



<u>Title</u>	Unauthorised Encampments
<u>CCMT Sponsor</u>	ACC Local Policing
<u>Department/Area</u>	Strategic Partnerships
<u>Section/Sector</u>	Traveller Management Unit

1.0 Rationale

This policy sets out the Thames Valley Police approach to managing the issue of unauthorised encampments, the police response in varying circumstances, and in particular the need to be involved as closely as possible with other bodies and agencies, where there is a legal basis for doing so, in responding to specific issues. Wherever possible, a multi-agency response should be considered, in accordance with protocols established by the Crime and Disorder Act 1998. Any information shared with partners should be governed by the Information Sharing Protocol which has been agreed by all parties involved.

2.0 Intention

The Race Relations Act (RRA) 1976 makes it unlawful to treat someone less favourably on the grounds of colour, race, nationality or ethnic or national origins. The following of a nomadic lifestyle is lawful, indeed it is a culture that is recognised and protected through the legislation. There is a growing number of Travellers in England made up of primarily Romany Gypsies. Romany Gypsies are protected under the RRA as are Irish Travellers. Additionally, the RRA was amended in 2000 and puts a General Duty on the police to have due regard to the need to: eliminate unlawful racial discrimination; promote equality of opportunity and good relations between persons of different racial groups. However, there is no legal right to trespass and the law provides a wide range of powers to remove such trespassers.

The establishment of an unauthorised encampment can raise many concerns with the landowner and neighbouring members of the settled community. Some of these concerns are perceptual and unfounded, others based on ignorance and discrimination; however there still remains a sufficient number of encampments that cause high levels of anti-social behaviour and disproportionate disruption to the community into which they move.

3.0 General Principles

Thames Valley Police is in the process of establishing Traveller Management Units (TMU) throughout the Force. These Units are joint operational partnerships

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providing a multi-agency response to all issues concerning Travellers and unauthorised camping within specific geographic areas. The TMU response to unauthorised camping is covered within a separate multi-agency policy.

This document is **not** a policy on Gypsies or Travellers; rather it is a policy covering the process of dealing with any individuals who trespass on land owned by another with an intention to reside.

This document explains the framework within which our staff are expected to act, recognising the requirement to balance the needs of a range of interested parties. Each unauthorised encampment will present a number of issues, many of which may be in conflict, the decision to use police powers remains at the discretion of the senior officer present. His/her decision however, should be made in accordance with this policy, and the grounds for any action/inaction fully recorded.

Thames Valley Police do not seek to treat such groups differently when unauthorised encampments are established. The Force must ensure that the rights and responsibilities of all members of the community are not unjustifiably breached. There is an expectation that all members of the community will maintain acceptable standards of behaviour and show respect for others. Should those living or present on an unauthorised encampment fail to maintain such standards, then Police action may be considered appropriate.

It is essential that the police response takes account of the issues of behaviour, whether criminal, anti-social or nuisance, in combination with the impact on the landowner and settled community rather than simply because encampments are present at a specific location. Police powers to evict people from unauthorised encampments do exist, as provided for by Sections 61 and 62 A-E, Criminal Justice & Public Order Act 1994, (CJPOA 94). These powers will be used where behaviour or conduct is considered to be inappropriate, or where the impact of an encampment on others is unacceptably high. This position is consistent with all other areas of enforcement within the community.

Decisions to evict or not must, of course, be balanced (as directed by legislation and Government guidance), and be compliant with the terms of the Human Rights Act 1998, demonstrating legality, necessity, and proportionality, as well as principles of common humanity. The grounds for each decision must be fully recorded by the decision maker and kept for audit processes or legal challenge for seven years.

The scope of this policy does not cover the situation whereby individuals purchase land and occupy it, with or without planning permission.

BCU Commanders will be responsible for the implementation of this policy on each Police Area.

4.0 Challenges & Representations

Any person directly affected by this policy may make representations in relation to this document and/or any decision taken in consequence of it, to:-

Superintendent,
Strategic Partnerships,
Thames Valley Police Headquarters,
Oxford Road,
Kidlington OX5 2NX

5.0 Guidance, Procedures & Tactics

5.1 MANAGING UNAUTHORISED ENCAMPMENTS

- 5.1.1 All police decisions and actions will be made in compliance with the provisions of the Human Rights Act 1998. Any action will only be such as is necessary for public safety, the prevention of disorder or crime, the protection of health, or for the protection of the rights and freedom of others.
- 5.1.2.1 All police actions will be conducted in a manner compatible with the operational principles of safety, lawfulness, necessity, proportionality and common humanity. Actions should be completed in a manner that is the least intrusive to achieve the purpose. It is necessary to achieve a balance in the protection of the rights and freedom of all persons concerned with a specified unauthorised encampment.

