

Administrative Court quashes Government policy of deporting EU nationals who are sleeping rough

14/12/2017 (Public Law)

In *R (Gureckis and others) v Secretary of State for the Home Department*, the Administrative Court today quashed the Government's policy of targeting EU nationals who find themselves sleeping rough and deporting them from the UK on the ground that they are 'abusing' their EU Treaty rights.

The Court upheld all three grounds of judicial review advanced by the Claimants, holding that (i) rough sleeping is not an abuse of Treaty rights, (ii) the Government's policy unlawfully discriminated between EU and UK nationals, and (iii) in pursuing such a comprehensive policy, the Government had unlawfully engaged in the systematic verification of whether EU nationals who found themselves sleeping rough have a right to reside in the UK.

The judgment is [here](#).

Marie Demetriou QC represented the Claimants.

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