

Narrow Margins — Initial Findings

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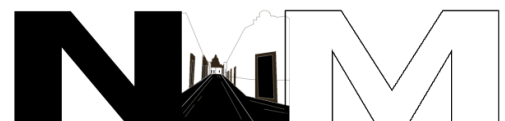
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Our research investigates **when, where, and for whom** trespass has become a criminal offence.

We are **concerned** about recent changes in the law and how they are negatively impacting different communities.

This project aims to **challenge** laws around property and trespass.



Introduction

This report shares initial findings from dedicated periods of fieldwork with project partners Streets Kitchen (June 2023) and Leeds GATE (July - August 2023). Whilst some are highly specific to each particular group and their context, we have also found a high degree of thematic overlap between cases.

Executive Summary of Findings

An increase in the frequency of eviction has been matched by a decrease in opportunities to negotiate land use.

Conflicts over what or who counts as ‘legitimate’ land use is often settled without citing trespass laws or proof of ownership.

The enforcement of property and trespass is in many cases not tested in court, limiting accountability and perpetuating the formalisation of ownership.

In practice, space is being policed by blurring the distinction between private and public, and who is considered to be a member of the public.

A pincer movement is squeezing communities on the narrow margins, curtailing access to space and resources through privatization and bordering practices.

Further discussion

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Glossary of Terms

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An increase in the frequency of eviction has been matched by a decrease in opportunities to negotiate land use.

The creeping privatization of public space and the extension of trespass as a means of control are examples of ongoing enclosure. Conflicts over property use are increasingly ‘abstracted’ from relations on the ground into criminal law and registered title.

During our fieldwork with roadside Gypsies and Travellers in July and August 2023 — a year after the Police Act 2022 received royal assent — we found that some families were only getting two or three days out of a site. Taking into account geographic variability and the specificity of certain sites, some participants reported being moved on multiple times a day.

“If you can get two weeks staying in one place then you’ll have two weeks. If you can’t, sometimes three, four times a day. I stay roadside, so. I pulled on a field the other day — we got there on a Friday night and managed to get to Monday morning. The police came and gave us one hour to get off. One hour. The last weekend before that, the police came down and said ‘This is privately owned, but I’ll tell you now, they’ll be here Monday morning, they will pay, they’ll have you removed. Straight away, they did.’”

As conflicts over property use have become increasingly abstract, criminal law and registered title treat any challenges to using a space as already ‘settled’ (Blomley 2003). This shift towards law and away from the situation ‘on the ground’ has also led to a reduction in access to justice and accountability:

So you just avoid going to court?

“Yeah we don’t want to go to court and fight for longer than we need to be. I’m not saying that some Travellers don’t, if they really really want to be there, but to us it’s not worth it. We’re not going to stay there long enough.”

Do you try and negotiate in that situation?

“Yeah we explain we’re only having a few days. I can’t speak for everybody, but we’re polite and we pack our rubbish up. We asked police, can you bring skips? And they won’t have it.”

Have you ever been successful in staying?

“Not really. If it’s privately owned and they don’t know who owns the land, the police cannot move you and the council can’t move you, because they don’t always know who owns the land. They try and find out who owns the land and contact the person, get them to remove you. If you pull on council land, they can Section 61 you.” (11.7.23 LG5)

We found a similar relation to the law for individuals sleeping rough in London, who found that the frequency of eviction depended on visibility and proximity to places framed as being in ‘regular use’:

Do you even get bothered by police or security here?

“Yeah they’ll say I can’t be there and security will say I can’t be there. I just can’t be bothered to argue anymore. Even if I’m in the right, most times I’ll keep moving” (16.6.23. SK13)

Those at the narrow margins are caught in a double bind because their access to resources and services is contingent on having a stable connection to the local area. To get off the streets, for example, homelessness outreach organisations often ask potential service users where they are from, and whether they have connections to the borough, in order to assess both eligibility for services (in the past, this has led to individuals being referred to resettlement schemes and even the Home Office). A staff member at Leeds GATE also explained how the frequency of eviction inhibits their ability to perform welfare checks and engage children living roadside. As

participants discussed their experiences across the country, they also revealed the importance of *jurisdictions*. Gypsies and Travellers reported being followed on highways up to county lines, until they are another police force's responsibility.

The use of 'persons unknown' in legal documentation is another interesting example that demonstrates how the formalisation of property and the criminalisation of trespass operate in conjunction. It is a concept used in the application of injunctions which are used to police Gypsies and Travellers, rough sleepers, as well as activists. It is a tool that operates to increase the frequency of eviction and reduce negotiation between users in the court system. In November 2023, the Supreme Court raised concern over the temporal and spatial scope of 'persons unknown':

“It is to be remembered that this is an exceptional remedy, and it must be a proportionate response to the unlawful activity to which it is directed. Further we consider that an injunction which extends borough-wide is likely to leave the Gypsy and Traveller communities with little or no room for manoeuvre...”

Conflicts over what or who counts as 'legitimate' land use is often settled without citing trespass laws or proof of ownership.

Across our fieldwork with Streets Kitchen and Leeds GATE, we documented two reports of explicit use of the Police Act 2022 and two reports of PSPOs (Public Space Protection Orders). Our dominant finding, however, was that police or security are referring to 'trespass' or 'private property' *without* citing any specific legal power. This demonstrates the normative authority of property title over the negotiation of use on the ground. Individuals differed in their approaches, with some challenging enforcement and others moving on:

“If you're told to move on, you should do. I don't know of any trouble. You just move on, because you know you're not right.” (9.6.23 SK4)

Without consistent application of the law, or even any citation of the law at all, the behaviour of individual landowners, security guards and police officers has an outsized impact on those at the narrow margins, who also differed in their responses: some challenged enforcement, others moved on.

