



Squatters' Action For Secure Homes

Appendix

Evidence Base for

Homes, Not Jails



SQUASH Policy Brief
April 2015

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-----Acknowledgements-----

Thanks to all squat groups who kept blogs (many used in this report), for those who made Freedom of Information requests regarding s144 LASPOA, Advisory Service for Squatters for feedback, those who helped gather information (Julie), and the SQUASH crew.

Appendix 1: SQUASH FOI Requests (2015)

The following summary data has been taken from Freedom of Information requests sent to 39 police forces in England and Wales. Data quality varied, from arrests & cautions by month to absolute figures for the period 1st September 2012 to 5th February 2015. The statistics tables and graphs have been constructed using this incomplete data as a best estimate.

Table 1.1: SQUASH FOI requests to 37 Police Forces, and Reasons for Non-disclosure

Police Force	Data Provided	Reason Given
Avon and Somerset	Yes	
Cambridgeshire	Yes	
Cheshire	Yes	
City of London	No	"No information held"
Cleveland	No	"No information held"
Cumbria	No	"No information held"
Derbyshire	Yes	
Devon and Cornwall	Yes	
Dorset	No	s12 - Fees for Search
Durham	Yes	
Dyfed-Powys	Yes	
Essex	No	"No information held"
Gloucestershire	No	s12 - Fees for Search
Greater Manchester	Yes	
Gwent Police	No	s12 - Fees for Search
Hertfordshire	Yes	
Humberside	Yes	
Kent	Yes	
Lancashire	Yes	
Leicestershire	Yes	
Lincolnshire	Yes	
London Met	Yes	
Merseyside	Yes	
Norfolk	No	"No information held"
North Yorkshire	Yes	
Northamptonshire	Yes	
Northumbria	No	"No information held"
South Wales	No	"No information held"
South Yorkshire	No	"No information held"
Staffordshire	Yes	
Suffolk	Yes	
Surrey	No	s12 - Fees for Search
Sussex	Yes	
Warwickshire	Yes	

West Mercia	Yes	
West Midlands Police	Yes	
Wiltshire	Yes	

Table 1.2: Summary of Data Provided by 37 Police Forces, and Reasons for Non-disclosure

	No.	%
Total Providing Data	25	68%
Total Providing No Data	12	32%
Total Responding to FOI	37	
Of those providing little or no data, reasons given:		
s12 - Fees for Search	4	33%
"No information held"	8	67%
	12	

Of the 37 police forces sent a SQUASH Freedom of Information (FOI) request regarding arrest and disposal of s144 LASPOA offences (offence code 285/33), 68% provided data of some description, while 32% did not, since it was a “non-notifiable” offence for the Home Office. Of the 11 that provided no information, 67% claimed they “held no information”, and 33% used section 12 of the FOIA to claim that the search would take over the allocated number of hours work required for an FOI request. This demonstrates that more than two years into the new law being implemented, police forces are not required, or not able, to capture the effect of s144 LASPOA prosecutions, or “squatting offences”, adequately. Some police forces stated that they had no record of s144 LASPOA offences, since arrests for squatting occurred under different charges, suggesting SQUASH FOI (2015) arrest figures may be seriously understated. **Suffolk Police**, in their Freedom of Information Response, stated:

“The S144 LASPOA offence was introduced on 01/09/12 and relates to squatting in residential premises. The Home Office at this stage regard this as a non-notifiable offence, which means there is no specific offence on the Crime Information System for this. Squatting offences would come under the CIS offence name ‘use violence to secure entry’, having read through all of the MOs for this offence for the time period requested, there were no offences in relation to squatting. A further free text search of the word ‘squatting’ found the following crimes, all of which no further action was taken: April 2013 – Dishonest use of electricity, September 2013 – Criminal Damage to a dwelling, May 2014 – Criminal Damage – Other”

1.1 Police Statistics for England and Wales

The following tables have been used compiling and interpreting the data from responses to the SQUASH Freedom of Information requests, sent February 2015. The FOI requests data on arrests, cautions, convictions and Crime Related Incidents using section 144 of the Legal Aid, Sentencing, and Punishment of Offenders Act, reported to the Ministry of Justice (MoJ) using offence code 258/36, CJS – “Knowingly trespassing with the intention to live”.

Please Note: The only data received from a Welsh police Force was Dyfed-Powys, and therefore not much data exists as to the extent of police action against squatters in Wales. Therefore Wales has not been included in the regional data.

Information in Tables

Arrests: those arrested by the police for a s144 LASPOA offence, and/or offence code 258/36

Disposals: processing of arrests by the police

Charged: charged with an offence and taken to a magistrates court

Caution: given a simple caution for a s144 LASPOA offence

No further Action (NFA): released without charge

Unknown: disposals undisclosed, or no record

Convictions: those convicted in a magistrates, or higher, court under s144 LASPOA

Crime Related Incidents (CRI): where squatting has been reported by the public to the police, where police have intervened in incidents using s144 LASPOA, and so forth.

“ni” – no information held by police force

“CRI” – Crime-Related Incidents

“NFA” – No Further Action

“The Period” – 1st September 2012 to 30th January 2015 (unless otherwise specified)

Italics in Tables: Most of the data is only provided where there has been a “positive” answer, i.e. direct from the police; however in the case where “convictions” are reported, but not “charges”, then we assume that the police have charged *at least* the number of convictees (numbers appear in italics in tables).

Crime Related Incidents (CRI): in the “% of Arrests” column tables, Crime Related Incidents are record as arrests per CRI, indicating the number of arrests per report of squatting/ s144 LASPOA. Where the figure fails to reflect any meaningful relationship (e.g. too high, no data), it has been left out.

Table 1.3: Arrests, Disposals, Convictions and CRI Total for England and Wales for period September 2012 to January 2015 (Raw & Amended Table)

<u>Raw Data</u>			<u>Amended Table</u>		
	TOTAL No.	% of Arrests		TOTAL No.	% of Arrests
Arrests	588		Arrests	588	
Charged	47	8%	<i>Charged</i>	<i>108</i>	<i>18%</i>
Cautions	123	21%	Cautions	123	21%
NFA	16	3%	NFA	16	3%
Unknown	402	68%	Unknown	341	58%
Convictions	51	9%	Convictions	51	9%
CRI	81	7.3	CRI	81	7.3

Source: SQUASH FOI (2015)

Source: SQUASH FOI (2015) with Calculation

Due to the high proportion of London Metropolitan Police (MPS) arrests and disposals in the period (75%) an estimate has been made of the number of MPS “charges” so that the data reflects a more accurate picture for the period. The MPS only provided arrests and cautions data, therefore charges have been calculated at 14% of arrests, as calculated in Appendix 2.2.1 (2014).

Table 1.4: Arrests, Disposals, Convictions and CRI for England and Wales by calendar year (2012-2015) for Reporting Police Forces

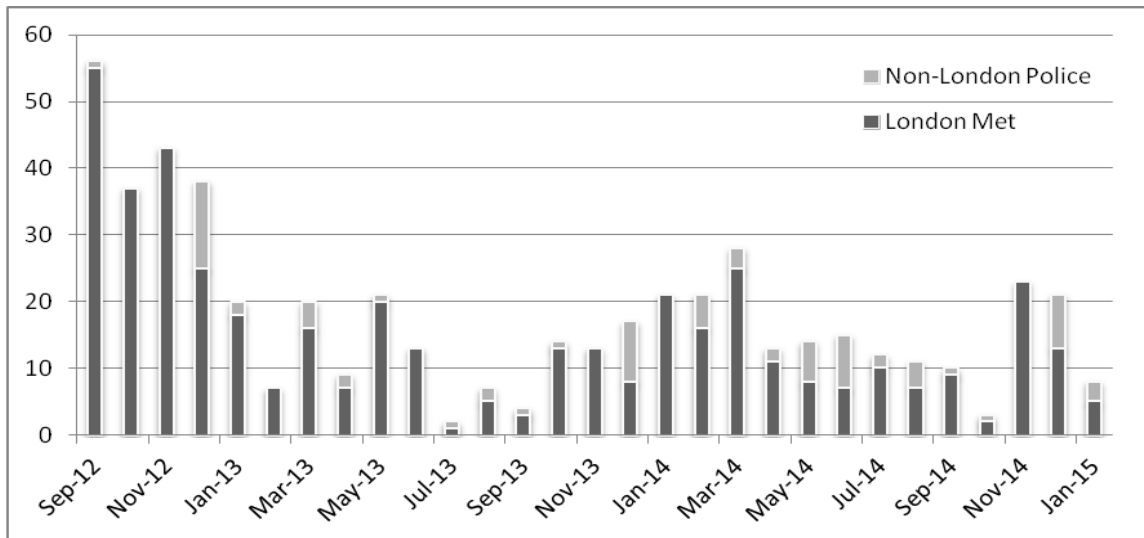
Action	2012	2013	2014	2015	Subtotal	% of Total
Arrests	174	148	193	9	524	89%
Charged	26	29	39	3	97	90%
Cautions	41	36	41	3	121	98%
NFA	1	5	6	0	12	75%
Unknown	106	78	107	3	294	86%
Convictions	6	7	10	0	23	45%
CRI	19	32	24	2	77	95%

The table reflects the number of arrests, disposals, convictions and CRI in the calendar year they happened. Not all police forces provided monthly breakdowns, but the data is a fair reflection of overall activity, representing 89% of arrests.

Commentary:

- > A large number of arrests were made in the 4 month period immediately after the 1st September 2012 – 31st December 2012 (2012) when the new law came into effect.
- > A fall in the number of arrests (but rise in charges) for the calendar year 2013, the number of both arrests and charges rose in 2014, continuing into 2015.
- > The number of convictions has been steadily rising year-on-year throughout the period.

Graph 1.1: Monthly Arrests by London and Non-London Police forces for the period September 2012 – January 2015



The monthly arrest data has been compiled using the data from 14 Police forces, including the London Metropolitan Police.

