law', held in May 2012. He was a consultee and participant in the launch of the new European Union Roma Inclusion Strategy (2011), following European Parliament endorsement (see <http://ec.europa.eu/justice/discrimination/roma/national-strategies>).

#### 5. Sources to corroborate the impact

- (1) Article in *New York Times* 20/10/2011 (reach metric 1,383,931), available at <http://www.nytimes.com/2011/10/20/world/europe/british-authorities-evict-travelers.html>
- (2) Interview in Independent on Sunday 31/01/2011 (reach metric 109,901, web reach metric 264,952)
- (3) Radio Essex interviews 02/09/2011, 22/09/2011, 24/09/2011, 18/10/2011 and Radio Sheffield 18/6/2012 (reach metrics each 75,000)
- (4) Interview on TV documentary for BBC1 Look East 17/10/2011 (reach metric 412,000)
- (5) Invited speaker on Gypsy planning and enforcement issues at various training days for the Essex Planning Officers' Association, East of England Royal Town Planning Institute regional branch, and Southern Region Enforcement Officers Group (2007-2011). Average attendance 25-30, further information from submitting HEI. Examples:
  - Norfolk & Suffolk Planning Officer Group 12 January 2011,
  - Essex Planning Officers Association Planning Policy Forum Chelmsford 1 September 2009
  - East of England RTPi workshop, Welwyn & Hatfield Council Offices, 19 November 2010,
  - East Anglia Enforcement Officer Group meeting, Needham Market, Suffolk, 14 May 2010).
- (6) Home's 'Cambridge method' GTAA methodology cited in Devon GTAA (on-line at [http://www.southwest.ra.gov.uk/media/SWRA/RSS%20Documents/Gypsies and Travellers/Devon](http://www.southwest.ra.gov.uk/media/SWRA/RSS%20Documents/Gypsies%20and%20Travellers/Devon))
- (7) Evidence at South West Regional Spatial Strategy, Gypsy and Traveller Revision, Examination in Public, Exeter, 4 March 2008-Public review of additional pitch requirements for Gypsies and Travellers. Online at [http://www.southwest-ra.gov.uk/nqcontent.cfm?a\\_id=3147&tt=swra](http://www.southwest-ra.gov.uk/nqcontent.cfm?a_id=3147&tt=swra)
- (8) Planning Officer (Doncaster Borough Council, contact details supplied in corroboration)
- (9) Research Group (Cambridgeshire County Council, contact details supplied in corroboration)