Did they cite any laws?

“No, that’s their job and they can do that if they request. If my vehicle was parked outside it could be moved, but at the end of the day, it was on a caravan site, a fixed caravan site. It wasn’t roadside. It’s not just me, they did it to other people on there. ... I was fuming. I said ‘On what grounds?’ On whatever grounds, and that was his job.”
(11.7.23 LG5)

Although title holders are often given epistemological priority under the law, our research clearly indicates how the material barriers to challenging authority in land ownership, in addition to fragmentation and bureaucracy, indicate those at the narrow margins have significant levels of spatial expertise that challenge the behaviour of landowners and activities of charitable organisations who abstract knowledge from the ground.

One participant recounted an experience of this while accessing services at one of the UK’s major housing charities, in which he was able to provide more accurate information on the provision of services in London to another service user:

“So I’m in Crisis, and I’ve heard this person say — he’s come in and it’s about half past three, quarter to four, and he’s homeless, got his bags with him. He goes up to the counter at reception and this lady comes in, goes to the counter and speaks to two people there. ‘Ah right, go down to Whitechapel City Mission, you’ll get a bed there and you’ll get food.’ So I said, ‘Excuse me,’ I interrupted, ‘you won’t get no bed there, you won’t get no food there.’ ‘Oh he will.’ ‘Oh he won’t, because they’re closed, and there’s no beds upstairs.’ What I’m trying to say is, a lot of things are outdated. I told them to ring Street Link up, which they should have known anyway, somebody should have known that. ... It’s not as easy as people think. I spoke to somebody a while ago saying ‘Oh you’ve got no problem, go down to that hostel down there, they’ll give you a room for nothing.’ What planet are you living on? No longer exists, these things. ‘Go to

the Salvation Army, they'll give you a bed.' They might have done in the 1920s or 1950s. All these services seem to have disappeared.” (18.6.23 SK15)

He also explained how some services are inaccessible to those experiencing street homelessness:

“There are people out here today, and last night, and there will be tonight, who are working, who've got jobs. There's a guy who sleeps outside [x] who's working for the council. There's tents outside [x], one of them guys is working there. I know a gardener working up a [x] who's sleeping out and travels up and is working to save some money to get a deposit. ... If you're working, you are responsible for getting it together. With that, if you are trying to get a place, and you're having to get a deposit, it's going to take time, there's no magic wand. That's hard. If you're sleeping somewhere where your work's just opposite, that's a bit less — you don't have to pay for travelling. Another thing is you can't access the free food. If you're at work from 8 o'clock in the morning to 5 o'clock in the evening, you ain't accessing any daytime services. You aren't accessing the American Church in St Martins, because they're closed after that time.” (18.6.23 SK15)

That makes sense why Streets Kitchen does outreach in the early morning.

“Absolutely. That's a saving grace for people. There's so many different things people won't necessarily look at, they don't think of these things, but they're the reality — the practical reality that they don't understand. Then if you link that with being moved on, it's even harder. If you're not perhaps eating as you should be, you get even more tired. It's a really wide area that not everyone perhaps is aware of. But it's reality. Even the police aren't aware of it.” (18.6.23 SK15)

While charity workers asserted they knew better, this participant asserted his own authority on the situation. Our research suggests a need for coordinated action rather than fragmentation, including innovative policies such as negotiated stopping and council-funded social centres for the explicit purpose of addressing complex needs. Another indicator of the inadequacy of bureaucratic organisation is the designation of “intentionally homeless”, a fear expressed and lived reality across case studies in the refusal of unsuitable accommodation.

The enforcement of property and trespass is in many cases not tested in court, limiting accountability and perpetuating the formalisation of ownership.

Under section 4 of the Police Act 2022, someone in possession of a vehicle has committed a criminal act if they trespass — or are suspected of planning to trespass — and fail to comply with a request to leave. They also break the law if they re-enter the property within 12 months. Accounts from those living roadside, including individuals we met on outreach to unauthorized encampments, reported they had been forced to leave before the date of court hearings in the past.

In London, the casual threat of labeling someone a ‘trespasser’ also goes untested. One participant reported being removed from a shop for no reason, yet the police took no action to investigate the incident and instead referred the individual to Citizens Advice. This mirrors schemes in other cities, such as the Trespass Prevention Programme in Vancouver, which preemptively criminalises people based upon their appearance within a space. The Vancouver Police Department’s Trespass Prevention Program, launched in 2021, enables business owners and private residents to invite police to extend the provincial Trespass Act on their behalf. The implicit intention of such programs is to discriminate between customers and those who are perceived as lacking the capacity to purchase versus those perceived to have intention to purchase.