Police Force Sample: 14

- | | | |
|----------------------------|-------------------------|---------------------|
| London Metropolitan Police | Lancashire Police | Kent Police |
| Avon & Somerset Police | Leicestershire Police | Wiltshire Police |
| Devon & Cornwall Police | Northamptonshire Police | Warwickshire Police |
| Durham Police | Staffordshire Police | West Mercia Police |
| Greater Manchester Police | Sussex Police | |

Table 1.5: Seasonal Averages using Monthly Arrest Data from 14 Police Forces

Month (From – To)	Oct-12 to Mar-13	Apr-13 to Sept-13	Oct-13 to Mar-14	Apr-14 to Sept-15	Oct-14 to Jan-15
Season	Winter	Summer	Winter	Summer	Winter
Monthly average	27.5	9.3	19	12.5	13.75
Total Arrests	165	56	114	75	55

Commentary:

>There is a noticeable and significant rise in the total arrests and average monthly arrests for the Winter period (October – March), when weather conditions are harshest and risk of hypothermia highest.

>Arrests indicate a larger number of displacements from evictions, demonstrating that the police force homeless people out into the cold using s144 LASPOA.

1.2 Police Statistics for London

London has the most complete dataset, since the Metropolitan Police Service (MPS) is one of the only police forces that have a mandatory requirement to report to the Ministry of Justice (MoJ) using offence code 258/36, CJS – “Knowingly trespassing with the intention to live”. The MPS accounts for three quarters of arrests out of 37 police forces, indicating that s144 LASPOA was intended primarily to be used in London.

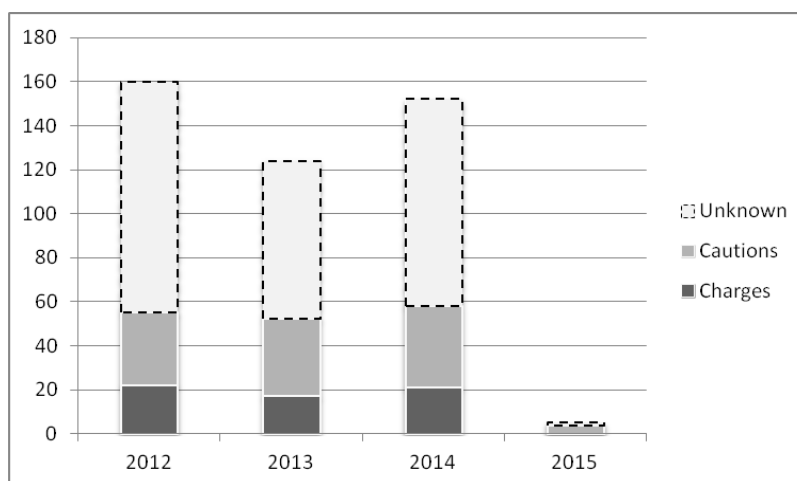
Table 1.6: Arrests, Disposals, Convictions and CRI for London MPS for the period September 2012 – January 2015 (Raw and Amended Tables)

Raw Data			Amended Table		
	TOTAL No.	% of Arrests		TOTAL No.	% of Arrests
Arrests	441		Arrests	441	
Charged	ni		Charged	61	14%
Cautions	108	24%	Cautions	108	24%
NFA	ni		NFA	ni	
Unknown	333	76%	Unknown	272	62%
Convictions	ni		Convictions	ni	
CRI	40	11	CRI	40	11

Source: SQUASH FOI (2015)

Source: SQUASH FOI (2015) & Calculation using Appendix 2.2.1

Graph 1.2: Disposals (Charged, Cautions, Unknown) for Total Arrests by London MPS by Calendar Year



Source: SQUASH FOI (2015) and Calculation using Appendix 2.2.1

Commentary:

> London MPS accounts for 75% of the arrests in the period (441 out of 588), of which around quarter resulted in cautions, 61 charges (calculated at 14% of arrests using Appendix 2.2.1) and 62% unknown outcomes. This lends credibility to the comments that s144 LASPOA is used to evict squats, rather than prosecute a criminal offence.

> Annual arrest figures show that arrests spiked in the four months following the introduction of s144 LASPOA, falling off by 23% in 2013, but rising again in 2014 by 23%.

1.3 Summary for Non-London Police by Region for 28-month Period

Table 1.7: Summary of Arrests, Disposals, Convictions and CRI by Non-London Police forces by Region for the period September 2012 – January 2015

		TOTAL No.	% of Arrests
North Sample: 8	Arrests	32	
	Charged	24	75%
	Cautions	3	9%
	NFA	4	13%
	Unknown	1	3%
	Convictions	14	44%
	CRI	2	

Commentary:

- >The North has an average number of **4 arrests per police force** for the period.
- >75% of those arrested were charged, with few cautions and 13% of arrests not taken to further.
- >The conviction rate is fairly high with 44% of those arrested, and 58% of those charged, convicted.
- >Arrests rose significantly from 2012-2013 (2 to 14 arrests), but fell by 36% in 2014.

		TOTAL No.	% of Arrests
Midlands Sample: 6	Arrests	39	
	Charged	11	28%
	Cautions	1	3%
	NFA	0	0%
	Unknown	27	69%
	Convictions	8	21%
	CRI	27	1.4

Commentary:

- >The Midlands has an average of **6.5 arrests per police force** for the period.
- > Less than a third were charged, with 69% of disposals unknown. Few cautions were used.
- >Of those arrested 21% were convicted, but the conviction rate is much higher of those charged (73%).
- > Arrests tripled (3 to 9) between 2013-2014, suggesting uptake of s144 LASPOA by police in the Midlands.

		TOTAL No.	% of Arrests
South West Sample: 3	Arrests	23	
	Charged	12	52%
	Cautions	3	13%
	NFA	5	22%
	Unknown	3	13%
	Convictions	10	43%
	CRI	11	2.09

Commentary:

- >The South West has an average of **7.6 arrests per police force** for the period.
- >Of those arrested, more than half were charged.
- >The conviction rate is high, with 43% of arrestees, and 83% of those charged, convicted of an offence.
- >The number of arrests per Crime Related Incident (CRI) was 2 people per report.
- >Arrests soared between 2013-2014, an increase of 375% over the period (4 to 19 arrests) suggesting uptake in the South West.

		TOTAL No.	% of Arrests
South East Sample: 4	Arrests	50	
	Charged	30	60%
	Cautions	8	16%
	NFA	7	14%
	Unknown	5	10%
	Convictions	19	38%
	CRI	1	

Commentary:

- >The South East has an average of **12.5 arrests per police force** in the period.
- >Of those arrested, 60% were charged, and 30% receiving a caution or no further action (NFA).
- >Of those arrested, 38% were convicted, while of those charged 63% were convicted.
- >In the South East, arrests spiked in 2012, dropping 36% to 2014 (11 to 7). While those charged doubled between 2012-2013, the number dropped by 17% the year after in 2014. This suggests that appetite for prosecuting s144 offences in the South East is waning.

1 Police Statistics for The North

No.	Police Forces (Sample: 8)	Annual Data (Sample: 6)
1	Cheshire Police	
2	Derbyshire Police	Yes
3	Durham Police	Yes
4	Humberside Police	Yes
5	Lancashire Police	Yes
6	North Yorkshire Police	Yes
7	Greater Manchester Police (GMP)	Yes
8	Merseyside Police	

Table 1.8: Police Force Arrests, Disposals, Convictions & CRI for North Sample for period September 2012 – January 2015

GMP	Arrests	6
Region:	Charged	
North	Cautions	0
	NFA	
	Convictions	ni
	CRI	ni

Durham	Arrests	3	
Region:	Charged	2	33%
North	Cautions	1	33%
	NFA		
	Convictions	2	67%
	CRI	ni	

Derbyshire	Arrests	s12
Region:	Charged	
North	Cautions	1
	NFA	
	Convictions	ni
	CRI	ni

Cheshire	Arrests	4	
Region:	Charged	4	
North	Cautions	0	
	NFA	4	100%
	Convictions	ni	

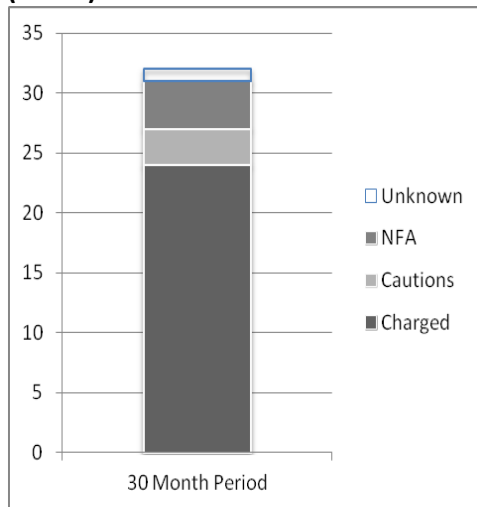
Humberside	Arrests	7	
Region:	Charged	9	129%
North	Cautions		
	NFA		
	Convictions	4	57%
	CRI	ni	

Lancashire	Arrests	6	
Region:	Charged	4	67%
North	Cautions		
	NFA		
	Convictions	3	50%
	CRI	ni	

Merseyside	Arrests	3	
Region:	Charged	2	33%
North	Cautions	1	33%
	NFA		
	Convictions	2	67%
	CRI	ni	

