



**METROPOLITAN
POLICE**

Date:		CAD:	
		CrimInt:	
Location:			

Unauthorised Encampments

Operational Policy File

EA – EAST AREA

This operational policy file is designed to assist officers in complying with policy when responding to unauthorised encampments on land by people intending to reside on that land without the permission of the landowner. It contains all the required forms, notices and aide memoirs for the first responder.

CAD to be created and brought to the attention of the Duty Officer.

Contact should be made with relevant local authority contact Centre who will carry out a check of the Land Registry to determine who owns the land and notify the designated Parks and Opens Spaces Officer Duty Lead Officer (DLO).

The MPS will visit the UE as soon as practicable. Visits wherever possible, should be done with stakeholders e.g. landowner, relevant local authority, DLO or other relevant agencies. However, initial police attendance should not be unduly delayed to accommodate partners' attendance.

Initial contact should be made with the people on the UE and the Initial Site Assessment (ISA) completed on the impact of its location, their intentions and the behaviour displayed by the occupants.

The occupants should be spoken to in order to establish: their identities; location of last site; location of last site; ascertain their views on desired duration of stay; and ascertain any pressing welfare needs.

Officers will identify: any offences disclosed or apparent, e.g. criminal damage caused to gain entry to land; obstruction of any footpaths or other highways; any other anti-social behaviour; and whether the location of the encampment, behaviour of residents or needs of the landowner justifies an eviction using police powers.

The Duty Officer (or, if unavailable, the senior officer present) will use this policy file to review and document whether using Police powers, e.g. S. 61 Criminal Justice and Public Order Act 1994 is appropriate. An eviction notice is contained within this pack.

A decision to initially tolerate the encampment will require a discussion with the occupants of what constitutes acceptable behaviour; a notice of acceptable behaviour (contained within the operational pack) should be issued.

Initial Site Assessment

Initial contact should be made with the people on the UE and this Initial Site Assessment (ISA) completed on the impact of its location and the conduct displayed by the occupants.

This will inform the decision as to whether to negotiate an agreed stay of leave or utilise police powers to evict the occupiers.

1. Initial information			
Date:		Time:	
CAD:			
Location:			
No. of vehicles present:		No. of persons present:	

2. Landowner information			
Name:			
Address:			
Telephone:		Mobile:	
Email:			
Landowner's Agent: (if applicable):			
Has the landowner / agent made a requirement to leave the land?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
If yes, when was it made:	Date:	Time:	
How was the requirement made? (e.g. verbal, written, etc.)			
By whom?			

3. Visual site assessment	
Damage	Yes <input type="checkbox"/> No <input type="checkbox"/>
Detail any damage caused to the land or property on the land. Specify what damage was	

caused to gain entry and that caused whilst in situ. Consider visually recording.

Litter and waste

Yes No

Detail any litter or waste present on the site. Consider visually recording.

Has the landowner / agent made a requirement to leave the land?

Yes No

Animals present

Yes No

Detail any animals present on the site.

Are the animals tethered?

Yes No

Details:

Have occupants been advised to secure the animals?

Yes No

Details:

Do the animals pose any risk to the public / police?

Yes No

Details:

4. Occupier assessment

Have any occupiers been spoken to?