The question of safety allowed us to enter into discussions with participants about the performance of property and the multiplicity of ways their use of space was disciplined, including trespass. It would be impossible to generalise what makes a place safe or unsafe, as this is contingent on subject position, access to community, location, weather, access to resources, and the behaviour of others, including other members of the public, owners, and

others with the authority to evict or enforce trespass. Participants understood that a ‘Goldilocks’ place was contingent and ephemeral:

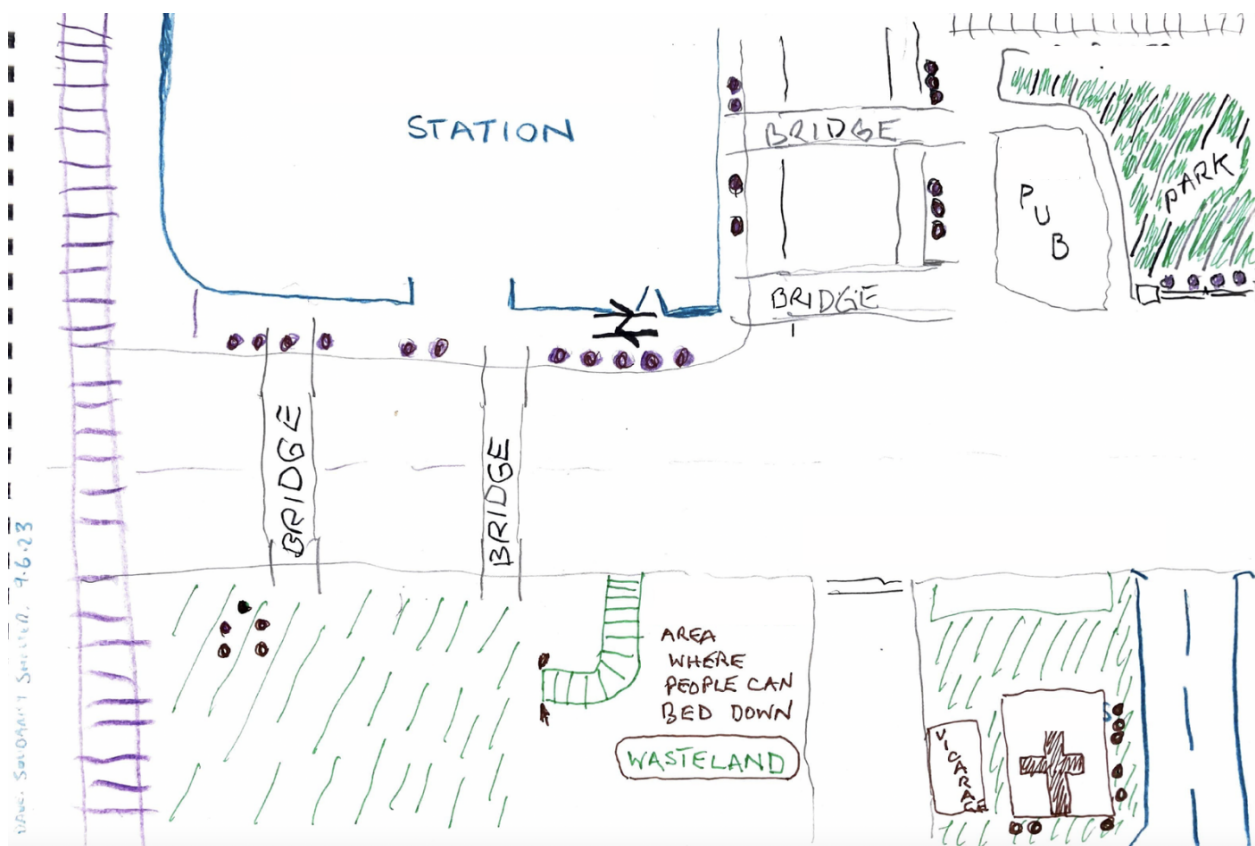
What’s good about those parks?

“Less security. Less control. If you come more central, there are more problems with private businesses or private security or police. A little bit on the fringes, there’s less headache.”

Do you find out through trying it out and seeing what happens, or is it word of mouth?

“A combination. It might be a place you can fit, but someone else can’t.”

“You can say ‘Oh I was in [x] Park for two days until I got moved on, and someone else is going, ‘Oh unlucky, I was in there for months.’ It’s a case of making your spot.”
(12.6.23 SK7)



Mental sketch map by a participant, with purple circles indicating areas people frequently use.

Proximity to family and community members, as well as other factors such as the time of day, weather, and location are common themes across the case studies. Participants travelling roadside indicated the need for secure ground during the winter, increased mobility in the summer to access broader relational networks across the country, and a preference for Leeds over London or Brighton, for instance, due to the differential policing strategies. Participants living street homeless discussed the impact of temperature extremes, and the difference between daytime and nighttime, as factors in their safety and the policing of urban space.

In practice, space is being policed by blurring the distinction between private and public, and who is considered to be a member of the public.

The contradiction at the heart of trespass and property ownership is that whilst some are considered to be legitimate users of a space, others are denied this recognition in the exact same spot. We argued that this is determined by subject position and who does or does not adhere to the logics of the ownership model (Bhandar 2018; Baker 2019).

Under section 61 of the Police Act 2022, trespass with a vehicle that causes ‘damage, disruption or distress’ grants the police, the landowner, or a representative of the landowner, potential power to criminalize. If a request to leave is made by these ‘legitimate’ users of property is ignored, then authority is granted to fine, arrest, and confiscate property.

Organizations representing Gypsies and Travellers have argued that the law is disproportionate and that the confiscation of residential vehicles contradicts human rights law. Participants reported leaving sites before the eviction date for fear of losing their homes. For many, this is also the primary reason they no longer stop roadside *despite* associated financial, psychological, social and cultural costs. One participant reported the unannounced confiscation of their horses by the animal charity RSPCA after an unsubstantiated report of animal cruelty. The

family had to pay £15,000 for transportation costs to retrieve the horse even though they were cleared of all charges in court.

In London, participants reported the theft and confiscation of their belongings by security, police and the council services. This was particularly the case in the lead up to the coronation of King Charles. One volunteer for Streets Kitchen explained that police were tasked with evicting street homeless people out of Transport for London zones 1 and 2. The eviction took place in the early hours of the morning, giving people less time to move (14.6.23 SK9). Tents and belongings were also confiscated. Participants reported how security guards regularly use pressure washers to clear tents, sometimes with individuals inside.