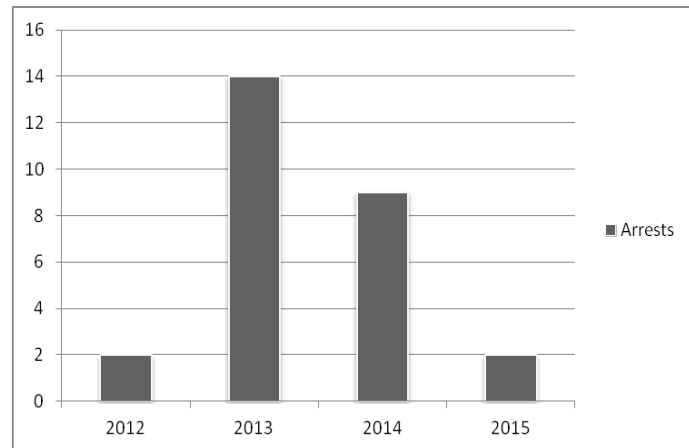
North Yorkshire	Arrests	3	
Region:	Charged	3	
North	Cautions		
	NFA		
	Convictions	3	100%
	CRI	2	

Graph 1.3: Breakdown of Disposals from Total Arrests for 28-month Period (North)



Source: SQUASH FOI (2015)

Graph 1.4: Total Arrests by Calendar Year for North Sample



Source: SQUASH FOI (2015)

2 Police Statistics for the Midlands

No.	Police Forces (Sample: 6)	Annual Data (Sample: 4)
1	Leicestershire Police	Yes
2	Lincolnshire Police	
3	Northamptonshire Police	Yes
4	Staffordshire Police	Yes
5	Warwickshire Police	Yes
6	West Midlands Police	

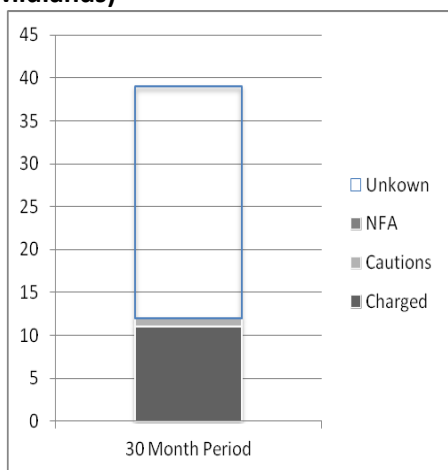
Table 1.9: Police Force Arrests, Disposals, Convictions & CRI for Midlands Sample for period September 2012 – January 2015

Region:	Arrests	Charged	Cautions	NFA	Convictions	CRI
Lincolnshire Midlands	14		1		ni	7%
Warwickshire Midlands	1	1	0		1	100%
Northamptonshire Midlands	3		0		ni	100%
Leicestershire Midlands	1	2	0		ni	24

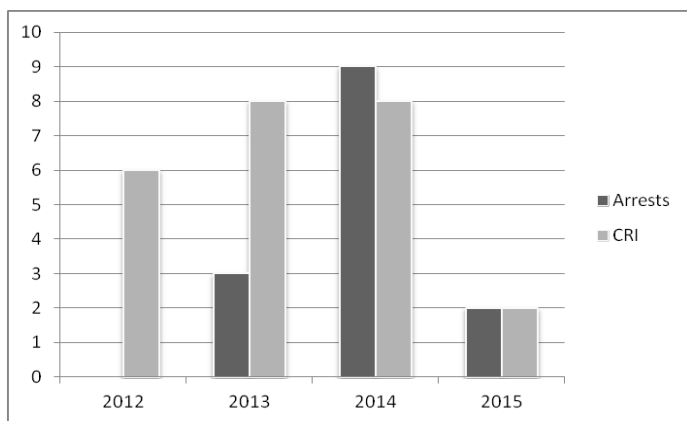
Staffordshire Region: Midlands	Arrests	9	
	Charged	7	
	Cautions	0	0%
	NFA		
	Convictions	7	78%
	CRI	ni	

West Midlands Region: Midlands	Arrests	11	
	Charged	1	9%
	Cautions	0	0%
	NFA		
	Convictions	ni	
	CRI	ni	

Graph 1.5: Breakdown of Disposals from Total Arrests for 28-month Period (Midlands)



Graph 1.6: Total Arrests and CRI by Calender Year for Midlands Sample



3 Police Statistics for the South West

No.	Police Forces (Sample: 3)	Annual Data (Sample: 3)
1	Avon & Somerset Police	Yes
2	Devon & Cornwall Police	Yes
3	West Mercia Police	Yes

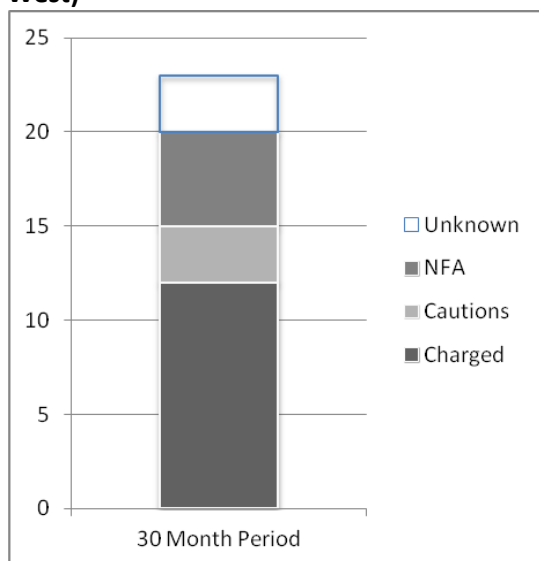
Table 1.10: Police Force Arrests, Disposals, Convictions & CRI for South West Sample for period September 2012 – January 2015

Avon & Somerset Region: South West	Arrests	8	
	Charged	5	63%
	Cautions	0	0%
	NFA		
	Convictions	5	63%
	CRI	3	38%

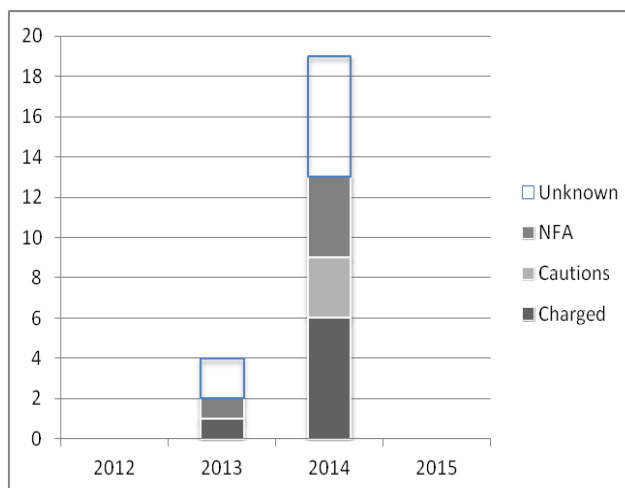
West Mercia Region: South West	Arrests	10	
	Charged	2	20%
	Cautions	3	30%
	NFA	5	50%
	Convictions	ni	
	CRI	ni	

Devon & Cornwall Region: South West	Arrests	5	
	Charged	5	100%
	Cautions	0	0%
	NFA		
	Convictions	5	100%
	CRI	8	

Graph 1.7: Breakdown of Disposals from Total Arrests for 28-month Period (South West)



Graph 1.8: Total Arrests and Disposals by Calendar Year for South West Sample



4 Police Statistics for the South East

No.	Police Forces (Sample: 4)	Annual Data (Sample: 3)
1	Cambridgeshire Police	<i>Partial</i>
2	Hertfordshire Police	
3	Kent Police	<i>Yes</i>
4	Sussex Police	<i>Yes</i>

Table 1.11: Police Force Arrests, Disposals, Convictions & CRI for South East Sample for period September 2012 – January 2015

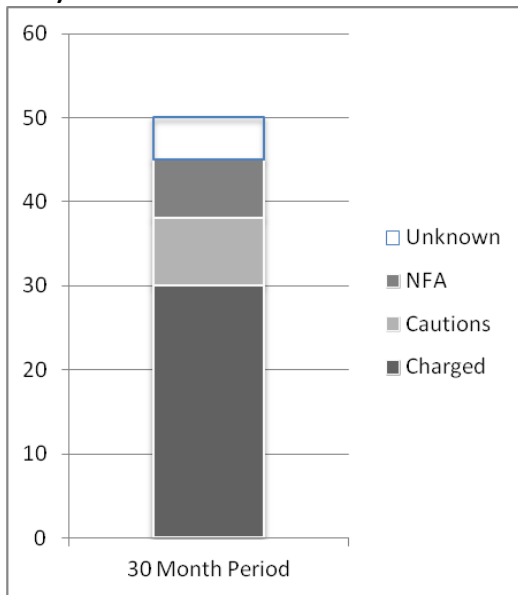
Hertfordshire Region: South East	Arrests	6	
	Charged	6	100%
	Cautions	0	0%
	NFA		
	Convictions		
	CRI	1	

Cambridgeshire Region: South East	Arrests	16	
	Charged	9	
	Cautions	4	25%
	NFA		
	Convictions	9	56%
	CRI	ni	

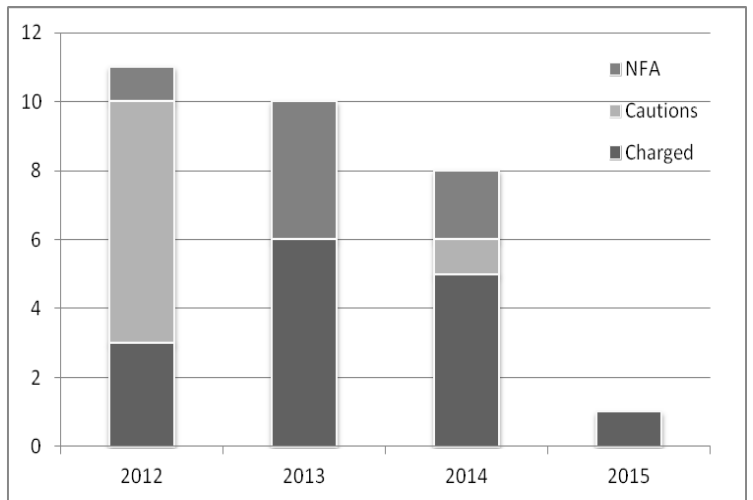
Kent	Arrests	9	
Region:	Charged	6	67%
South East	Cautions	3	33%
	NFA	3	33%
	Convictions	10	111%
	CRI	ni	

Sussex	Arrests	19	
Region:	Charged	9	47%
South East	Cautions	1	5%
	NFA	4	21%
	Convictions	ni	
	CRI	ni	

Graph 1.9: Breakdown of Disposals from Total Arrests for 28-month Period (South East)



Graph 1.10: Total Arrests and Disposals by Calendar Year for South East Sample



1.4 Outcomes of Arrests in the South East

Two South East police forces (Kent and Sussex) provided more detailed information in their Freedom of Information responses to SQUASH about disposals of those arrested, providing some insight into the changing nature of how s144 LASPOA cases are dealt with by the criminal justice system.