5.2 SUPERVISION OF ENCAMPMENTS

- 5.2.1 Where appropriate, newly-established encampments will be visited by the police, and an Area Supervisor informed. This should, wherever possible be together with the landowner, Local Authority, and other relevant agencies to:
- 5.2.2 Make initial contact with the group and complete an assessment of the impact of the site's location, as well as the behaviour displayed by the occupants. The occupants should be spoken to; to establish their identities and location of last site, and to ascertain their views on desired duration of stay as well as any pressing welfare needs.
- 5.2.2 To determine 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.
- 5.2.3 Brief those present on the acceptable standards of conduct or behaviour expected. A Code of Conduct, is attached at Appendix 'A'
- 5.2.4 Assess whether the location of the encampment, behaviour of residents or needs of the landowner justifies an eviction using police powers.

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- 5.2.5 Liaison should be maintained with the landowner, those most affected by the establishment of the encampment and our partner agencies to assess the need for Police intervention. In accordance with ODPM guidance, the Local Authority, as lead agency for unauthorised encampments, should take an active role in engaging with the site residents and will in particular take the lead with sites established on their land, which do not require immediate Police action. Periodic visits by police officers to the site should be completed, to monitor the situation, to note any community tensions, and to reassure all communities. These visits will be enhanced if completed along with designated Local Authority staff members. The absence of such visits will not prohibit the future use of police powers, but may provide valuable evidence, and an audit trail to support decision-making.

5.3 ENCAMPMENT RECORDS

- 5.3.1 Attending officers should complete an initial site assessment form, attached at Appendix 'B' to be used by the senior officer present to determine the potential need to evict using police powers. The decision whether or not to utilise police eviction powers should be periodically reviewed to establish if circumstances have changed that will require the use of a police eviction to protect the rights of others. All information concerning the site and the site occupants should be shared with all involved agencies, to ensure that a balanced common approach is adopted in fairness to all.
- 5.3.2 Such assessment visits should log details of vehicles and persons present, for operational purposes, to provide evidence of presence at any stage, and to check to ensure no return within three months (subsection 4(b) of Section 61). See Appendix 'C' for vehicle log sheet.
- 5.3.3 Where appropriate, vehicle and/or any person details should be checked on the Police National Computer (PNC) for 'markers' (which if present should be acted upon as appropriate). Any criminal intelligence should be submitted in the normal format using form CID 72.

5.4 COMMAND & CONTROL

- 5.4.1 A separate Command & Control log, (computer-based incident logging and resource system); will be created for each encampment notified to Thames Valley Police. The log will be retained as an open log for the duration of the encampment. Any calls from the public relating to the encampment, or directly attributable to its occupants, should be recorded within the log, including any complaint calls. The log can be used to record community intelligence, whilst crime intelligence should be recorded separately in accordance with National Intelligence Model procedures. Any PNC checks carried out may be captured to the main log.
- 5.4.2 The log may be used by Police Areas to update and record any considerations of decisions related to eviction made by senior officers (but should not replace the signed decision-making rationale described below).

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- 5.4.3 Where separate C & C logs are created for specific incidents, which relate to the encampment, these should be 'incident-matched' to the main log once concluded.
- 5.4.4 At the conclusion of the occupation of the encampment the log should be endorsed suitably with the outcome, including any eviction powers used, and the general behaviour and conduct of the residents. This information can be subsequently used to inform the decision-making process for future sites established by noted individuals. The log can then be closed.

5.5 DECISION-MAKING ON THE USE OF POLICE POWERS

- 5.5.1 Each Police Area will draw up and act in accordance with a Joint Agency Protocol created in conjunction with Local Authorities for the management of unauthorised encampments. The Protocol should be compliant with this policy and any legislative requirements, as well as the guidance issued by the Association of Chief Police Officers (ACPO) and the Office of the Deputy Prime Minister (ODPM).
- 5.5.2 In making decisions, it should be emphasised that the lead role should normally lie with local authorities. Police powers should not normally be considered as a first response unless other factors are present, or become relevant (see below).
- 5.5.3 For each Basic Command Unit, a police officer will be nominated to act as 'Liaison Officer' between the Police and Local Authority.
- 5.5.4 Decisions on whether to invoke Sections 61 or 62 A –E, Criminal Justice & Public Order Act 1994 will be recommended by the Liaison Officer (as above) or Duty Inspector, and confirmed by the Duty Superintendent for the Police Area, taking into account local circumstances, including the impact of taking police resources away from other core, priority work.