Image of the aftermath of a pressure washers used to clear people and their shelter from the streets.

Everyday, people sleeping out are being excluded from conceptions around who can or cannot use public space:

‘They’ll just come and say “look, you’re not supposed to be here, this is a public footpath” and they just clear all the things. And if they don’t, they’ll bring the council wagon around and take all the stuff - sleeping bags. Some people have just got a simple

pack. Some people have got quite a lot of stuff. They do a little living area —drawers and stuff.’ (9.6.23 SK4).

The distinction between public and private ownership proved a helpful route discussing ownership during interviews, in which participants showed it was also important in the negotiation of use in contesting accusations of trespass. Who owns space — at least, who is perceived or assumed to own a space — is an important factor in how they are used, and how certain uses or users are constituted as trespass. Space without apparent title can also present as an opportunity for land use without eviction. This is exacerbated by the assumption that those who enforce trespass — whether by a landowner, security guard, police officer or member of the public — have the authority to do so without proof of title:

When someone is being moved along, what do they say?

“They’ll say ‘Oh you know how it is. The business is open, we apologise.’ Some of the security guards might apologise, some might go: ‘This is how it is. We’re going to ask you to move, time to go.’”

‘Exactly, and it can be pretty random.’”

“It’s the demeanour of the individual — I was going to say officers, but they’re not, are they?”

“No, they’re corporate residence inspectors.”

“So yeah, you could get anything from, ‘I’m really sorry mate, this is your last night, be gone in the morning’, to being literally hassled every half an hour.”

“That’ll often be the first pushback from the person who doesn’t want to move: ‘This is public space.’ And they’ll say, ‘Oh well actually it’s not, it’s private.’”

Is there an argument about whether this is a public or private space?

“Yeah of course there is. Because a) the person doesn’t know their rights, and b) it’s not clear, and I think that’s quite often intentional. Because if you were to explicitly mark

out — like I said, including an element of the Southbank of the Thames, directly outside what was previously fucking City Hall, you wouldn't expect that to be owned by a sovereign wealth fund of a foreign state, but it is. If you had an overlay of what is or isn't private land, suddenly your friendly map of London would look very different.” (12623 SK 8)

While some participants asserted a space was public or private, this was often revealed to be contingent on other factors such as the presence and activity of police or security guards, or whether a council would move to evict those stopping roadside from council-owned land. More generally, participants reported a lack of clarity as to the difference between public and private space.



Left: Example of an access sign produced by LabTech, a London-based property investment company. ‘Good estate management’ implies the use of private security. Right: A brass knob fixed into the pavement outside a shop in London, marking out public/private space.

We also noted the use of ‘hostile architecture’ as we conducted research in London and Leeds, such as trespass signs (see Bella’s ongoing work on this [here](#)). Participants described the myriad of ways access to sleeping spaces are restricted, revealing the contestation of use across multiple groups including people living street homeless, Gypsies and Travellers, other members of the public, business owners, office workers, and enforcement. They also noted the use of bollards and rocks to block entrances to parking spaces. During outreach to an unauthorised

encampment on a disused car park, we encountered this practice: concrete blocks placed to restrict access by large-berth vehicles such as caravans.



Use of concrete blocks to restrict caravan access to a car park.

One participant indicated there is a politics of refusing such forms of architecture.

Is that quite normal, to see bollards?

“Yeah, but then it’s normal for Travellers to move them out of the way. That’s what we do, we move things out of the way to get on the field. It’s trespassing, but that’s why two days later the police come and say, ‘Can you move please before you go to court.’ Then we move, and we don’t get told off.”

When you get told off in that way, are you afraid?

“I’m not gonna lie to you, it makes me want to do it more. They’re telling us off and we’re Travellers — what’s the difference between us staying on a field, and them staying on field? It’s not a crop field, it’s not got any flowers. It’s council property, they should be allowed to let us on it as long as we clean up.” (19723 8)

A pincer movement is squeezing communities on the narrow margins, curtailing access to space and resources through privatization and bordering practices.

It has been argued that the privatisation of ‘public’ land since Thatcher has been the largest sell-off of public property in British history (Christophers 2018). This has changed the way in which we relate to space, both in terms of our knowledge of that space, but also the way in which it is being managed. The increase of private security in London, or the loss of land allocated public campsites for nomadic Gypsies and Travellers, is part of this trend.

The fragmentation of public land and cuts to public services have worked together to further exclude citizens from such ‘public’ infrastructure. For example, in both London and Leeds, our participants described how their access to public services such as housing, food provision, healthcare, education, welfare, employment, was contingent upon having a recognised postal address, yet being able to access something so simple was a frequent battle.

A staff member from Leeds GATE explained how the frequency of evictions directly limited their ability to carry out welfare checks and engage with children living roadside:

“... When you’re in a house, obviously you’ve got no fear of being evicted. You’ve got water, you’ve got doctors, you’ve got schools, you’ve got everything if you live in a house. Whereas people travelling roadside — everyday you’re in fear of ‘Are we going to get evicted today? Where are we going next?’ Especially children. I’ve been to see so many roadside children, and I’ve rocked up with activities and they’re just so scared. I’m like, ‘Do you wanna play?’ and they’re like, ‘No [x], we can’t play, we’ve got to go now, we’re getting kicked off in a minute, the police are coming.’ And they’re so scared. Even

if they've not been moved on yet, they know it's coming. The kids are like, 'No we can't, the police will be here to kick us off. We can't come out and play, we need to pack up. They're just so close, all these kids, and I'm like, 'Well are you all going together?' And they're like 'Well I don't think so, we'll probably all get broken up, and we'll all have to go to different places. So it's very heartbreaking for the kids, because they live in fear.'" (19723 LG 9)

For those who are precariously housed, unsettled or nomadic, there are constant bureaucratic hurdles which also exacerbate the narrow margins. To find somewhere to sleep off the street, some homeless support organizations in London request information such as place of origin and whether they have an existing connection to the borough in order to assess eligibility.