1 Kent Police

Table 1.11: Conviction Data from SQUASH FOI (2015) to Kent Police (Raw Data and Formatted Table)

<u>Raw Data</u>				<u>Formatted Table</u>				
<u>Convictions</u>				<u>Date</u>	<u>Guilty</u>	<u>Non-Conviction</u>	<u>Simple Caution</u>	<u>"Refused Charge"</u>
1	January	2013	GUILTY	Sep-12	1			
	January	2013	NON CONVICTION	Sep-12			1	
2	March	2014	NON CONVICTION	Sep-12				1
3	May	2013	GUILTY	Sep-12	1			
4	July	2013	NON CONVICTION	Nov-12			1	
5	September	2013	GUILTY	Dec-12			1	
6	September	2012	GUILTY	Dec-12	1			
7	December	2012	SIMPLE CAUTION (ADULT ONLY)	Dec-12	1			
8	December	2012	GUILTY	Dec-12	1			
9	December	2012	GUILTY	Dec-12	1			
10	January	2013	NON CONVICTION	Jan-13	1			
11	February	2013	GUILTY	Jan-13		1		
12	October	2013	REFUSED CHARGE	Jan-13		1		
13	November	2012	NON CONVICTION	May-13	1			
14	December	2012	SIMPLE CAUTION (ADULT ONLY)	Jul-13		1		
15	May	2014	SENTENCED	Sep-13	1			
16	May	2014	GUILTY	Oct-13				1
	September	2012	SIMPLE CAUTION (ADULT ONLY)	Mar-14		1		
17	September	2012	REFUSED CHARGE	May-14	1			
	September	2012	GUILTY	May-14	1			
18	September	2012	GUILTY					
19	December	2012	GUILTY					
Totals					10	4	3	2
Of Total					53%	21%	16%	11%

Commentary:

>The table shows a high conviction rate overall of those charged (53% of all outcomes). However, when examining by calendar year, there is a drop in convictions (5 "guilty" verdicts in 2012, and 0 "non-convictions", to 3 "guilty" in 2013, with 3 "non-convictions"). This suggests that police prosecutions of s144 LASPOA cases are being challenged in the courts, leading to a lower conviction rate.

>The use of Simple Cautions has dropped off significantly from 3 in 2012, 1 in 2013, suggesting that "charging" of s144 LASPOA offences is becoming more prevalent.

>In another table from the Kent Police FOI response (2015), those released without charge after arrest under s144 LASPOA were for two reasons: 1) insufficient evidence, 2) no useful purpose in prosecution.

2 Sussex Police

Table 1.12: Disposals Data from SQUASH FOI (2015) to Sussex Police (Original Data and Modified Table)

Original Data

Please Note - No arrests have been made under this act during Jan 2015		
Period	Disposal	Count of Arrests
1st Sep-31st Dec 12	Charged and Bailed To Court	4
	Charged and Detained For Court	5
	Total	9
Period	Disposal	Count of Arrests
1st Jan-31st Dec 13	Charged and Bailed To Court	1
	Charged and Detained For Court	3
	MHA Diversion	1
	No Further Action	1
	Total	6
Period	Individual Offence Disposal	Count of Arrests
1st Jan-31st Dec 2014	MG04 - Charge Sheet (No Bail)	1
	MG04F - Released Without Charge	1
	MG04 - Unconditional Bail	1
	Record of Simple Caution (Adult 18 and Over)	1
Total	4	

Modified Table

Year	Arrested	Charged Bailed	Charged Remand	MHA	NFA	Simple Caution
2012	4	4				
2012	5		5			
2013	1	1				
2013	3		3			
2013	1			1		
2013	1				1	
2014	1		1			
2014	1				1	
2014	1	1				
2014	1					1
TOTAL	19	6	9	1	2	1
% of Arrests		32%	47%	5%	11%	5%

Commentary:

>Those charged with s144 LASPOA are more likely to be held on Remand rather than Bailed (i.e. held in custody until trial), unduly harsh for the offence of housing oneself.

>The appetite for charging has diminished in Sussex since 2012, with fewer arrests, and more “No Further Action” and “Simple Caution” outcomes.

>The single case of diversion under the Mental Health Act¹ (MHA) demonstrates that arrests using s144 LASPOA is affecting vulnerable groups, such as those with mental or learning disabilities.

¹ *Detention and custody: Mental ill health and learning disabilities*, College of Policing;

<https://www.app.college.police.uk/app-content/detention-and-custody-2/detainee-care/mental-ill-health-and-learning-disabilities/> (accessed 12 Mar 2015)

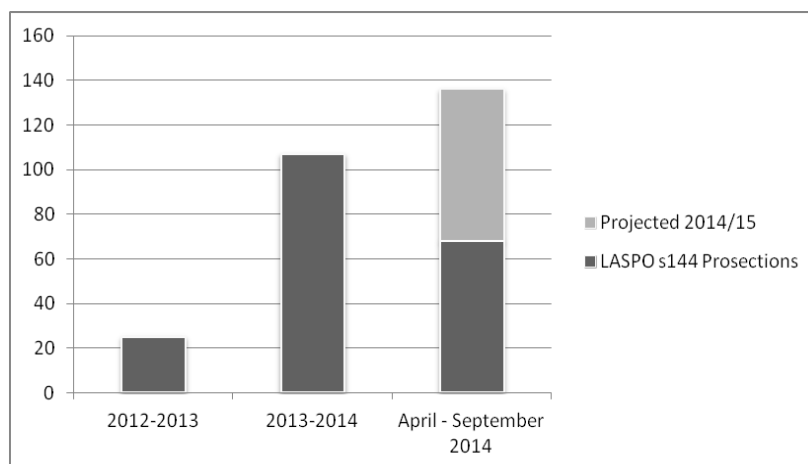
1.5 Crown Prosecution Service (CPS)

The SQUASH FOI (2015) to the Crown Prosecution Service (CPS) resulted in the following response regarding the number of s144 LASPOA prosecutions for the period September 2012 – September 2014, by Financial Year (i.e. April – March).

Table 1.13: CPS Prosecutions of s144 LASPOA (Total and Monthly average) for the period September 2012 – September 2014

	2012-2013	2013-2014	April – September 2014	TOTAL
LASPOA s144 Prosecutions	25	107	68	200
Average Prosecutions per month	3	9	11	

Graph: 1.11: CPS Prosecutions of s144 LASPOA by Financial Year (2012-13 to 2014-15) with Projection



Source: SQUASH FOI (2015) & SQUASH Calculation

Projected 2014/15: SQUASH projected that if prosecutions carried on at the same level April – September 2014 (11 per month), then another 68 prosecutions could be forthcoming to March 2015.

Commentary:

>Prosecutions of s144 LASPOA by the CPS has been steadily rising since 2012, from 25 to March 2013, to almost 140 by the end of the 2014/15 financial year (projected). Rising average monthly prosecutions substantiate this.

>There have been 200 prosecutions of s144 LASPOA in the two years September 2012 to September 2014, with a projected 245 to January 2015. This means that of 588 total arrests reported in the period September 2012 – January 2015 (Appendix 1.1), **42% have lead to a prosecution by the CPS.**

> Using the 18 convictions in 2012-13 (Appendix 2.3), it can be calculated that **72% of the prosecutions in 2012-13 lead to a conviction.**

Appendix 2: Other Freedom of Information Requests

2.1 Evening Standard FOI (2013)

Freedom of Information Request Details

From: The Evening Standard

To: The London Metropolitan Police (MPS)

Date Answered: 15/03/2013

Request: Arrests in London under s144 LASPOA, i.e. "trespass in a residential building with intent to live there" and Home Office code 125/86.

Covering Period: 1st September 2012 to 10th March 2013

Website: London Metropolitan Police (MPS)

URL: http://www.met.police.uk/foi/pdfs/disclosure_2013/apr_2013/2013040000461.pdf

Evening Standard Article, based on FOI response: <http://www.standard.co.uk/news/uk/romanians-make-up-45-per-cent-of-squatters-breaking-new-law-8545711.html>

Table 2.1: "Offences of Squatting across the MPS, Broken down by Borough" (Modified Table)

London Borough	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	TOTAL
Barking & Dagenham		2			1	4	1	8
Barnet		2	2	1			1	6
Ealing	2	2	2					6
Croydon	1	2	1	1				5
Westminster	3	1		1				5
Haringey	1	1			1	1		4
Hillingdon	1	2			1			4
Waltham Forest	2		1		1			4
Brent	2	1						3
Enfield	2				1			3
Harrow	1				2			3
Lewisham	1		1	1				3
Southwark	1		1	1				3
Greenwich		1					1	2
Hackney			1				1	2
Havering	1		1					2
Hounslow			1				1	2
Lambeth			1	1				2
Redbridge			1		1			2
Tower Hamlets			1	1				2
Wandsworth		1				1		2
Hammersmith & Fulham	1							1
Kensington & Chelsea	1							1
Newham			1					1
Offences of Squatting	20	15	15	7	8	6	5	76
People Proceeded Against	18	28	15	15	11	3	2	92

Commentary:

1] The sample shows 76 arrests for “squatting over the period”, **only 41% of the 185 reported in SQUASH FOI (2015)** for the same period. The data table shows the intensified activity across London after September 2012, which slowly dissipates.

