



Home Office

Baroness Williams

2 Marsham Street  
London SW1P 4DF  
[www.gov.uk/home-office](http://www.gov.uk/home-office)

BY EMAIL ONLY  
Baroness Lister of Burtersett  
House of Lords  
SW1A 0PW

23 November 2021

Dear Ruth,

**POLICE, CRIME, SENTENCING AND COURTS BILL: COMMITTEE STAGE –  
UNAUTHORISED ENCAMPMENTS**

During the Committee debate on 3 November, you asked me to clarify what is meant in the draft statutory guidance for the police on unauthorised encampments by ‘not gold-plating human rights and equalities legislation’ (Official Report, columns 1318 and 1332). I agreed to write to you about this.

This language has been used in HM Government guidance on unauthorised encampments since March 2015, when issued under the Coalition Government. It is not a new position.

<https://www.gov.uk/government/publications/dealing-with-illegal-and-unauthorised-encampments>

That guidance made clear that human rights legislation does not prevent action to protect local amenities and the local environment; to maintain public order and safety; and to protect public health - for example, by preventing fly-tipping and criminal damage.

The necessary balancing of interests and rights of both travellers and settled residents reflects the position regarding qualified rights in the Human Rights Act 1998/European Convention on Human Rights (“ECHR”) and the need to maintain good community relations under the Equality Act 2010. But operationally in the past, this may have been misunderstood by some public bodies.

I am copying this letter to Lord Rosser, Lord Coaker, Baroness Whitaker, Baroness Brinton, the Bishop of Manchester, Baroness Jones of Moulsecoomb, Lord Garnier, Baroness Bakewell of Hardington Mandeville, the Bishop of London, Earl Attlee, Lord Berkeley, Baroness Chakrabarti, Lord Paddick and Lord Young of Norwood Green. I am also placing a copy in the library of the House.

A handwritten signature in black ink, appearing to read "Susan". The signature is fluid and cursive, with a large initial 'S'.

**Baroness Williams of Trafford**  
**Minister of State**