Across our fieldwork with Streets Kitchen and Leeds GATE, we found concurrences between experiences accessing public services and shops, leading to question the scope, extent, and membership of public space. Following the work of Blomley (2003) and Mitchell and Heynen (2009), comparisons with the application of trespass laws abroad also shed light on the variability and discretionary power afforded to title holders, the police and private security.

In London, for instance, access to toilets was a frequently cited issue for those experiencing street homelessness. Those volunteering on outreach reported that hospitals and fire stations, who had previously provided support and shelter to volunteers and guests, had recently removed these services. In Leeds, participants raised grievances over the inconsistent provision of skips and portaloos for those travelling roadside and staying on council-owned land — provision that had been consistent under the policy of negotiated stopping.

Participants across both cases reported frequent discrimination in shops and supermarkets, including being followed around and subject to intimidation by security guards. One participant in London reported the inconsistency and discretionary power of security guards, some of whom were favourable to him, and others who had targeted him without due cause:

"All the security knows me in Tesco, and half of them had my back — [but] not him. A man [one of the security team] said to me, it's not you, he wants you barred. They

called the police, and even the police said, 'do yourself a favour, you're banned'. Apparently I'm a shoplifter. They can do what they want, it's private property. Tesco banned me — they didn't call the police, they ain't let me know. The police said to the manager and said 'Did you report it?' But they don't have to report it to the police. If they see me in there, in the car park or on their property, they can call the police and arrest me for trespassing.”

What do you think that's about, why do you think they do that?

“I've just got one of them faces. 'He's a thief.' I've got one of them looks. I get followed sometimes when I go into a shop by security. I don't feel right about it, but I have to say to them 'stop following me', and they say to you 'I'm not following you.'” (9.6.23 SK6)

Further discussion

By treating the formalization of property and the steady criminalisation of trespass as two sides of the same coin, we see how communities are policed through dominant property norms. The ‘Narrow Margins’ are squeezed by assumptions around who has the legitimacy and authority to appropriate and use space, yet the use of property is ultimately performed and negotiated *on the ground* (Bhandar 2018, Blomley 2013).

The Narrow Margins framework

Steady criminalisation of trespass		Formalisation of property
<ul style="list-style-type: none"> > Powers are discretionary, vague, and apply to certain groups > Extension of logics of ownership model beyond remit of ‘private’ property > Ownership model absorbs other property relations which enable capacity for contestation and accountability 		<ul style="list-style-type: none"> > Extension of ownership model ignores contests on the ground > Ownership is assumed and untested > Title has epistemological priority over use > Claims over legitimate/illegitimate use are treated as settled or fixed
Connect two sides of the Narrow Margins	Unsettle the ‘ownership model’	Grounded in experiences at the Narrow Margins
<ul style="list-style-type: none"> > Identify where land title is assumed and uncontested > Re-spatialise the Narrow Margins > Identify ways private and public space are policed 	<ul style="list-style-type: none"> > Property as performance > Genealogical approach > Transcolonial approach > Understand trespass as entry point into epistemic enclosure > Recognition of other property relations 	<ul style="list-style-type: none"> > Challenge epistemic authority > Mental sketch mapping > Centre everyday experiences of enclosure > Platform policy recommendations and make discursive interventions

Connecting the Narrow Margins

Partly motivated by the passage of the Police, Crimes, Sentencing and Courts Act in 2022, this research examines how legal authority to *enclose* and *exclude* others from use of land has been further extended from landowners to the police. Perhaps more significantly, we find it has contributed to a culture of private property, therefore also extending social authority to private security and members of the public. The Police Act 2022 is the latest in a series of laws of trespass, squatting and vagrancy in England and Wales. These laws form part of trans-colonial regimes of ownership, which can be disentangled in two ways: through a genealogies of legal concepts like trespass, and through the examination of everyday practices of ownership, which define and adjudicate who has the “capacity to appropriate” (Bhandar 2018).

Although our study is restricted to the legal context of England and Wales, we therefore recognise how this underpinning regime of ownership is co-constituted with other places, including Scotland, Ireland, and British Columbia. Finally, the study focuses on Gypsies and Travellers, people experiencing street homelessness, and environmental activists: communities particularly affected by the Police Act 2022 and preceding legislation. Informed by the translation work of many of our participants, we also speak to a broader spectrum of spatial marginalisation that affects people outside of these groups, which in turn corroborates the significance of our approach: that those at the ‘narrow margins’ provide insights into a broader politics of enclosure.