2] The number of offences of squatting (76) is lower than the number of people proceeded against (92), with an average of 1.2 proceeded against per “Offence”. This shows that people can be charged with s144 LASPOA offences after being arrested for a different reason.

Table 2.2: “People Proceeded Against for Squatting across the MPS [...] Broken down by Nationality” (Modified Table)

Nationality	Continent	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	TOTAL
Algeria	Africa	2							2
Eire	Europe				2				2
Guyana	Africa		1						1
Hungary	CEE	1							1
Italy	Europe	1			1				2
Latvia	CEE						1		1
Lithuania	CEE			1					1
Morocco	Africa			1					1
Nepal	Asia							2	2
Niger	Africa				1				1
Poland	CEE	1	10		4	1			16
Romania	CEE	8	15	11		7			41
Russia	CEE			1					1
Slovakia	CEE						1		1
Spain	Europe				6				6
UK	UK	5	2	1	1	3	1		13
		18	28	15	15	11	3	2	92

Key: CEE: Central and Eastern European

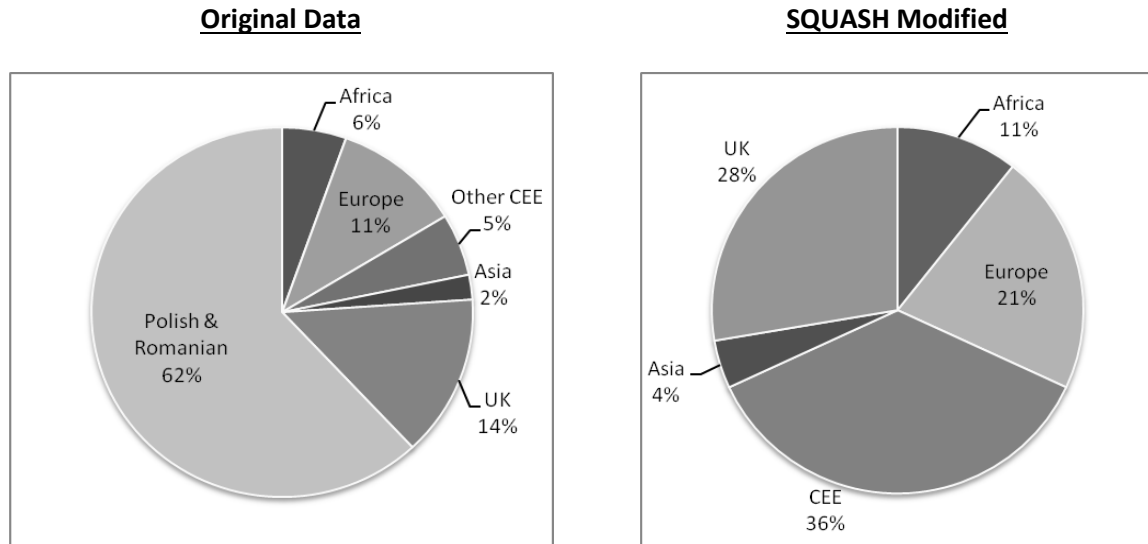
The following table above was used by the Evening Standard for their article entitled “Romanians make up 45 per cent of squatters breaking new law” (22 March 2013). The data seems to have been maliciously interpreted for this **anti-immigration story** so as to “fuel the debate about the impact of the scrapping next year of migration controls which limit the right of Romanians and Bulgarians to work in Britain.” Examining the table above in this light, one can see that:

1] The prosecution of Romanians and Polish homeless in September - November 2012 by the MPS (45 incidents, figures shaded) skews the rest of the figures, making up 49% of the total for the period. The large number of those proceeded against in this period may be due to a number of circumstances, such as a number of densely-populated CEE squats targeted, or a higher proportion of CEE migrants proceeded against.

2] Racism in the London Met police force may account for the high number of those proceeded against due to their nationality in the first 3 months; this is evidenced by anti-rough sleeper operations targeting CEE, such as that in Ilford [17 in Squatting timeline; May 2013].

3] Loss of benefits for CEE migrants has led to an increase in this group sleeping rough. Crisis' *Homelessness Monitor 2015* states: "Since 2010/11 London rough sleepers of European origin have risen by 79%, as compared with the 56% increase in UK-origin counterparts."²

Graph 2.1: Evening Standard FOI (2013) Breakdown of Squatting Offences Proceeded Against by Nationality (using Original Data & SQUASH Modified)



Source: Evening Standard FOI (2013)

Source: Evening Standard FOI (2013)w/ SQUASH Modification

SQUASH Modification: Using the nationality data from the Evening Standard FOI (2013), SQUASH have removed the 45 "proceeded against" Romanian and Polish for the first 3 months in order to get a more balanced view of the squatting population in London. These 45 incidents may be put down to racially-motivated policing, and therefore skew the overall demographics of squatters.

Commentary:

- > The Original Data graph demonstrates how the data in the first 3 months was used to create a "scare" story, in which Polish and Romanian migrants were portrayed as dominating squatting in England.
- >The Modified graph presents a more all-round picture of diverse and international nature of the squatting community in London, with 16 nationalities represented.
- >The article and its interpretation of the statistics is a good example of misinformation used to "demonise" squatting, which has been prevalent since s144 LASPOA was first proposed.

² Suzanne Fitzpatrick, Hal Pawson, Glen Bramley, Steve Wilcox and Beth Watts; "The homelessness monitor: England 2015"; Crisis, February 2015

2.2 Maria Stevens FOI (2014)

Freedom of Information Request Details

From: Maria Stevens

To: The Crown Prosecutions Service (CPS)

Date Answered: 14/03/2014

Request: How many arrests or prosecutions there have there been for squatting in a residential building since the introduction of s144 LASPOA (September 2012)

Covering Period: 1st September 2012 to 31st January 2014

Website: What Do They Know

URL: https://www.whatdotheyknow.com/request/LASPOA_s144_prosecutions

1 Arrests and Disposals

Table 2.3: “Offences Charged and Reaching a First Hearing in Magistrates’ Courts under Legal Aid, Sentencing and Punishment Act 2012 { 144(1) and (5)}” for September 2012 – January 2014

Region	OFFENCES*	Region	OFFENCES*
London	42	Bedfordshire	2
Kent	10	Durham	2
Cambridgeshire	5	Merseyside	2
Humberside	5	Nottinghamshire	2
Sussex	5	Avon & Somerset	1
Lancashire	4	Derbyshire	1
North Wales	4	Dyfed Powys	1
Greater Manchester	3	Essex	1
Hertfordshire	3	Leicestershire	1
North Yorkshire	3	Suffolk	1
Staffordshire	3	Thames Valley	1
Surrey	3	West Midlands	1
		TOTAL	106

Commentary:

> The table shows a similar picture to the SQUASH FOI (2015), with the majority of prosecutions in London (40%), followed by the South East (Kent, Cambridgeshire and Sussex) at 19% of offences.

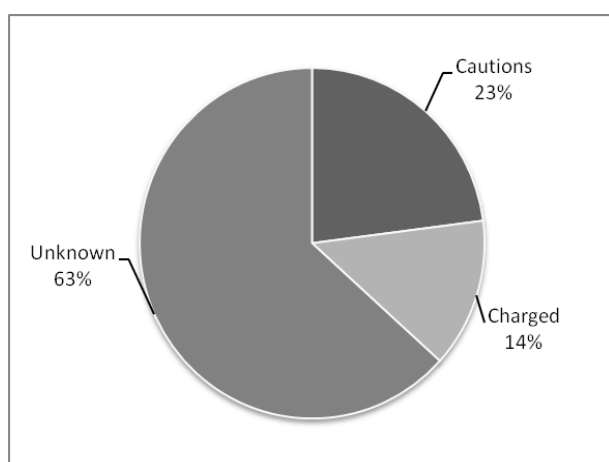
SQUASH have used this data to ascertain what **percentage of arrests are charged in London**, since the vast majority of arrests are made by the London Metropolitan Police (MPS). Using SQUASH FOI (2015) data for the same period (1st September 2012 – 31st January 2014), and Maria Stevens (2014) offences total for London, the table can be constructed regarding arrests and disposals by the MPS:

Table 2.4: Arrests and Disposals by the London MPS for the period September 2012 to January 2014

	TOTAL No.	% of Arrests	Source
Arrests	305		SQUASH FOI (2015)
Charged	42	14%	Maria Stevens FOI (2014)
Cautions	70	23%	SQUASH FOI (2015)
Unknown	193	63%	Calculation

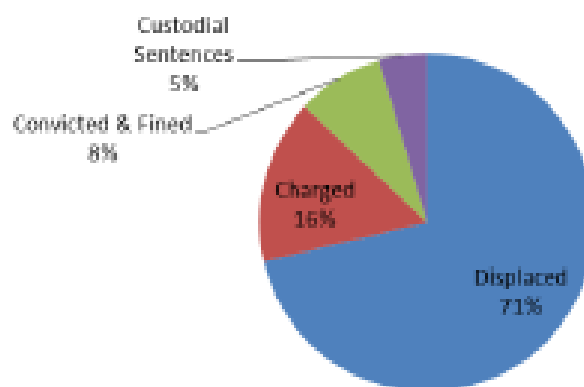
Graph 2.2: Arrests, Disposals and Displaced for the London MPS using Maria Stevens FOI (2014) compared with SQUASH Report “Case Against Section 144” (2013)

Maria Stevens FOI (2014)



Source: Maria Steven FOI (2014) & SQUASH FOI (2015)

SQUASH Report (2013)



Source: SQUASH Report “The Case Against Section 144” (March 2013)³

Commentary:

> In London, only 14% of those arrested under s144 LASPOA by the Met Police (MPS) were charged for the offence, while 23% were cautioned and the remaining 63% “unknown”, most likely released without charge.

