

## Protest and Encampment Law

Members of Landmark have been at the forefront of protest and encampment law for the last two decades, combining its specialisms in property law, public law and human rights.

### Protest

In 2003, [Katharine Holland QC](#) successfully obtained the first ever “Persons Unknown” injunction against protestors in *Hampshire Waste Services v Persons Unknown* (2003), the seminal case that founded the current approach to protest cases.

Since then, members of Landmark, most notably [Katharine Holland QC](#), [David Forsdick QC](#) and, more recently [Yaaser Vanderman](#), have consistently been at the forefront of protest disputes.

Others members who have special expertise in protest law include [Stephen Knafler QC](#), [Tim Buley QC](#), [Myriam Stacey](#), [Jonathan Wills](#), [Matthew Fraser](#) and [Ben Fullbrook](#).

Members of Chambers have been involved in the full range of protest cases, including the following:

- Educational protests: *SOAS v Persons Unknown* (2010), *University of Sussex v Persons Unknown* (2013), *University of Birmingham v Persons Unknown* (2015) and the anti-racism protests in Goldsmith College in *Goldsmith College v Persons Unknown* (2019);
- The Parliament Square protest encampments: *Mayor of London v Hall* (2010) and *Mayor of London v Haw* (2011);
- Protests against the financial system: the UBS protest in *Sun Street Property Ltd v Persons Unknown* (2011); the St Paul’s Occupy Movement protest in *City of London v Samede* (2012) as well as the claim that evicted the protestors from Paternoster Square; and,
- Environmental protests: protestors opposing fracking activity in *Manchester Ship Canal Developments v Persons Unknown* (2014); the Sheffield tree protests in *Sheffield*

*City Council v Fairball* (2017)-(2018) and subsequent committal proceedings; and, claims against Extinction Rebellion protestors; and,

- Abortion protests: challenging the Public Space Protection Order granted against pro-life supporters in *Dulgheriu v Ealing LBC* (2019).

In addition to reported cases, members of Landmark regularly provide advice to public bodies and the energy, defence, retail, education and housing development sectors, including high profile protest situations arising in the last year.

Finally, Landmark has also been heavily involved in the related area of urban exploring. [Katharine Holland QC](#), [David Forsdick QC](#) and [Toby Watkin](#) are leading practitioners in this area, obtaining injunctions in respect of the Shard, the Cheesegrater, Canary Wharf, the O2 Arena, Wembley Stadium and Chelsea FC's Stamford Bridge Stadium.

## Encampments

[Richard Langham](#) and other members have been involved in many injunction cases concerning traveller encampments including borough wide injunctions.

[Richard Drabble QC](#) appeared in the House of Lords in *Secretary of State v Meier* (2009) which mandates the use of injunctions (rather than possession orders) to restrain threatened trespass. Since then members of Landmark, and notably [Jacqueline Lean](#), have secured injunctions to restrain threatened trespassory encampments and possession orders against actual encampments.

In relation to non-trespassory encampments by persons unknown which breach planning control, [David Elvin QC](#) and [Richard Langham](#) played important roles in developing the present law (*Gammell v South Cambs District Council* (2006) and *Broxbourne v Robb* (2011)). Many members of Landmark have secured quia timet injunctions to prevent the use of empty sites throughout the country for the stationing of caravans. Chambers often

presents seminars and webinars on this topic and members regularly advise local authorities on the developing law in this area.

[Reuben Taylor QC](#) and [Christopher Jacobs](#) appeared in the judicial review proceedings in relation to the clearance of the notorious Dale Farm site.

A number of members also regularly advise and act in claims brought under section 187B of the Town and Country Planning Act 1990 to restrain unauthorised development, including but not limited to breaches of planning control by members of the traveller community.