Unsettling the Ownership Model

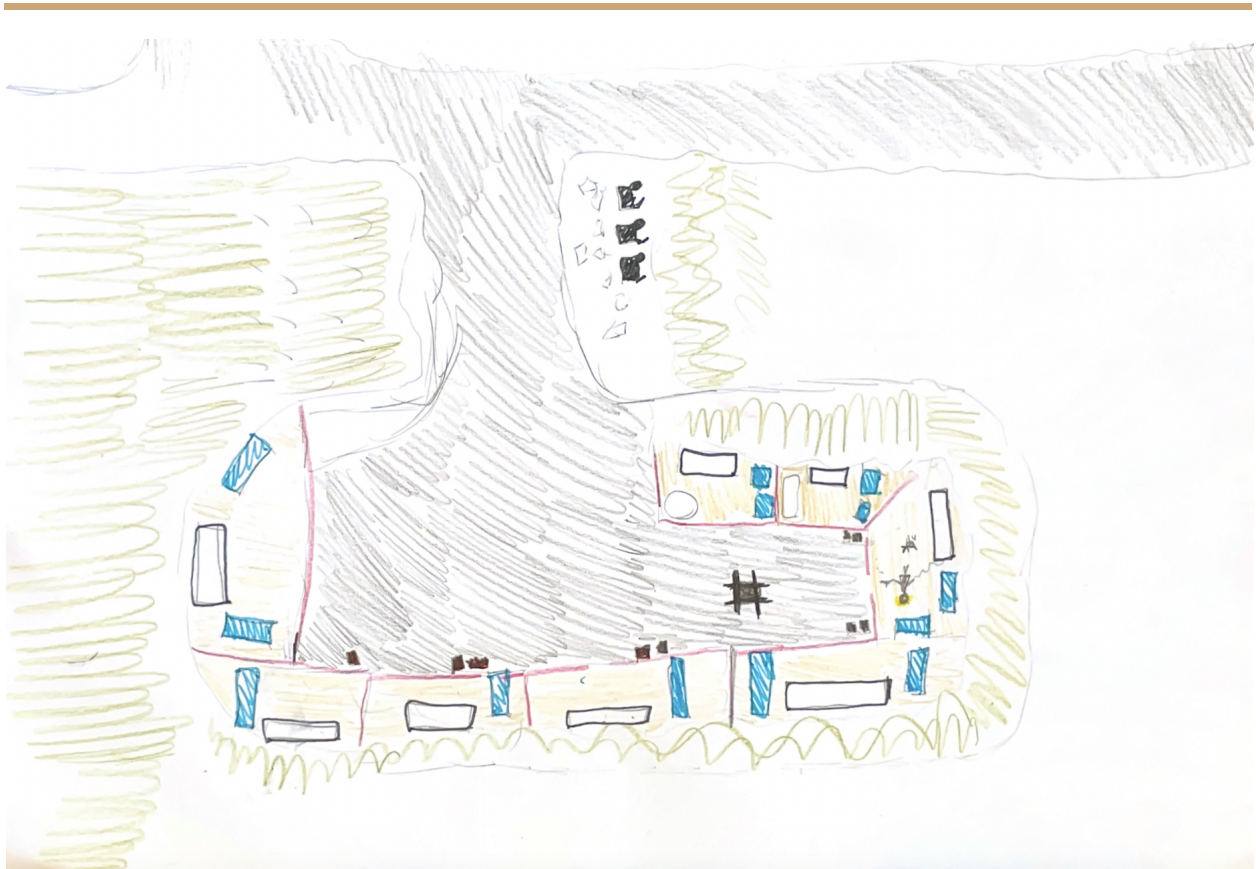
In unsettling property across urban and rural contexts, we can see how the ownership model is enacted through performances (Blomley 2013). Private property and title holders take on epistemological authority because these performances are ‘felicitous’, successful, and corroborate each other. In contrast, the authority, knowledge and experience of other land users and ‘trespassers’ is devalued through regimes of ownership they are deemed as lacking the “capacity to appropriate” (Bhandar 2018), which restricts their spatial autonomy and epistemic recognition. The ownership model is therefore often understood as natural and fixed, and with those at the narrow margins also naturalised and fixed. By combining a genealogical approach to laws of trespass; understanding enclosure as transcolonial (Griffin 2023); and using trespass to disentangle the commodification of knowledge from the commodification of land (epistemic enclosure, Pojuner, forthcoming); we reveal the production and mobility of private

property, and the persistence of other land relations in our case studies. Through a series of questions, we have been able to work with participants to unsettle the ownership model. Their answers reveal how property is performed rather than fixed or naturalised, and therefore how the authority conferred by property can be challenged through inverting meanings of trespass.

Grounded in experiences at the Narrow Margins

As epistemic enclosure articulates, the continued enclosure of land is entangled with the continued commodification of knowledge, abstracting land relations into law and devaluing place-based knowledge (Pojuner, forthcoming). While laws of trespass criminalise other property relations, trespass enables individuals to challenge the justifications for exclusive property ownership and the uses that underpin land title. Those who are considered or treated as trespassers provide critical insights into the performances of property and the continuity of enclosure, translating their experiences across a broader spectrum of spatial marginalisation. In a number of ways, the Police Act 2022 increases the discretion of landowners and police to determine who is a trespasser, and those subject to their authority understand how this is enacted. To reveal the Narrow Margins and unsettle the ownership model, we have to concern ourselves with the politics of authority, dismantle false notions of objectivity, platform the insights of participants, and centre everyday experiences of enclosure. This section highlights some of the ways our research design, practices and outputs specifically contribute or will contribute to our theoretical conclusions, invoking praxis and action-research.

While some participants chose to speak to us for 10 minutes, others spoke to us for several hours, with some offering to take us on multiple walking interviews. Some participants declined to participate in mental sketch map exercises, while others in group settings preferred to sketch their experience as their relatives spoke. We interviewed participants of a variety of ages, nationalities, and abilities. Our ability to access participants in London and Leeds was contingent on the support of Streets Kitchen volunteers and Leeds GATE staff, especially the latter, as well as through the spaces of their community hubs.



Mental sketch map of a grounded site by a participant. The black cross-stitch indicates an open hole in the ground left unattended by the council, and posing a risk to children on site.