5.6 OTHER POLICING ISSUES AND UNAUTHORISED ENCAMPMENTS

5.6.1 Complaints

Police may receive complaints relating to the behaviour of occupants at unauthorised encampments, or from the occupants relating to other people. The initial police response to such calls should, of course, be the same as for any other incident, and graded on its priority. If attendance to see a complainant is appropriate, or to investigate a report, then an appropriately staffed police resource should attend to investigate.

The allegation of a crime or identification of an individual suspect at an encampment may not be grounds alone for consideration of a full group eviction. However, if the grounds exist that require the use of s61 CJPOA 94, there is power to evict that individual and his/her vehicles. Indeed, this approach complies fully with Human Rights legislation and underlines the Force's aim of dealing effectively with

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issues of anti-social behaviour. The factors must be weighed accordingly, and a decision taken on the necessary and proportionate action required, and so action that may be considered will include the giving of advice, arrest, eviction or a combination of all.

Where occupants at unauthorised encampments are victims of crime or anti-social behaviour, they must be given access to services in the usual way and if there is a perception that the incident is racially motivated then the matter should be dealt with in line with the Force Hate Crime policy. Such incidents should not be used as grounds for eviction under section 61 CJPOA 94.

5.6.2 Other Agencies

On occasions other agencies may request police officers to accompany them to an encampment to assist them for a lawful purpose. This might be where there is a perceived threat to Council officers, to remove stray dogs etc. Such assistance is similar to other requests in other communities, and it is a matter for local discretion, and availability of resources as to the level of police involvement, to essentially prevent a breach of the peace. Officers must take care to ensure that they do not become agents for the other parties, and on such occasions maintain neutrality from the other's purpose, but to provide reassurance to all involved that the peace will be maintained.

5.6.3 Bailiffs

On occasion, police will be requested to attend during the exercise of Common Law powers of eviction, often exercised on landowner's behalf by contracted bailiffs. A number of companies carry out such actions, including some which serve notices requesting trespassers on land to leave by set times and dates. The power used is an ancient one, "to use such force as is reasonable" in the removal of trespassers from land. It is a legal power, but clearly the exercise of it could lead to confrontation, in some circumstances.

It is a matter of local discretion, and officer availability, as to whether police attend to prevent a breach of the peace in such private evictions. In most cases, bailiff firms should provide sufficient resources and act in such a manner as to secure the peaceful removal of trespassers from a particular site. Care should be taken to ensure that police staff are not being requested to supplement under-resourced bailiff actions. If officers do attend, their role is a neutral one, to prevent a breach of the peace for persons carrying out a lawful activity. It is not the role of the police to actively assist bailiffs in physically removing people or vehicles from the land, nor to provide advice on civil enforcement matters. Officers must ensure they perform even-handedly, and remain impartial. If however, an offence is committed (by any person), whether public order offences, assaults or damage etc. then officers should act positively, and deal with the offender.

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Thames Valley Police will deal positively with such incidents, as with any other, and seek to restore order quickly. On some occasions a strong police presence will be appropriate to ensure the lawful activity is carried out. On other occasions e.g. where adequate resources are unavailable, this may mean police should advise the bailiffs not to proceed for their own safety, and for the landowner to consider other methods e.g. Court orders etc.

In such circumstances it may be appropriate to consider that “reasonable steps have been taken by or on behalf of the landowner” (section 61 CJPOA), and a decision made to carry out a police eviction if the accompanying factors are present (as detailed below).

5.7 CIRCUMSTANCES FOR THE USE OF POLICE POWERS

5.7.1 The lead role in the management of Unauthorised Encampments, where no Traveller Management Unit is present, will be with Local Authorities. However, Police Areas will take a positive, and if necessary a leading role, in bringing about the prompt and lawful removal of unauthorised encampments where:

i) Local amenities are deprived to communities.

