



## Five new ways to harass

The Law Commission's final report on conspiracy and criminal law reform came out last week. It's a lot better than was expected: "conspiracy" will now relate only to actual criminal offences and not carry sentences larger than those imposable on such actual offences (does this mean that there'll be a revival of those other vague common law charges "incitement" and "attempt" to net political activists?), and the criminal trespass law proposed has been limited. Instead, there are five new offences imposed which, while not outlawing occupations totally, will enable the police to increase their harassment of people who occupy buildings either as protest or as direct action.

The report suggests that the common law offences of forcible entry and detainer, and the Forcible Entry Acts 1381-1623 (which are popularly seen as ensuring "Squatters' Rights"), should be repealed. The following offences are proposed:

- 1) Using or threatening violence to gain entry to premises against the will of someone present on them. This excludes someone regaining living accommodation which they own in this way. This indictable offence would carry a maximum penalty of two years jail and a fine, and police could arrest on "reasonable suspicion" that someone had committed it.
- 2) A "trespasser" failing to leave premises when asked by someone (or their agent) who was using them as living accommodation. This summary offence would carry a maximum of six months imprisonment and a fine of £400.

These two offences seem to be a response to the myth that squatters are occupying houses which people are actually living in. There is no proven instance of this happening. What the new proposal is likely to do is have a lot of landlords who don't live in houses move in a few bits of furniture so that they can say they do and thus lawfully evict anyone themselves. It's likely also to lead to the increased use of "heavies". Because the proposal is rather vaguely worded, it could also be used for other kinds of peaceful occupations, such as factories and universities, where caretakers might say they had been threatened with violence. On the other side of things, by making it clear that the first of these proposals specifies that the person who objects to the forcible entry must be present on the premises, squatting may become a full-time occupation with it always being necessary for someone to stay at home.

- 3) It is proposed an offence, with a maximum of two years inside and a fine of £200, for a "trespasser" to have "an offensive weapon" on premises in which s/he is "trespassing". This would give the police right of entry into any squat and many student and factory occupations (possession of offensive weapons on private property is not otherwise an offence). Offensive weapon is a vague term anyway, and would easily include ordinary tools used by squatters for repairing the house.

- 4) Occupations of embassies and similar buildings would become a criminal trespass, with a maximum of a year and a fine. This would make an automatic offence of the most peaceful occupations, whether those of people in exile to protest against the actions of their government (such as the Iranian 21) or people in Britain acting in international solidarity (such as the Greek Embassy in 1967).

- 5) It would be an offence to resist or obstruct sheriffs, bailiffs, etc, in their execution of possession orders (nos 26 and 113) originally used against squatters but now against other kinds of occupations. This would carry a maximum sentence of six months imprisonment and a fine of £400. This would not only cover any kind of violent resistance (which of course is already illegal) but sit-downs, barricades and other passive resistance. Bailiffs would actually be given powers of arrest in such situations.

The Campaign Against a Criminal Trespass Law (CACTL), the National Council for Civil Liberties, the National Union of Students, the Squatters Action Council, the Haldane Society, the Campaign for

Homeless and Rootless, independent law centres and the Greater London Association for Trades Councils have united to condemn the new proposals which they see as potentially very repressing. By making new "crimes", they say the Law Commission is "asking the police to make immediate legal decisions in complicated situations, which they are not equipped to do. Once this new principle of law has been established, it could easily be extended by future governments ... (The Commission's) apparent belief is that to legislate against the homeless and jobless will make these people and their needs disappear".

It may well be the opposition which CACTL succeeded in organising to the Law Commission's original working paper (*Peace News*, September 12) which has ensured that the proposals are not even more repressive. CACTL will continue to fight to prevent the new proposals from becoming law and needs as much support as possible.

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## EVICTED!

**If you've ever seen an eviction, seen people standing on the street with their mattresses and saucepans and clothes piled up round them, you will have some idea of the violence that is property (the concept of "owning" something you don't use or use to exploit others). Sixty squatters were evicted from Prince of Wales Crescent; squatters in nine houses in Finsbury Park are waiting for the bailiffs as we go to press; squatters in Hornsey Rise are still under threat by the Greater London Council; and numerous individual squats in London all seem to have had summonses to court in the last few weeks.**

The last people living on the Crescent, Kentish Town, about 60 people including five with children, had been expecting eviction ever since the last possession order was granted against their homes on February 6. They had been negotiating with Camden Council for months for new short-life houses (Camden have 3,000 empty houses at the moment) but the Council persistently ignore them; the long-term understanding between Short-life Community Housing and the Council (many of the houses were SCH-licensed) that more houses would be provided when

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