In the practice and use of mental sketch maps, we are able to demonstrate the subjectivity of property relations, revealing how property is performed and perceived through the production of space. However, this came with ethical considerations, particularly around whether our data would inadvertently act as surveillance:

“I’m still not clear what you’re asking. Take a picture of where people sleep. That’s what you’re saying?”

More about what spaces are public spaces, which are private spaces, which spaces are safer than others. Map it through the route we’ve just done. (12.6.23 SK7)

We anticipated these issues thanks to the preceding work of critical cartographers such as Giesecking (2013). Rather than impeding the research, the discomfort experienced by some participants (and ourselves) in mental sketch mapping presented opportunities to give back epistemic agency rather than restrict it. In many of our interviews, the mental sketch maps

Mental sketch map of outreach by a Streets Kitchen volunteer.

The practice of mental sketch mapping is underused in research methodology, and to our knowledge has not been used in critical legal geography. However, we find it has clear application, particularly in regard to the examination of trespass, squatting and vagrancy laws, which concern the negotiation of land use and therefore are contingent on spatial relations and perception.

Outputs and Impacts

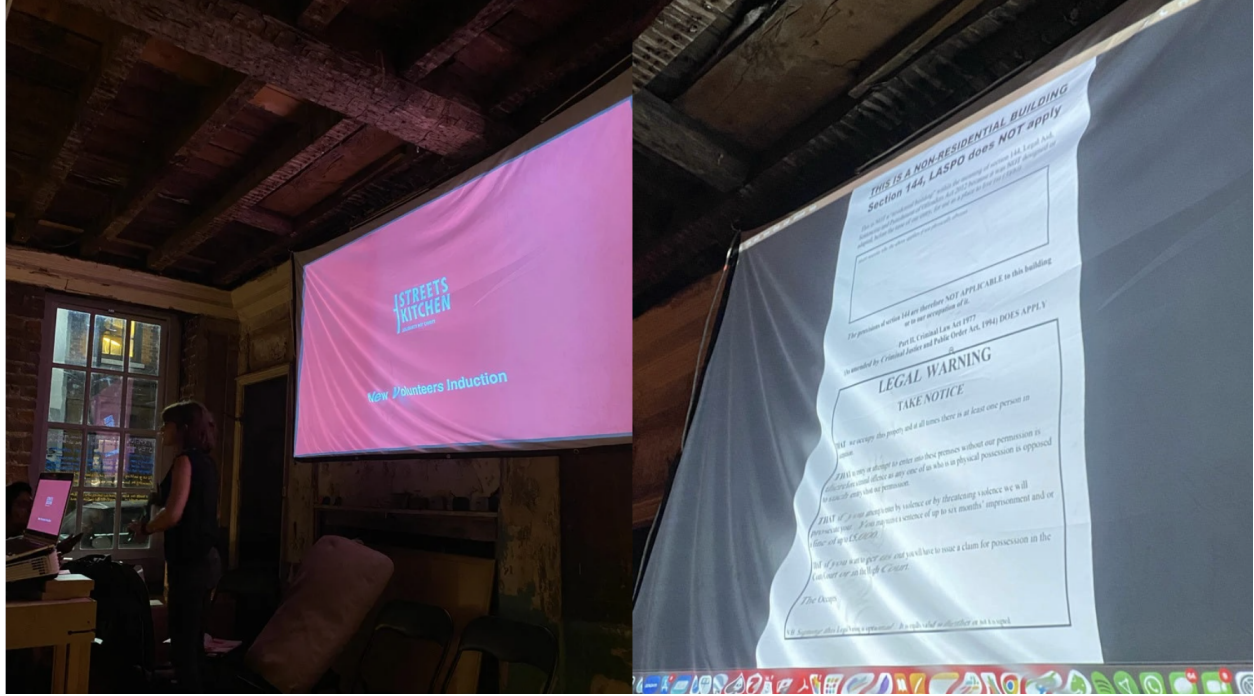
August 2023 — **Evidence for a Judicial Review of the Police Act 2022**

Friends, Families and Travellers put out a call for evidence in a judicial review of the Police, Crimes, Courts and Sentencing Act 2022. Drawing on our recently collected data, we submitted some of the stories and our preliminary findings to the review.

August 2023 — **Perpetual Stew alt-conference, House of Annetta**

During our period of fieldwork with Streets Kitchen in June, the social centre House of Annetta invited us to organise a programme of events to coincide with the RGS 2023. The week was themed at the intersection of spatial and epistemic justice (land/knowledge justice), and brought together hundreds of East Londoners to discuss folk epistemologies, the local Save Brick Lane campaign and engage in local histories and ecologies.

Drawing on the Narrow Margins framework, Bella led a session with Streets Kitchen, Autonomous Winter Shelter and Housing Rebellion on the politics of enclosure in London. Elodie (Streets Kitchen) also led a training on volunteering for outreach, and Autonomous Winter Shelter led a practical squatting workshop. Right to Roam London organised a trespass into the RGS conference itself, fielding conversations between activists and academics on issues of land justice and the marketisation of higher academia in light of the UCU marking boycott.



Left: Elodie leads an outreach induction session. Right: Autonomous Winter Shelter’s presentation as part of a practical squatting workshop. Both at House of Annetta.

October 2023 — **Contribution to People’s History of Finsbury Park, Museum of Homelessness**

The Museum of Homelessness invited us to contribute an article to their forthcoming book project, *A People’s History of Finsbury Park*. The article, titled the ‘Narrow Margins of Finsbury Park’ included stories and preliminary findings during our fieldwork with Streets Kitchen, and including a mental sketch map drawn by one of our participants.