This could include, for example, forming an encampment on any part of a recreation ground, public park, school field, village green, or depriving the public use of car parks.

ii) There is local disruption to the economy.

Local disruption to the economy would include forming an encampment on a shopping centre car park, or in an industrial estate, if it disrupts workers or customers, or agricultural land, if this results in the loss of use of the land for its normal purpose.

iii) There is other significant disruption to the local community.

This might include where other behaviour, which is directly related to those present at an encampment, is so significant that a prompt eviction by police becomes necessary, rather than by other means.

iv) There is a need to take preventative action.

This might include where a group of trespassers have persistently displayed anti-social behaviour at previous sites and it is reasonably believed that such behaviour will be displayed at this newly established site. This reasoning will take on greater emphasis if the land occupied is privately owned as the landowner will be responsible for the cleansing and repair of their property.

5.7.2 **The mere presence of an encampment without any aggravating factors should not normally create an expectation that police will use eviction powers.** This should be communicated to the public, landowners, local authorities, and other agencies.

5.7.3 In all cases, as stated above relevant Human Rights processes must be applied to all decisions made i.e. that the elements of S61 are satisfied, and that it is necessary and proportionate to use the powers.

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[NB: Section 61 CJPO Act relies upon reasonable steps being taken, by or on behalf of the land owner, to ask trespassers to leave in every case before police powers can be used. Only under certain circumstances will Thames Valley Police act as landowner's agents and only then, if all other options have been precluded. To protect Thames Valley Police from potential challenge, Area staff must make contact with dedicated Police TMU staff before taking on the role of landowner's agent].

5.8 DECISION RECORDING

- 5.8.1 On each occasion that a decision is considered to use or not to use police powers under Sections 61 and 62 A-E of the Criminal Justice and Public Order Act 1994, the decision should be recorded and the rationale evidenced in detail.
- 5.8.2 The decision, and the rationale behind it, should be recorded on forms devised specifically for this purpose, attached at Appendix 'D', and available on the Local Area Network. A Superintendent must be notified of and endorse each decision, whether to use or not to use the powers, and sign each decision form. It may be the case that, for some encampments, several assessments and decisions are carried out and recorded over a period of days or weeks before an encampment is vacated. In other cases, a single form may suffice.
- 5.8.3 Police Areas will also be required to maintain records of all sites that come to their attention, including details of numbers, locations, duration of stay and decisions taken in respect of them. These records will be retained on Police Areas, (unless Police action is taken in the absence of their dedicated TMU, whereupon, all paperwork pertaining to the site will be forwarded to the TMU for filing). All assessment forms, log sheets, and decision logs need to be retained to provide an audit trail for Human Rights purposes, to enable scrutiny, and to demonstrate balance in decision-making based on circumstances and behaviour at encampments.

5.9 SUMMARY

- 5.9.1 There is a need to ensure that all Areas within the Thames Valley Area deliver a lawful, balanced and consistent service to all members of the communities, recognising and addressing, wherever possible, the needs of all. This document establishes a framework for the operational management of unauthorised encampments and sets a standard on which the organisation may perform.
- 5.9.2 It is the view of Thames Valley Police that the issue of unauthorised camping is one that must be addressed using multi-agency teams, engaging all aspects of the community. It is recognised that inadequate provision, both permanent and transitory, is a contributory factor to unauthorised camping, but that neither this factor, nor a Travelling heritage allow for trespass, particularly when accompanied by

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unacceptable conduct or behaviour, or where the impact of a site is significantly detrimental to the lives of others.

6.0 Communication

This policy will be published on the Thames Valley Police intranet and internet site, in Manager's Briefing and will go out in an All User E-mail.

7.0 Compliance and Certification

7.1 Human Rights Certification

This policy has been drafted and audited in accordance with the Human Rights Act 1998.

It is acknowledged that this policy has the potential to engage the following Articles:-

- Article 5 Right to Liberty
- Article 8 Right to Respect for Private and Family Life

In the event that an Article of the Convention is engaged, then the legitimacy for the engagement is provided within the text of the Article:-

Article 5(c) of the Convention (Right to Liberty) states '...the lawful arrest or detention of a person effected for the purposes of bringing him before a competent authority on reasonable suspicion of having committed an offence, or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so....'

Article 8 (Right to Respect for Private and Family Life) provides the following limitations:-

- public safety
- prevention of disorder or crime
- protection and rights and freedoms of others

Intention

The intention of this policy document is to give guidance to police officers on the policing of unauthorised encampments.