> This picture of arrests and disposals demonstrates that the new law is used to evict occupiers rather than prosecute offences, a similar to the picture to the one shown in SQUASH’s 6-month report (2013) using Advisory Service for Squatters (ASS) and Squatters Legal Network (SLN) sample data.

>With reference to “The Case Against Section 144” (2013), David Watkinson (housing barrister) asked why two-thirds of those arrested were released without charge, a high proportion of arrests compared to convictions?⁴ ASS and SLN have consistently stated that the arrests under the new law are used to evict squats and displace occupiers.

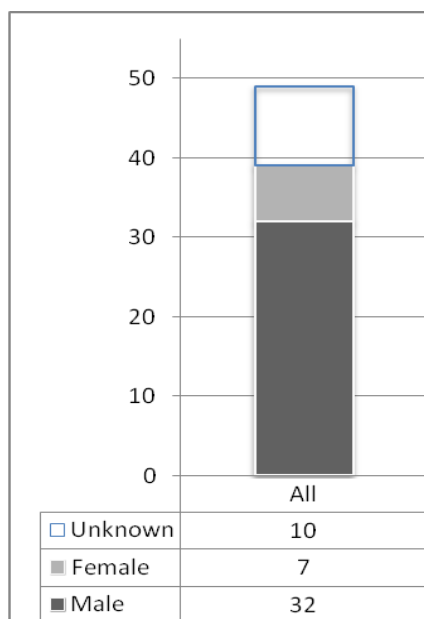
³ The Case Against Section 144; Squatters Action for Secure Homes (SQUASH), March 2013, <http://www.squashcampaign.org/docs/SQUASH-Campaign-Case-Against-Section-144.pdf>

⁴ “SQUASH launch new report in Parliament”, SQUASH website, 5 March 2013, <http://www.squashcampaign.org/2013/03/squash-launch-6-month-impact-assessment-of-s144-LASPOA-in-parliament/>

2 Gender and Age Breakdown

The Maria Stevens FOI (2014) was able to get data from the CPS regarding the the gender and sex of those charged under s144 LASPOA in Kent (10 records) and London (39 records), of which several cases were “destroyed” (1 in Kent, 5 in London). The dataset provides some insight into the demographics of those affected by the new law.

Graph 2.3: Breakdown of CPS Prosecutions (London, Kent) by Sex for period September 2012 to January 2014



Source: Maria Stevens FOI (2014)

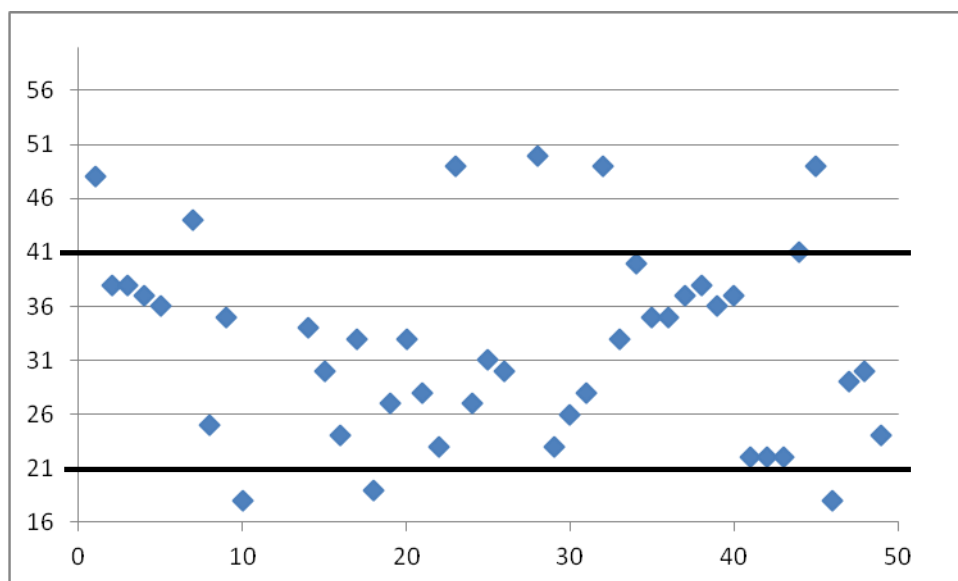
Commentary:

>In Kent males prosecuted outnumbered known females by three to one (3:1). Females were aged 18-44 (mean age 31) and the males 25-48 (mean age 37). In London males outnumbered known females by over five to one (5:1). The females were aged 19-33 (mean age 26) and the males 18-50 (mean age 34). Thus London squatters are generally older than Kent squatters and even less likely to be female.

>The overall breakdown of those charged in London and Kent, 65% were Male, and 14% Female, with the rest unknown.

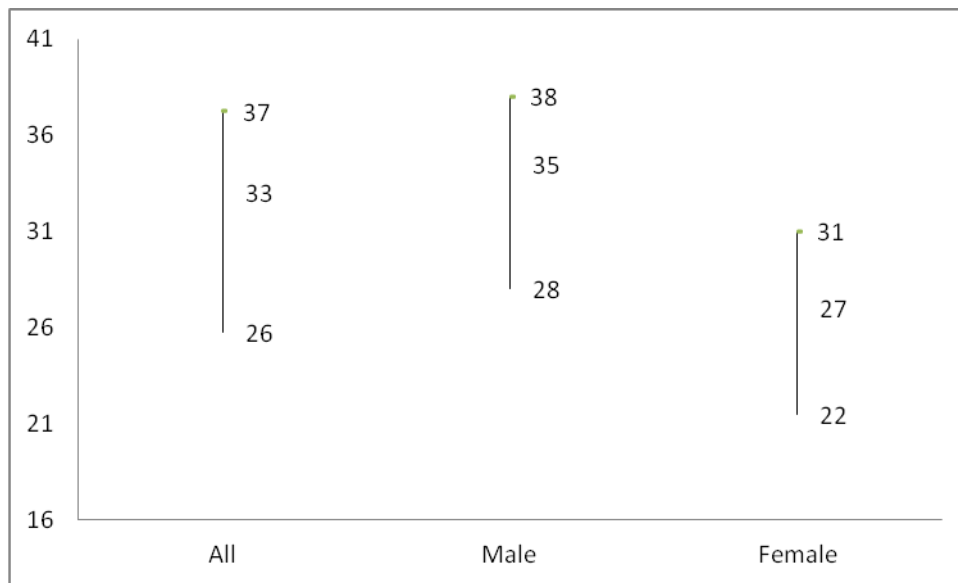
>Overall, men were 4.6 times more likely to be charged and prosecuted than women. It is likely that men were chosen over women for prosecution because Magistrates were more likely to convict men than younger women for housing themselves.

Graph 2.4: Scatter Graph of Ages prosecuted by CPS (London, Kent) Sex in period September 2012 to January 2014



Graph: y axis: age in years; x-axis: sample number. Source: Maria Stevens FOI (2014)

Graph 2.5: 1st and 3rd Quartile, and Median Age of Defendants prosecuted by CPS (London, Kent) in period September 2012 to January 2014 by Sex (All, Male, Female)



Graph: y axis: age in years. Source: Maria Stevens FOI (2014)

Commentary:

>Shows that the age of those charged under s144 LASPOA tend to be between 26-37 years. Male defendants tend to be older than female defendants. Women charged are noticeably younger in the 22-31 years bracket; however, ages vary between 18 (1 case) and 44 years old (1 case).

>Those charged under s144 LASPOA are clustered in the 21-41 year old age bracket, and represent the generation that is being most affected by the housing crisis, those that make up the hidden homeless population, and rough sleepers.

2.3 Crown Prosecution Service Disclosure (2013)

Disclosure Details

From: The Crown Prosecutions Service (CPS)

Request: Successful prosecutions under s144 of the Legal Aid, Sentencing and Punishment of Offenders Bill 2012 in the financial year 2012-13

Covering Period: 1st September 2012 – 31st March 2013

Website: Crown Prosecution Service

URL: http://www.cps.gov.uk/publications/docs/foi_disclosures/2013/disclosure_20_supporting_data.xlsx

The CPS disclosure shows that there were **18 Convictions** in the seven months following the introduction of s144 LASPOA, in **12 different magistrates' courts** in England and Wales.

Table 2.5: "Punishments under Legal Aid, Sentencing and Punishment Act 2012 { 144(1) and (5)}, with Offence Code: Knowingly as a trespasser live / intend to live in a residential building" for the period September 2012 – March 2013

Court	Sentence
	4 Month referral order
Cambridge Magistrates	Conditional Discharge 6 Months, £45 costs
Dartford Magistrates	No sentence details held
Blackburn Magistrates	15 weeks imprisonment
Loughborough Magistrates	18 weeks suspended sentence and community order
Marylebone Magistrates	Conditional Discharge 12 Months, £100 costs
Hendon Magistrates	4 weeks imprisonment
Hendon Magistrates	7 days imprisonment
Hendon Magistrates	No sentence details held
Feltham Magistrates	No sentence details held
Ealing Magistrates	No sentence details held
Highbury Magistrates	No sentence details held
Highbury Magistrates	12 months Conditional Discharge, £165 costs
Highbury Magistrates	8 Month Conditional Discharge, £85 costs
Birkenhead Magistrates	6 Month Conditional Discharge, £50 costs
Llandudno Magistrates	£110 Costs
SW Surrey Magistrates	No sentence details held

Table 2.6: Median Sentences using CPS Disclosure (2013) for the period September 2013 to March 2013

Sentences	Median (Most Common)
In Prison (weeks)	9.5 weeks
Costs Awarded (£)	£100
Conditional Discharge (mnths)	7 months

2.4 MPS Operational Guidelines (2012)

Freedom of Information Request Details

From: Thomas Bowden

To: London Metropolitan Police Service (MPS)

Date Answered: 23/10/2012

Request: Guidance issued by the MPS at the various levels on enforcement of and strategy relating to enforcement of the offence in Legal Aid Sentencing and Punishment of Offenders Act 2012, section 144 (squatting in residential premises).