THE NARROW MARGINS OF FINSBURY PARK

Narrow Margins is a research project led by **Sam Burgum** and **Isabella Pojuner**. By investigating the criminalisation of trespass in England and Wales, the research highlights how the continued enclosure of land, often enabled by gentrification, hostile architecture, and enforcement tactics, further marginalises homeless people, Gypsies and Travellers, and activists.

This chapter is a guide to enclosures in Finsbury Park as understood by those who have experienced the forces described above, and who know the area intimately. All names have been anonymised to protect the privacy of individuals.

On a hot day in June, Dougal guided me on a path from the Streets Kitchen Solidarity Hub on Seven Sisters Road, to Woodberry Wetlands, Manor House, and Finsbury Park. Multiple people had recommended that I spoke to Dougal because of his in-depth knowledge of London's mutual aid and outreach network, where many who experience street

or hidden homelessness can access food, housing support, and other resources. It was clear he had an evolving map in his head. Throughout our conversation, he'd specify the weekdays and times that food or resources were available, having built a base of knowledge from his father.

Dougal: If it wasn't for him and my grandad — he knows these things like the back of his hand — I wouldn't know half of the food places, or where they are.

As we walked through Finsbury Park, Dougal pointed out one example — a soup kitchen at the south entrance.

Every Friday I'm here, but I [also] go on the streets with Streets Kitchen. I'm part of the Hackney team, but I can go anywhere. I'm part of the furniture.

Dougal lives in temporary accommodation. The council agrees where he lives is inappropriate. However, he can't leave without being classed as "intentionally homeless", a status that enables the council to relinquish its responsibility to find him accommodation — of any kind.

Isabella: Do you consider yourself homeless?

I'm classed as homeless, because I'm in a care home. I've been in and out of care all my life.

Dougal was guiding me around Finsbury using his memories, landmarks, and whatever else makes it a significant place to him. This internal navigation system is called a 'mental map', and we all use them, often without being aware of it.

Spring 2024 — Remaining fieldwork, public outputs, and submitting to academic journals

In the New Year, our last phases of fieldwork will continue. Sam will be interviewing organisers of the Sheffield Hunt Saboteurs, while Bella will continue interviewing individuals involved in the Stop HS2 campaign.

We are looking for opportunities to communicate our research findings in response to ongoing public discourse and developments in policy, including the anticipated replacement of the Vagrancy Act. We will work closely with project partners to field any opportunities to influence discourse or policy development.

We are also working on [our website](#), [Twitter](#) and [Instagram](#) accounts. Following the success of Perpetual Stew, there is a clear opportunity to use Instagram in particular to engage the public in our findings and theoretical framework.

Alongside an edited collection, we will be submitting papers to academic journals (one in Geography, one in Sociology). We are currently working on pitches and outlines with interest in:

- Environment and Planning C: Politics and Space

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- The Geographical Journal
 - Politics and Society

February 21-23 — **First Annual Critical Legal Geography Conference, Turin, Italy**

Alongside Christopher Morris (King's College London), we have successfully proposed a session called 'Exploring Plural Methods and Plural Publics in Critical Legal Geography'. While Bella will be presenting on her Master's research using mental sketch mapping, Sam's paper will draw on our findings with Leeds GATE in particular. The theme of the discussion is drawing links between innovative methods in critical legal geography and research problematising 'the public', so we also hear from Christopher's research into the rights of students as 'citizens' and 'customers'.

May 2024 — **Land Justice Spring Gathering, Sheffield**

Bella attended the Land Justice Spring Gathering in Sheffield in May 2023, hosted by land justice think tank Shared Assets. Bella has been engaging with the land justice network off the back of this event, and hopes to return to disseminate

June 5-6 — **Narrow Margins knowledge exchange event, Birmingham**

For this two-day event, we are bringing together people who have inspired, participated in and engaged with the project, our intention is to open up the connections we've sustained as the project formally draws to a close — especially as the land justice movement grows within the current conjuncture. We intend the event to contribute to an edited collection.

July 24-26 — **RC21 2024, Santiago, Chile**

Alongside Claudio Alvarado Lincopi (Pontificia Universidad Católica de Chile) and Olivia Casagrande (University of Sheffield), we have successfully proposed a session called 'Spatial Politics on the Narrow Margins: Advancing Public Space and the Colonial Lives of Property'. We will be welcoming abstracts and discussion from researchers who have traversed spatial and temporal scales, worked alongside marginalised groups and community-led organisations, to investigate how public and private urban space is constituted by private/colonial/enclosing logics of property. We intend the session to contribute to an edited collection.

We will soon submit a session proposal drawing from the Narrow Margins framework, seeing abstracts from geographers exploring social and spatial marginalisation. There are plans for a second ‘Perpetual Stew’ event at the House of Annetta, to revisit and expand conversations from the previous year (as well as the stew, currently frozen!)

Glossary of Terms

Property is understood as a relation between two or more individuals and an object.

Enclosure is understood as the removal of a customary right to use land through the production of private property, including through: land titles recognised and protected in law, ways to demarcate land held in title including fences and signs, and ideologies and cultural norms.

Private property is understood as a property relation wherein an individual, or titleholder, is said to own property, meaning they can exclusively exercise a bundle of use-rights, including to use, destroy, transfer property to others, and exclude others from use.

Trespass is understood as the act of crossing the boundary of private property. This boundary is often legally, materially, socially, and epistemically produced, although this may not always be the case in practice. Laws of trespass invoke restrictions on the conditions of use, and are contingent on the permissions granted by the landowner/titleholder, who determines who had and who does not have permission to use their property.

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