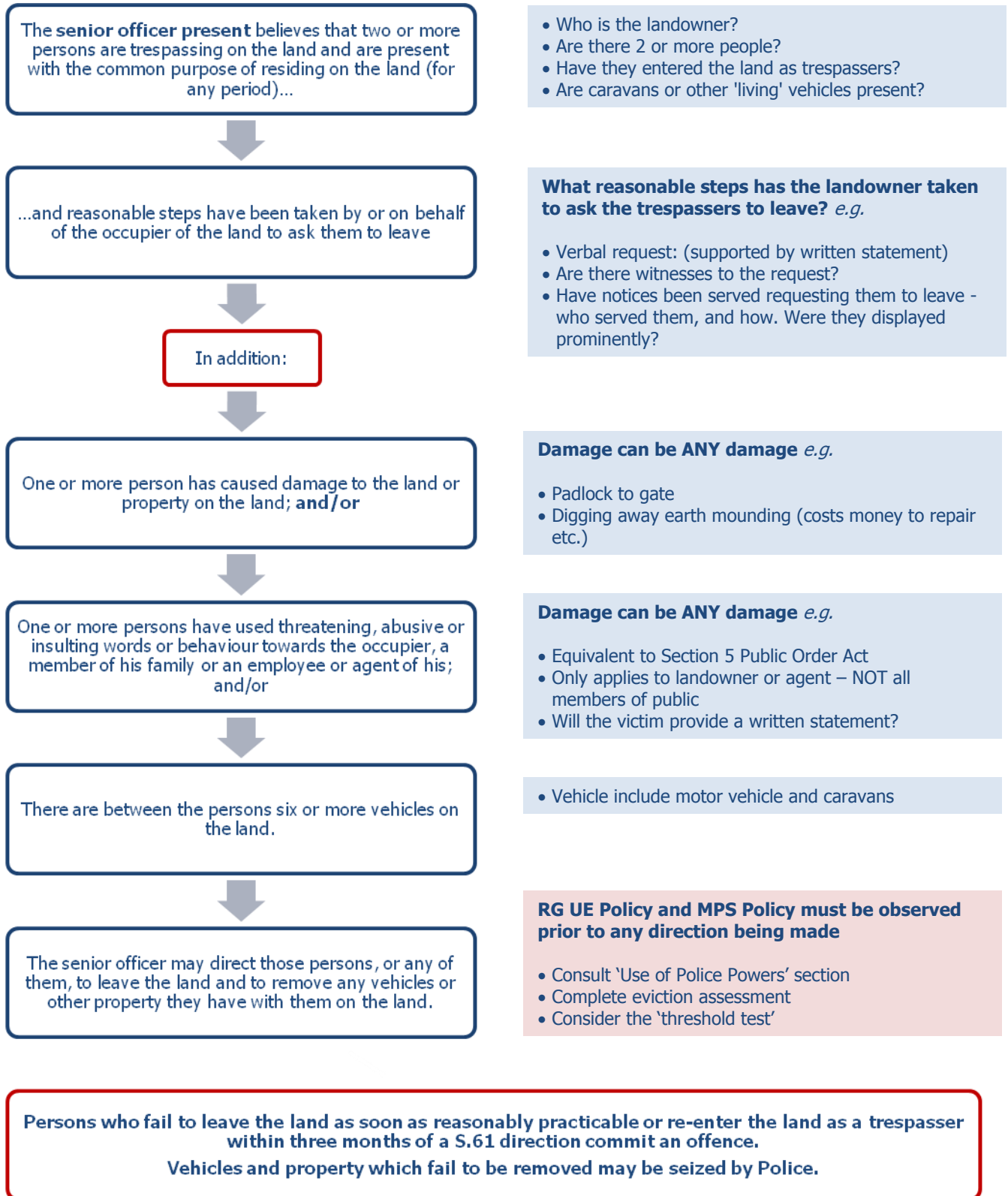
Yes No

If yes, who?	
What are the intentions of the occupiers?	
Are there any welfare issues identified that require referral to partner agencies?	Yes <input type="checkbox"/> No <input type="checkbox"/> Details:
Is there any evidence of criminal offences being committed?	Yes <input type="checkbox"/> No <input type="checkbox"/> Details:
Are there any issues that may prevent eviction of all or some of the occupiers?	Yes <input type="checkbox"/> No <input type="checkbox"/> Details:
Code of conduct notice issued:	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, has a verbal explanation given? Yes <input type="checkbox"/> No <input type="checkbox"/>
Ethnic status:	
White W White – British W1 <input type="checkbox"/> White – Irish W2 <input type="checkbox"/> White – Traveller of Irish Heritage W3 <input type="checkbox"/> White – Gypsy/Roma W4 <input type="checkbox"/> White – Other Travellers W5 <input type="checkbox"/> Any other White background W9 <input type="checkbox"/>	Mixed M White and Black Caribbean M1 <input type="checkbox"/> White and Black African M2 <input type="checkbox"/> White and Asian M3 <input type="checkbox"/> Any other Mixed Background M9 <input type="checkbox"/>
Asian A Asian – Indian A1 <input type="checkbox"/> Asian – Pakistani A2 <input type="checkbox"/> Asian – Bangladeshi A3 <input type="checkbox"/> Any other Asian background A9 <input type="checkbox"/>	Black B Black – Caribbean B1 <input type="checkbox"/> Black African B2 <input type="checkbox"/> Any other Black background B9 <input type="checkbox"/>
Other O Chinese O1 <input type="checkbox"/> Any other O9 <input type="checkbox"/>	Not Stated NS <input type="checkbox"/>
5. Vehicle details	
Vehicles present on the site:	

Use of Police Powers

Police powers to evict people from Unauthorised Encampments are provided for by Ss. 61 & 62, Criminal Justice & Public Order Act 1994. These powers are available where behaviour or conduct is considered to be inappropriate, or where the impact of an UE on others is deemed unacceptable. This position is consistent with all other areas of enforcement within the community.

S. 61 Criminal Justice & Public Order Act 1994



The decision to use police powers remains at the discretion of the senior officer present, ideally Inspector or above, having used the National Decision Model.