Covering Period: from September 2012

Website: What Do They Know

URL: https://www.whatdotheyknow.com/request/LASPOA_s144_guidelines#incoming-323867

Two documents were acquired through Freedom of Information Requests to the London Metropolitan Police (MPS), regarding their operational guidelines for implementing the new law, which was a requirement before it came into effect on 1 September 2012. These documents are: **Police Procedure (MPS) & Powerpoint Presentation (Ministry of Justice, MPS)** from which the following extracts are taken.

Procedural Guidelines

“Upon receipt of an allegation of squatting in a residential building , police are required to investigate the circumstances. The investigation and related actions should be recorded in an EAB. In doing so investigating officers should consider

- Nature of premises involved and whether it falls within the definition of a 'residential building' .
- Whether there are reasonable grounds to consider the person on premises to be a trespasser. Is there evidence to suggest entry into the building without permission ?
- Is the alleged trespasser claiming they have permission to be in the building, and from whom? Police should seek to identify persons who may have occupied or controlled such premises as owner or tenant, and who may have authority to grant permission for others to enter and remain on the premises. This may need to be the subject of further investigation .
- Evidence to suggest that the alleged trespasser lives or intends to live in the building . This could be found in evidence of occupation over a period of time, or the presence of clothing , bedding or food used by the alleged trespasser.
- An investigation will be assisted by statements from the complainant or other witnesses. This includes the property owner or lawful tenant, managing agents and neighbours .”

Key Point: Are these guidelines being followed by the Police? Judging by some of the case studies (Appendix 3), these are not being followed, a point raise by Sophie Priestley (Tuckers Solicitors) at the launch of SQUASH’s 6-month report⁵.

“Adapted for Residential” and “Living, or intending to live”

The MPS procedure document states in Subsection 3, “adapted for residential”: “But a trespasser who modifies a non-residential building by placing his bedding and personal effects in it would not be committing this offence because the building had not been adapted before the point he or she entered it .” However later, the same manual states: “Evidence to suggest that the alleged trespasser lives or intends to live in the building [...] This could be found in evidence of occupation over a period of time, or the presence of clothing , bedding or food used by the alleged trespasser.”

⁵ <http://www.squashcampaign.org/2013/03/squash-launch-6-month-impact-assessment-of-s144-LASPOA-in-parliament/>

Key Point: The guidance is contradictory. While a building will not be considered residential because squatters bring their effects into the premises, those effects are also then used to provide an “evidence” base by which to charge occupiers of s144 LASPOA of “living, or intending to live”.

Squatting before 1 September 2012 and Adverse Possession

“Subsection (7) provides that the offence applies regardless of whether the trespasser entered the property before or after commencement of section 144 . This provision is designed to stop trespassers rushing to occupy residential buildings before the offence comes into force . It will also mean that trespassers who have been living in the premises for many months or years prior to commencement will be guilty of an offence if after commencement of the offence they are in the building as trespassers , they know or ought to know that they are trespassers , and they are living in the building or intend to live there.”

Key Point: *Best, R (On the Application Of) v The Secretary of State for Justice (2015)* has created precedent that shows that s144 LASPOA does not apply to cases of adverse possession. However, a court should decide which law applies in cases of squatting before 1 September 2012. That s144 LASPOA is retrospective – applies before it was introduced – is unusual, and adds to the case that s144 LASPOA should be repealed since it confuses existing land law.

Statutory Duty to Advise on Alternative Housing Options

“Where relevant, persons should be referred to Local Authority Housing and Social Services departments . A list of charities that offer support to the homeless can be found at: www.communities.gov.uk/documents/housing/xis/2052062_xis. Alternatively there is a 24 hour referral service offered by a pan London hotline for 'No Second Night Out' on public telephone number 0870 3833333.”

Key Point: The police are expected to signpost those evicted or arrested to alternative housing, especially if they are vulnerable or at-risk. This addition to the law was introduced under pressure from advocacy groups who feared that vulnerable people would be made destitute. The URL link does not work, and the “0870” number for “No Second Night Out” is a premium-rate number, inappropriate for the homeless. Case study evidence shows that the police rarely provide this support post eviction, are under-resourced to handle such situations and generally ignore this statutory duty.

Alternative Offences for Squatting

“Alternative offences” (Powerpoint Presentation, MoJ, MPS)

- “Section 1 Criminal Damage Act 197 1
- Section 1 Theft Act 1968 - Theft
- Section 9 Theft Act 1968 - Burglary
- Section 13 Theft Act 1968 - Abstracting Electricity
- Section 76 Criminal Justice and Public Order Act 1994, Breach of interim possession order
- Section 7 Criminal law Act 1977 - Adverse occupation; Protects 'displaced residential occupiers' and 'protected intended occupiers' with wider definition of residential premises that includes ancillary land.”

The Police may use a number of other offences, therefore need not rely on s144 LASPOA, to 1) force entry, 2) arrest occupiers or guests, 3), and evict the premises. Since s144 LASPOA can be tricky to prove, other offences are often used as an alternative strategy, or arrests made under these offences, and the defendant charged with s144 LASPOA later. Other offences are included in the “Alternative offences” section of the Met/ MoJ guidance, and their use is shown by the Suffolk Police FOI response (Appendix 1). Apart from those listed below “Aggravated Trespass” has also been used (Appendix 3, Case study RR – October 2013). This indicates that the number of squatters arrested during the 28-month period may be understated, especially outside London.

Appendix 3: Case Studies regarding Squatting and s144 LASPOA

Case studies have been taken from Social Centre blogs. Squatted social centres generally keep an online media profile, and blog incidents as they happen, in order to publicise illegal actions, get support for evictions, etc. These provide a handy archive of incidents and particulars, which is generally difficult to get from squatters themselves, due to the transitory and precarious living conditions of squatting.

Ref.	Case Study Details
	Rooftop Resistance
RR	<p>Background: Squat in Brighton, which was raided by the police in October 2012, and several people charged with s144 LASPOA. Single conviction appealed.</p> <p>URL: http://rooftopresistance.squat.net/</p>
	Advisory Service for Squatters (ASS)
ASS	<p>Background: ASS is a voluntary-run advice centre for squatters, providing legal and other assistance since the 1970's.</p> <p>URL: http://www.squatter.org.uk</p>
	Triston Dixon
TD	<p>Background: Triston Dixon was arrested in Wales in January 2013 for occupying a derelict cottage. He appealed his conviction and his case went to a higher court.</p> <p>URL: "Another squatting case collapses on appeal at Crown Court - defendant acquitted", Indymedia UK, Nov 2013, https://www.indymedia.org.uk/en/2013/11/513573.html (accessed 9 April 2015)</p>
	Best, R (On the Application Of) v The Secretary of State for Justice [2015]
BEST	<p>Background: In 2014, Mr Best was challenged by the Land Registry, using s144 LASPOA, when he tried to claim adverse possession for the property he had been living in for 10 years.</p> <p>URL: http://www.bailii.org/ew/cases/EWCA/Civ/2015/17.html</p>
	Well Furnished
WF	<p>Background: Well Furnished was a squatted social centre in East London, which was active in 2011 in the months before s144 LASPOA came into effect.</p> <p>URL: https://wellfurnished.wordpress.com/</p>
	195 Mare Street
195	<p>Background: 195 Mare Street was a squatted social centre in Hackney, providing space for workshops and events during 2013.</p> <p>URL: https://195marestreet.wordpress.com/</p>
	House of Brag
HoB	<p>Background: House of Brag is a queer squat collective, who have run several squatted social centres in south London since 2011.</p> <p>URL: https://houseofbrag.wordpress.com/</p>

Eviction Resistance

ER

Background: Eviction Resistance is an anti-eviction support group, assisting squatters and tenants to hold on premises.

URL: <http://evictionresistance.squat.net/>

Bodenham Manor

BM

Background: FOI Request from Michael Price to West Mercia Police (21/08/2014) regarding the raid and arrest of several people using s144 LASPOA at Bodenham Manor, Herefordshire.

URL: https://www.whatdotheyknow.com/request/boddenham_manor_theft_from_guy_t

3.1 Court Cases regarding s144 LASPOA

1 Rooftop Resistance [RR]

At the Magistrates Court:

“We are pretty shocked to report that the third and last defendant was found GUILTY under s144 on May 24. He was sentenced to 40 hours unpaid labour and a £250 fine. [...] The magistrates said in their “judgement” that: 1)The defendant was a trespasser 2) The defendant was living there 3)The building was residential. In support of their claim that the defendant lived there, the magistrates said there was shower gel in the shower, pots and pans in the kitchen and a light on in the fridge. This is clearly far from a legal definition of living, especially since the defendant was not *actually* linked to any of the items *in any way*. In support of their claim that the building was residential, the magistrates appeared to rely on the tried and trusted adage that ‘the police said it was true so it must be true.’ They ignored evidence obtained from the Council that the building had never been converted to residential.”

Key Point: Magistrates are untrained legal officials, who tend to take a superficial view of the evidence without considering important legal questions. Their judgements are summary and will generally be prejudiced against occupiers.

“The only difference with the case for the third defendant was that a cop claimed the defendant had said to him that he lived in the building. This evidence was used in court despite not being taken under caution (there are grounds for appeal on that alone!) and the magistrates took it as a voluntary confession, despite it being disputed by the defence. In order to reach this decision, the magistrates appeared to prize the word of one policeman over another, since although one had claimed that the defendant had said he lived in the building, another said he had not.”

