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HUMAN RIGHTS

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State's duty to prevent

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LOCAL GOVERNMENT

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Occupation under licence of standings on travellers' caravan site owned by local authority — Local authority seeking possession — Whether infringing Convention right to respect for home — Whether primary legislation incompatible with Convention right — Whether declaration of incompatibility to be made — Whether reasonableness of authority's decision to seek possession challengeable by way of defence to possession claim — Caravan Sites and Control of Development Act 1960, s 24 — Mobile Homes Act 1983, s 5(1) — Human Rights Act 1998, ss 3(1), 6(1)(2)(b), Sch 1, Pt I, art 8

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POLICE

Powers

Breach of peace

Demonstrators converging on small area — Police imposing cordon around area and preventing people from leaving for many hours in order to prevent breach of public order — Whether those being detained within cordon “deprived of . . . liberty” — Whether breach of Convention right — Human Rights Act 1998, Sch 1, Pt I, art 5(1)

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WORDS AND PHRASES

“Deprived of . . . liberty”—Human Rights Act 1998, Sch 1, Pt I, art 5(1)

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