

Traveller Incursion briefing note –
Crime & Disorder Overview & Scrutiny Committee meeting

1. Legislation

Section 61 of the Criminal Justice and Public Order Act 1994 (CJPOA) is the legislation affording officers to deal with traveller encampments on open land.

In certain circumstance the senior police officer attending the scene of an incident involving trespass can direct the trespassers to leave the land and remove their vehicles and property as soon as reasonably practicable. The legislation below outlines which criteria must be met:

61(1) If the senior police officer present at the scene reasonably believes that two or more persons are trespassing on land and are present there with the common purpose of residing there for any period, that reasonable steps have been taken by or on behalf of the occupier to ask them to leave and-

(a) that any of those persons has caused damage to the land or to property on the land or used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or an employee or agent of his, OR

(b) that those persons have between them six or more vehicles on the land,

he may direct those persons, or any of them, to leave the land and to remove any vehicles or other property they have with them on the land.

2. Strategy to deal

The land owner remains responsible for their land UNLESS criminal trespass criteria is evident. If no cause for police action, the land owner remains responsible for securing powers and resources to secure eviction.

If there is evidence of an offence under s61 CJPOA then East Area traveller policy is to be followed a summary of which is:

Police activity if Travellers arrive

1. Complete the Initial Site Assessment as per policy document
2. Duty officer to decide whether s61 threshold met/ enforce eviction, this decision should be taken to Pacesetter meeting
3. Whereby there is a decision made to NOT EVICT - the site will sit with the cluster SNT Inspector to monitor and review daily
4. Any change in risk or circumstances a Section 61 should be considered on Pacesetters
5. Eviction decision to consider resources with partners & land owners (for securing and clearing land)

3. Current position and 6 months headlines

Inspector Richard Carter is supporting LBH to apply for an injunction for travellers on Havering borough. If successful this will assist in significantly reducing the opportunities for travellers encampments – as has been proven in Redbridge, Barking & Dagenham & Waltham Forest.

In the 6 month period May 1st 2018 – 31st October 2018 Havering police received 201 calls about trespassers.

Of these 91 were reports of travellers with vehicles.

When looking at the dates and locations of incidents, it is clear that police often receive multiple calls about travellers setting. Having given consideration to this, I consider that the London Borough of Havering has had around 20 incursions in this six week period – the majority of which have taken place in the Gallows corner / Harold Hill area of the borough.