The legislation relating to the use of S.61 CJPOA is very clear and will be the primary factor in determining the use of police powers. The following factors must also be considered in addition to the legislation to decide whether it is proportionate and necessary to use the legal powers (in line with Human Rights legislation):

- **The community is deprived of local amenities, or there is a significant adverse impact on the environment**, e.g. forming an encampment on any part of a recreation ground, public park, school field, village green, or depriving members of the public the use of car parks. The fact that other sections of the community are being deprived of the amenities must be evident before action is taken;
- **There is local disruption to the economy**, e.g. forming an encampment on a shopping centre car park or in an industrial estate, particularly where it disrupts workers or customers. This would include agricultural land, especially where it disrupts the use of the land for its normal purpose;
- **There is other significant disruption to the local community or environment** which is considered so significant that a prompt eviction by police becomes necessary;
- **There is a danger to the life of any individual**: An example of this might be an encampment adjacent to a motorway, where there could be a danger of children or animals straying onto the carriageway;
- **There is a need to take preventative action**: This might include where occupants of an encampment have persistently displayed anti-social behaviour at previous sites and there is reason to believe the behaviour will continue;
- **There is a significant increase in local crime which is attributable to the unauthorised encampment**. The allegation of a crime or identification of an individual suspect should not be grounds alone for consideration of a full group eviction.

If the decision is to utilise powers under Section 61 of the CJPOA 1994, then reasonable steps must be taken by the landowner to ask the trespassers to leave before police powers can be used. Any direction to leave must be given verbally and in writing (if practicable) whereby the senior officer on site would complete the direction to leave and ensure it is served on the occupants. Occupants must be afforded a reasonable amount of time to leave.

If a decision is made to tolerate a UE, acceptable behaviour must be discussed with the occupants and a code of conduct issued and explained verbally. The responsibility of the UE will then transfer from the Duty Officer to Neighbourhood Inspector responsible for the locality. A periodic review will be conducted by the relevant SNT, Local Authority and, where applicable, in conjunction with the Strategic Independent Advisory Group.

Once a final decision is reached, the original CAD incident should be endorsed with the outcome, including the use of any police powers.

Eviction Assessment (NDM)

To be completed by the Duty Officer or, where unavailable, the senior officer present.

Information and Intelligence

Location:	
------------------	--

Date of first notice to Police:	(dd/mm/yyyy)
Land owner:	
CAD:	
General information / summary	
Where/what/when/why/how was the site established, who owns the land, how are they and the others affected. What is the previous history of the site and the occupying family.	
Aggravating factors relating to the camp(s)	
List problems with the site here, number of caravans and associated vehicles/loose dogs/defecation/damage to land/safety of other land users/proximity to housing/impact on local communities etc	
Mitigating factors relating to the camp(s) (including welfare issues)	
Have welfare enquiries been carried out?	Yes <input type="checkbox"/> No <input type="checkbox"/>
The Local Authority Traveller Liaison Officer or local Health Visitor should attend to complete health and welfare assessments.	

Threat and Risk Assessment

The community is deprived of local amenities, or there is a significant adverse impact on the environment.	<input type="checkbox"/>
There is local disruption to the economy.	<input type="checkbox"/>

There is other significant disruption to the local community or environment.	<input type="checkbox"/>
There is a danger to the life of any individual.	<input type="checkbox"/>
There is a need to take preventative action.	<input type="checkbox"/>
There is a significant increase in local crime which is attributable to the unauthorised encampment.	<input type="checkbox"/>
Assessment:	
Detail on the above factors as well as any further detail in relation to individuals, partners, organisation and the community. If community tension is likely inform Partnership HUB	
Is this a CRITICAL INCIDENT?	Yes <input type="checkbox"/> No <input type="checkbox"/>
A Critical Incident can be defined as: 'Any incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family and/or the community'.	

Strategy

Working with partners, the Metropolitan Police Service will aim to promote community cohesion enabling safer communities by:

- Building confidence in the communities we serve.
- Protecting the public by preventing crime and Anti Social Behaviour.
- Gathering intelligence and assessing the effects of Police and Partner actions on local communities.
- Responding to community tension indicators

(Further comments)

Legal Powers and Policy

MPS Policy – Unauthorised Encampments
 EA BCU Unlawful Encampment Policy
 Relevant local authority and MPS Joint UE Process

Section 61(1) Criminal Justice and Public Order Act 1994 – Trespassers on common land
 Section 77 Criminal Justice and Public Order Act 1994 – Local Authority: Unauthorised campers
 Human Rights Act

Other criminal offence(s): *(please specify)*

Tactical Options and Contingencies

Need to evict now? <i>(If unavailable, the senior officer present will make the decision and forward to the Duty Officer for ratification)</i>		Yes <input type="checkbox"/> No <input type="checkbox"/>
Tolerate encampment?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Declare a CRITICAL INCIDENT?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Police powers used:	Section 61	<i>(Specify below)</i>
	Significant damage	<input type="checkbox"/>
	Threats etc.	<input type="checkbox"/>
	6 vehicles or more	<input type="checkbox"/>
	Obstruction of the highway	<input type="checkbox"/>
Eviction rationale:		
Detail grounds for the decision, including any action taken to resolve either aggravating factors or welfare issues that may have arisen. A summary of the impact on the human rights of all parties involved should be included, highlighting the legitimacy, proportionality and necessity of the eviction action.		