Legal Basis

The legal basis for this policy document is derived from:

- Section 61 of the Criminal Justice and Public Order Act 1994
- Section 62 A-E of the Criminal Justice and Public Order Act 1994
- Section 77 of the Criminal Justice and Public Order Act 1994
- Common Law power of landlord in relation to trespassers on land

The above powers are by no means exhaustive.

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Prohibition on Discrimination

By engaging any of the aforementioned Articles, there is the potential to engage Article 14 of the Convention. The enjoyments of the Rights and Freedoms set forth in the European Convention of Human Rights shall be secured without discrimination on any grounds, such as.... social origin, association with national minority, and/or status. Actions taken as a consequence of this policy will be applied fairly and impartially, having due regard for natural justice and human rights.

7.2 Race Equality Impact Assessment

A Race Equality Impact Assessment has been completed, this policy has been rated as HIGH, it is available from the Thames Valley Police Policy Management Unit, the Thames Valley Police intranet and internet sites.


7.3 Data Protection

Any personal data processed in compliance with this policy will be managed in accordance with the provisions of the Data Protection Act 1998.

7.4 Freedom of Information Act

This policy document will be made available to the public on the Thames Valley Police policy internet site. Any dispute to the policy from a member of the public or other interested party should be directed to Superintendent, HQ Strategic Partnerships.

7.5 Protective Markings

This document is not protectively  marked.

Any information created in compliance with this policy will be assessed by the originator against Government Protective Marking Scheme requirements and be assigned an appropriate marker. Information must then be managed in line with the mark it carries. It is the responsibility of the disseminator to ensure that any information disseminated is managed appropriately but the recipient.

7.6 Health & Safety at Work

This policy has been subject of a full Health and Safety risk assessment and audited by a trained assessor. The assessment, which includes appropriate risks and related control measures is attached.

8.0 Monitoring and Review

BCU Commanders will be responsible for the implementation of this policy on each police area.

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The Thames Valley Police Authority will perform independent scrutiny of this policy, as necessary.

Decision-making and implementation processes will be subject to regular audit and inspection as part of Area visit processes by ACC (CS), or by thematic Inspection by HMIC.

8.1 Links to Best Value/PPAF/Priorities/Performance Indicators

This policy contributes to the following Corporate Priorities:

- To provide an effective and timely response, focused on the needs of the citizen
- To equip our front-line staff to deliver on our objectives

8.2 Review Process

This policy will be reviewed annually.

This policy document will be reviewed annually. The review will take account of the following criteria:-

- changes in legislation
- Human rights challenges in domestic and Human Rights Courts.
- changes to ACPO and ODPM guidance
- representations by appropriate authorities (Local authorities)
- representations by Non Governmental Organisations (NGO)
- Relevant race equality data
- representations made by individuals

Unauthorised Encampments

Code of Conduct

To ensure those members of both the settled and travelling communities can live together in a peaceful and unprejudiced way we expect you to comply with this Code of Conduct. We expect you to treat the land you have occupied with respect, and that you 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.
- **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 settled community. Thames Valley Police are committed to ensuring that all policing issues that affect you are balanced; however behaviour that is deemed unacceptable within society will not be tolerated.

INITIAL SITE ASSESSMENT FORM

DATE:		TIME:	
SITE NUMBER:	No. /Year)	(BCU ID/	
LOCATION:			
URN:			
LANDOWNER :			
DAMAGE PRESENT:	(Damage to gain entry & that caused whilst in situ. Also damage that had occupied prior to occupation)		
LITTER or WASTE PRESENT:			
ANIMALS PRESENT:	(Numbers tied-up/untied. Have group been advised to tie up animals? What is the risk to the public?)		
WHAT IS THE IMPACT TO THE PUBLIC / LANDOWNER ?	Unacceptable/Significant/Minimal (Give reasons)		
IS THERE A NEED TO EVICT NOW?	<input type="checkbox"/> NO <input type="checkbox"/> OBSTRUCTION <input type="checkbox"/> YES <input type="checkbox"/> s77 CJPOA 1994 <input type="checkbox"/> s61 CJPOA 1994 <input type="checkbox"/> Damage / <input type="checkbox"/> Threats / <input type="checkbox"/> ≥ 6 Vehicles		
WELFARE ISSUES:	Record any health, education or major mechanical problems		
	(Are there any issues that would prevent eviction of all or some of the occupants? Were these issues present before this site was occupied?)		
TRAVELLERS SPOKEN TO:	<input type="checkbox"/> NO CODE OF CONDUCT ISSUED <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> YES		
ETHNIC STATUS:	Romany Gypsy / Irish Traveller / New Age Traveller/None Traveller		
DISPLAYED ATTITUDE :	Co-operative / Dismissive / Evasive / Abusive / Threatening		
OFFICER NAME:			





