



Homeless successfully challenge Manchester City Council

A case brought by Manchester City Council against the homeless camp in Albert Square for breaching an injunction against pitching tents in protest has been rejected by the Courts.

The camp, known as the "Ark" was created in Albert Square in April. However the Council applied for an order to remove them. The initial injunction order made on 31st July by District Judge Matharu prohibited anyone from "erecting and/or occupying tents or other movable temporary forms of accommodation for the purposes of or in connection with protests or similar events arising from or connected with the Claimant's [Manchester City Council's] homeless policy on land", within a specified area of the city "without the Claimant's consent or the consent of the lawful occupier of the land."

Ben Taylor of WTB Solicitors has been representing

some of the protesters of the camp since April on a pro bono basis said at the time "The injunction has been served against my clients and persons unknown which means it applies to every single person in the whole world"

"My advice to all the homeless in Manchester and surrounding area is not to sleep in any other temporary form of accommodation other than sleeping bags or blankets, cardboard boxes, park benches, doorways, bus shelters or any accommodation offered by charities or they would face up to two years imprisonment".

In September the courts granted Manchester Metropolitan University a possession order of the land occupied by the residents. On the 11th of September the camp was handed a civil eviction notice for Friday the 18th, and the residents were granted six days to appeal the eviction.

The Legal Aid Agency refused public funding to the protesters on the grounds that this situation was not within scope since the restrictions implemented on 1st April 2013 pursuant to Legal Aid, Sentencing and Punishment of Offenders Act 2012.

However, Judge Allan Gore QC rejected the separate committal application to commit the defendants to prison, and the Council was ordered to pay the defendants' legal costs, which could reach thousands.

Judge Allan Gore said the way the Council had presented its case was "fundamentally defective." Dismissing the Council's case, he said: "There is no dates, descriptions of behaviour or identification of which allegations are made against which defendant."

"That is a fundamentally misconceived and inappropriate way to advance criminal proceedings, where the



Council seeks that the court orders to commit people to prison."

Judge Gore also stated that the Council couldn't even prove that some of the defendants had ever seen the injunction.

Ben Taylor warns though that the Council could still take action against those breaching the order again. He said "The application to commit was dismissed on procedural grounds and my clients are content with the outcome of today's hearing. However the injunction remains in force, which means that the Council are still able to apply to commit them to prison again."

Ben adds that many homeless who had requested support from the Council had been refused because they were deemed to be 'intentionally homeless'. "The local authority's stance in assessing whether someone is unintentionally homeless or not is being applied too strictly."

Despite the application by the Council being rejected the injunction remains in place, but Council have stated they are working to develop a strategy around homelessness in Manchester and are committed to addressing the needs of the homeless.



Ben Taylor of WTB Solicitors who represented a number of the protesters



This roundtable event is your opportunity to discuss the importance of pro bono work and how it can help you to achieve your legal and business objectives. The facilitated interactive session will cover all the business elements of pro bono activities including costs, risk, benefits, time involved and the potential connections with corporate responsibility.

The roundtable format will give you an opportunity to network with your peers, share insights and best practice, and debate the future direction of pro bono.

This event is aimed at:

- Lawyers and organisations that are new to pro bono and want to find out more about how it works.
- Lawyers and organisations that are looking to develop their existing pro bono programmes.
- Anyone who wants to know more about how to set up and deliver innovative and effective pro bono programmes.

DATE	Friday 6 November 2015
TIME	Registration & Breakfast at 08:45, Discussion from 09:15, Ending at 10:45
LOCATION	DLA Piper UK LLP, 101 Barbirolli Square, Bridgewater, Manchester, M2 3DL
RSVP	https://www.eventbrite.co.uk/e/the-business-case-for-pro-bono-manchester-tickets-18819146574

For more information on this event, please contact Amy Heading, UK Pro Bono Manager & Counsel, amy.heading@dlapiper.com



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Landmark success in the Supreme Court for Sally Harrison QC and Samantha Hillas

After four months of deliberation, the Supreme Court handed down the much awaited judgments in the high profile cases of Sharland and Gohil.

The Supreme Court decided in favour of Mrs Gohil and Mrs Sharland – which will open up a radical change in the way courts handle divorce payouts in cases based on false or incomplete financial information. Mrs Gohil had originally accepted a divorce settlement of £270,000 and a car. Six years later her former husband was jailed for 10 years for fraud and money laundering amounting to around £37m. During his trial, evidence of the extent

to which he had hidden his wealth during the original settlement emerged.

Head of Chambers at St John's Buildings, Sally Harrison QC, was leading counsel for Mrs Gohil. Samantha Hillas of SJB was junior counsel, both instructed by Ros Bever of Irwin Mitchell solicitors.

Miss Harrison commented: "The ruling today in the Supreme Court ends an 11 year battle for Mrs Gohil to achieve the right to a fair hearing of her financial claims. We are delighted to have been able to fight on her behalf to achieve a successful outcome for her in the Supreme Court."



Sally Harrison QC