Eviction actions to consider:

- Community Impact Assessment.
- Detail welfare enquiries conducted.
- Confirm any partner activities.
- Obtain Tactical Advisor advice.
- Contact Local Intelligence Team.
- Consider Critical Incident Advisor / IAG.
- Inform MetCC Grip Chief Inspector & obtain additional.
- Authority to deploy EGT.
- Contact partners.
- Contact landowner.

When are notices to be served?

Date: Time:

When should the travellers leave by?

Date: Time:

Eviction actions to consider:

- Serve Code of Conduct form (read and explained to occupiers)
- Consider Evidence Gathering Team (EGT) for environmental record.
- Contact landowner.
- Inform Borough SLT / Duty Supt.
- Include as an agenda item in the Pacesetter's Meeting.
- Community Impact Assessment to be sent to Partnership HUB

Eviction assessment completed by:Name:
Rank:
Force number:
Date:

Signed:

Once completed this document should be scanned and attached to a CrimInt.

Direction to Leave

Date:

Time of service:

Location:

Name / Vehicle Index / Description:

SECTION 61 OF THE CRIMINAL JUSTICE & PUBLIC ORDER ACT 1994

In accordance with section 61 of the Criminal Justice & Public Order Act 1994,
I,

being the senior police officer present, direct you to leave this land and to remove all vehicles and other property you have with you as I reasonably believe that two or more of you are trespassing on this land, that you have a common purpose of residing on this land, and that reasonable steps have been taken by or on behalf of the occupier to ask you to leave and that any of you:-

- 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
- Have between you 6 or more vehicles on the land, or
- Who whilst not originally trespassers when entering onto the land have since become trespassers and that any of the aforementioned conditions is satisfied after becoming trespassers.

IF YOU FAIL TO LEAVE THIS LAND AS SOON AS REASONABLY PRACTICABLE OR RE-ENTER THIS LAND AS A TRESPASSER WITHIN THREE MONTHS YOU COMMIT AN OFFENCE AND RENDER YOURSELF LIABLE TO ARREST WITHOUT WARRANT AND TO PROSECUTION.

You are required to leave as soon as reasonably practicable but in any case by:-

THE PENALTY ON CONVICTION IS IMPRISONMENT, A FINE OR BOTH.

(note any reply)

SIGNED

Name / Rank



METROPOLITAN
POLICE



RESTRICTED WHEN COMPLETE

BLANK PLAGE

Unauthorised Encampments

Code of Conduct

This is to advise individuals that they are expected to treat any land they occupy with respect to comply with this code of conduct and respect the rights and freedoms of other people who also wish to use the area.

Behaviour that may result in your eviction from a site includes the following:

- Camping upon any land designated as a public amenity, such as parks, recreation areas, school fields and similar locations (not an exhaustive list).
- Interfering with the rights and freedoms of other members of the public, including interrupting the operation of legitimate businesses.
- Forcing entry to land, by causing damage to any fixtures, fittings or landscaping (including planted areas). This includes digging away of earthwork defences, which have been placed at landowner's expense to prevent trespass.
- Causing any other damage to the land itself, or property on it. Particular care should be taken not to cause damage to those features provided as public amenities.
- Driving vehicles along any footpath, or other highway not specifically designed for road vehicles. This practice is not only unlawful but is also highly dangerous.
- Parking vehicles or caravans on any road, footpath or other highway that causes an obstruction to other people wanting to pass by. This includes parking immediately next to footpaths.
- Dumping or tipping rubbish, waste materials or trade waste such as tree cuttings, rubble, etc. It is your responsibility to keep the site clean and tidy. Council Traveller Liaison Officers can direct you to Civic Amenity Sites (Council tips) where you will be able to pay to dispose of trade waste. Black bags for your use may also be provided.
- Use of the area as a toilet. You must not deposit or leave human waste openly in public areas.
- Abuse, intimidation or harassment of any person who is lawfully using the area.
- Excessive noise or other forms of anti-social behaviour.
- Animals that are not kept under control or that attack persons lawfully on the land, or nearby.
- Interference with electrical, water or gas supplies. Any person(s) found abstracting electricity, or wasting quantities of water may be subject of criminal proceedings.

These codes are the same standards of behaviour that are expected of the local communities. The police are committed to ensuring that all policing issues that affect you are balanced; however Antisocial Behaviour will not be tolerated.

Compliance with this code will greatly reduce the likelihood of eviction procedures being commenced.



**METROPOLITAN
POLICE**



BLANK PLAGE