Unauthorised Encampment Vehicle Log

At [redacted] hrs on [redacted] 2005, I [redacted]
 recorded the following vehicles at (location) [redacted]
 signed [redacted]



<u>Ref</u>	<u>Index (Serial No.)</u>	<u>Make</u>	<u>Model</u>	<u>Colour</u>
1				
2				
3				
4				
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Distinguishing marks (quote ref no.)



EVICTION RATIONALE RECORD

1. Location:	
Date first to notice of Police:	
Land Owner:	
Site Reference No:	

2. General Information / Summary:

Where/what/when/why/how was the site established, who owns the land, how are they and others affected. What is the previous history of the site and the occupying family

3. Aggravating Factors relating to the camp:

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 settled community etc

4. Mitigating Factors relating to the camp (including welfare issues):

Have Welfare enquiries been carried out? Y / N (if Y attach welfare enquiry record)

If possible, the Local Authority Traveller Liaison Officer or local Health Visitor should attend to complete health and welfare assessments, although the s61 legislation does not prevent eviction action by the Police where no formal welfare enquires have been completed. Welfare enquiries should however be completed by police at the time of service of the s61 eviction order, with any issues noted on the eviction form.

6. Eviction decision:

POLICE POWERS USED:

- OBSTRUCTION OF THE HIGHWAY
- SECTION 61 CJPOA 1994
- DAMAGE
- THREATS ETC
- 6 VEHICLES OR MORE

A record of the 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.

What date are notices to be served?:

When should the Travellers leave by: Time: Date:

Signed:

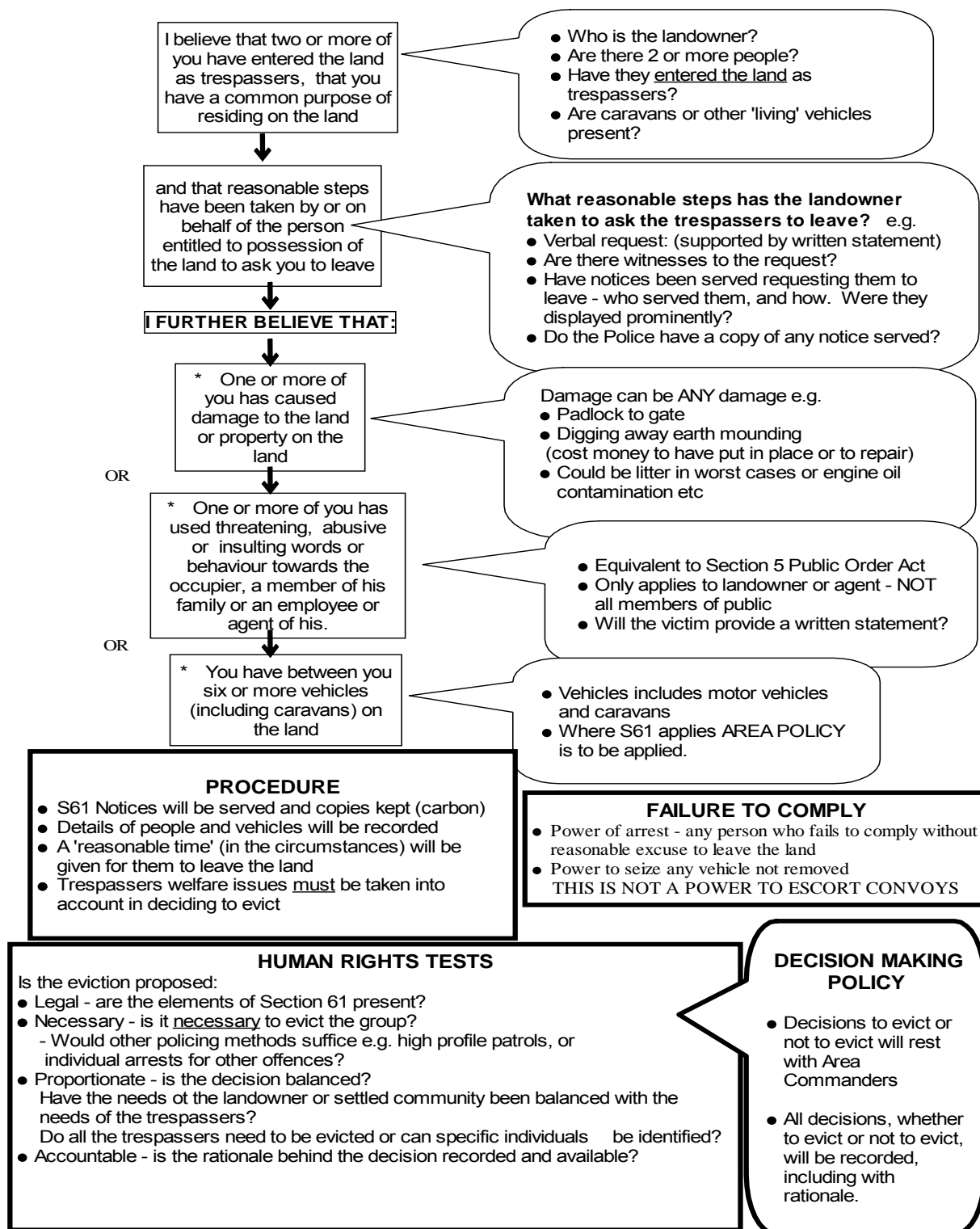
Print Rank/No./Surname

Date:

POLICE EVICTION POWERS

SECTION 61 CRIMINAL JUSTICE & PUBLIC ORDER ACT 1994

FLOW CHART AND GUIDANCE NOTES





In accordance with Section 61 of the CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994, I direct all those on this land to leave this land for the following reasons:-

I believe that two or more of you have entered the land as trespassers, that you have a common purpose of residing on the land, and that reasonable steps have been taken by or on behalf of the person entitled to possession of the land to ask you to leave.

I further believe that:-

- One or more of you has caused damage to the land or property on the land.
- One or more of you has used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or an employee or agent of his.
- You have between you six or more vehicles (including caravans) on the land.

Authorising Officer: _____
(sign & print)

Time & date served : _____ hrs _____ 2005 By : _____

Location: _____

<u>Make</u>	<u>Model</u>	<u>Colour</u>	<u>Index or Serial No.</u>

Name & Date of birth of person served notice or tick if vehicle is unattended and note below where notice is left

Detail any welfare issues here and bring them immediately to the attention of a supervisor

You must leave this site as soon as reasonably practicable, and at the latest by:

If you fail to leave the land as soon as reasonably practicable (or enter the land again as a trespasser within three months) without reasonable excuse, you commit an offence and render yourself liable to arrest and your vehicle or caravan may be removed by the police.

The person served with this notice has had the reasons for this eviction and the sanctions for failing to comply with the conditions of this eviction explained to them. (initial)

APPENDIX 'G'

THAMES VALLEY POLICE OBSTRUCTION

This road / pathway is a highway as defined by Section 329 Highways Act 1980, giving members of the public a right to pass and re-pass. The highway includes from verge to verge. This vehicle is parked causing:

A Wilful Obstruction of the Highway (under Section 137(1) Highways Act 1980) Without lawful authority or excuse, in any way, wilfully obstructs the free passage along a highway.
and / or

An Unnecessary Obstruction (under Section 42 Road Traffic Act 1988 and Section 103 Road Vehicles (Construction & Use) Regulations 1986) No person in charge of a vehicle or trailer shall cause or permit the vehicle to stand on a road so as to cause any unnecessary obstruction.

SIGNED.....TIME & DATE.....

NAME.....RANK & No.....

Location:

<u>Make</u>	<u>Model</u>	<u>Colour</u>	<u>Index or Serial No.</u>

Name & Date of birth of person served notice or tick if vehicle is unattended and note below where notice is left

Detail any welfare issues here and bring them immediately to the attention of a supervisor

[Empty box for welfare issues]

The above vehicle(s) must be removed as soon as reasonably practicable and at the latest by:

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If you fail to remove the vehicle(s) listed above by the time stated, you may be arrested and your vehicle(s) removed by the Police. You will be liable for any costs associated with the removal of your vehicle(s).