Key Point: Magistrates will side with the police/ prosecution, even if contradictory evidence is presented. This means that those charged under s144 LASPOA are highly unlikely to get a fair trial at the first stage of the judicial process.

“Living, or intending to live”

“The points of argument were what ‘living’ means when used as follows: “the person is living in the building or intends to live there for any period” and what ‘adapted’ actually means in “a building is ‘residential’ if it is designed or adapted, before the time of entry, for use as a place to live.” [...] As regards living, it is in fact very hard to prove that someone lives somewhere. Most people know that, since when you legally live somewhere and want to open a bank account or whatever, the standard thing is to supply bills or other official letters as proofs of address (as well as ID).[...] On appeal, a judge (who is legally trained, unlike magistrates) quickly threw out the unsubstantiated claims of the

cop. Further, the judge stated that if the police want to prove a person is living in a squat, they would have to provide evidence based on:

- 1] Observation (i.e. evidence that the person was using the squat)
- 2] Forensics (i.e. examining food, clothing, letters in the squat to establish the person was linked to the squat)
- 3] Detailed interviews (e.g. neighbours confirming)
- 4] The normal requirements of residence (e.g. bills in the name of the person to that address)."

Key Point: the Appeal Judge is obviously more competent to deal with the complex legal definitions set out in s144 LASPOA, understanding the admissibility of evidence, and considering what the "burden of proof" should be. The bar is set high, and this should be the general case.

"Adapted for Residential":

"Coming back to the separate question of what 'adapted for residential' means in law, in this case the judge said that since he had already thrown out the conviction on other grounds, it would be "improper" to analyse what residential means. [...] What we can say is that in this case, a building which was claimed to be residential actually was not, legally: The police said it was residential because they were told that by the property management company; The property management company said it was residential because the building had been adapted to residential; But as our barrister showed, the planning permission to switch from commercial to residential had never actually been executed. A place which was supposed to be 4 residential flats was clearly a non-residential space with two rooms, a kitchen and a bathroom. The prosecuting barrister (bless) argued it was residential because it looked residential. It had a fridge and a shower and electricity. Obviously that argument is going nowhere. Non-residential places such as chambers, offices, schools, even courts, all may have these things but they are not residential. Every case is different, but clearly if a place looks residential it may not actually be in the eyes of the law."

Key Point: Police and magistrates are not competent to judge whether a property is residential or not. Complex situations regarding planning, tax or utility rates, etc need to be clarified by a trained judge.

2 Advisory Service for Squatters [ASS]

12 November 2014

"Another four people have been found "Not Guilty" of the criminal offence introduced in September 2012. They were arrested at a building in Scrutton Street in March. After over six months on bail, their trial took place at Stratford in October."

Key Point: s144 LASPOA prosecutions are long and burdensome, especially for those charged.

Arrest

"When the police arrived, the squatters pointed out the "To Let: Commercial" sign outside, and explained that the building had previously been used as offices, and was not a residential building. Despite this, the police forced entry and arrested all four people inside the building. One of them didn't even live there, and had only come to visit the occupants. They were all taken to the cop shop, and the squat was lost."

Key Point: The police ignore evidence that premises are commercial. They use s144 LASPOA to evict squats, and arrest and charge squatters and guest, without any "burden of proof" as they would in court-room.

In Court

“The owner had produced a copy of a council tax bill for the top two floors of the building, and this was the main evidence relied on by the Crown Prosecution Service to go ahead with S144 charges against all four. During the trial, it became clear that the owner had switched to paying a mixture of business rates and (domestic) council tax for the building, rather than continuing to pay business rates for the entire property. [...] The District Judge heard that the rooms resembled offices, with power and data points in the floor, no curtain rails, no central heating system, no kitchen facilities and no bathroom or shower. The only sink and toilet were in the basement and there was in fact no running water to the top two floors, making a mockery of the suggestion that anybody had lived there in the past. The entire building was open-plan, with no separation between the different parts, no separate entrance, bell or mail-box. The owners said that they had applied for planning consent to convert the top floors to residential use, but no conversion work had taken place. For a S144 conviction, the building must have been designed or adapted for residential use before the trespass, and this was obviously not the case here. In the face of this evidence, the judge was forced to disagree with the CPS, and find the defendants innocent of any crime.”

Key Point: Proving “residential” status requires in-depth analysis of the situation of the building. Only once a court can consider the evidence should a decision be made whether to prosecute.

3 Tristan Dixon [TD]

17th January 2013

Arrest

“I, Tristan Dixon, was arrested at around 5pm on **17th January 2013** in Moelfre, Powys for being in a formerly beautiful but completely derelict cottage by a lake, which the rich owner had unfortunately left abandoned to be condemned. It is common for property owners to build a larger holiday home once derelict status is given and so increase the value of the property. I was illegally evicted by the police, who had not at that time even verified who the rightful owner of the house was, or had consent from the owner at that time (a legal requirement for eviction by police from a ‘residential’ property), instead being notified by neighbours. [...] I was bailed to the Magistrates Court in Welshpool for trial.”

Key Point: Squatters squat in derelict empty properties, often the product of unscrupulous landlords/ landowners. The police evict and arrest occupiers, with little evidence, no contact with the owner, and on the smallest complaint.

Appeal

“When the appeal was later heard in the crown court the Barrister and Solicitor representing me were astonished at the level of incompetence across the board; of the police (having charged me with an unlawful charge), my previous solicitor Stephen Scully from Lanyon Bowdler (not having noticed or challenged the charge previously), and the magistrates court (not having noticed that the charge was defective). The appeal case has now been further adjourned to 6th NOVEMBER due to the confusion this caused.”

Key Point: The prosecution of squatters shows incompetence in law enforcement and legal professionals, which becomes a hindrance to a fair hearing.

“Some of the issues over the original conviction were that the charge was ill-founded, failing to address knowledge of trespassing and charging Tristan with 'living' or 'intending to live' in the property without specifying any period of time, as well as conflating these two alleged offences ('living' and 'intending to live') into one, creating what was in effect an uncertain charge.”

Key Point: Failure to understand the law by police and magistrates make the law unworkable in a fair and proportionate manner.

“In the interim I have recently received a letter from the CPS [Crown Prosecution Service] stating that; ‘there is No Public Interest in contesting the appeal’ and that I should ‘confirm so the matter can be dealt with administratively’. This is because they want to avoid humiliation when the matter goes to court, and also to avoid setting a precedent for future court cases. It is in the public interest to have the case heard, in order that vulnerable homeless that take a nights shelter in a ruined building may stand a better chance of ‘fair’ treatment.”

Key Point: The CPS purposefully attempted to obstruct an appeal by promising to drop charges. This suggests that they do not want the law clarified, as this might jeopardise future prosecutions under s144 LASPOA.

“In court yesterday, Tristan - who was represented by independent barrister Alistair Mitchell - attempted to assert his right for his case to be heard so that the relevant issues would be properly considered. He'd filed a motion to have the initial charge quashed. The Judge at the previous Crown Court hearing was reported to have been sympathetic and interested in legal aspects of the case but Judge Rowlands was not of the same mind, threatening Tristan with the possibility of exorbitant legal costs if he insisted on the case being heard. [...]In the end, Tristan settled for an acquittal rather than insist on a full hearing with its associated cost risks [...]”

Key Point: Squatters who appeal their decisions face a massive legal bill and long waiting periods for a decision. These issues are a massive barrier to testing the new law in the courts, and establishing precedent, signifying that that the authorities mean it to be used arbitrarily and without restraint.

4 Best, R v The Secretary of State for Justice [BEST]

Best, R (On the Application Of) v The Secretary of State for Justice (Rev 1) [2015] EWCA Civ 17 (21 January 2015)⁶

Keith Best’s application to register title to 35 Church Road, Newbury Park, Ilford, east London, on the basis that he had been “in adverse possession”, also referred to as “squatter’s title”, for a period of 10 years ending on the date he made his application was blocked by the Chief Land Registrar on the basis he could not allow time to run for registration of title by adverse possession because section 144(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPOA) has made residential squatting a crime since September 2012. The case was heard in the High Court in relation to the modern law of adverse possession set out in the Real Property Limitation Acts 1833.

In 2014 Mr Justice Ouseley, sitting at London’s High Court, declared section 144 was not intended to deal with the old laws of adverse possession but was designed to help people, like those who went on holiday and found that squatters had moved in to their home in their absence. He said: “The purpose of section 144 was to help those who needed rather more immediate and committed police action on the side of the property owner than an action for civil trespass alone afforded”. Section 144 enabled the criminal law to deal with “perhaps numbers of squatters who refused to depart, and exploited the civil law’s delays to fortify the house against the owner, to use his possessions as his own, at a cost to him (the owner) which was unlikely to be recovered.” The judge ruled the purpose of section 144 of LASPOAA “was not to throw a spanner into the delicate workings of the

⁶ <http://www.bailii.org/ew/cases/EWCA/Civ/2015/17.html>

2002 Act, with random effects on the operation of adverse possession, all without a backward glance. [...] Parliament should be taken to have thought that the public policy advantages of adverse possession at common law meant that the mere fact that the adverse possession was based on criminal trespass did not and should not preclude a successful claim for adverse possession". He said Mr Best was "in the unfortunate position of being a guinea pig". He ordered the registrar to make an interim legal costs payment of £100,000 to Mr Best, whose legal team brought the action on a no win, no fee basis.

Key Points:

- **S144 LASPOA has opened up contradictions in the law, such as whether people can claim property under adverse possession with the Land Registry, since the law is retrospective⁷.**
- ***Best, R (On the Application Of) v The Secretary of State for Justice (2015)* states that S144 LASPOA does not apply to cases of adverse possession.**
- **The high costs of appeal are a major barrier to testing the new law, in this case reaching £100,000.**

3.2 Case studies of Arrests and Evictions wrt s144 LASPOA

1 Well Furnished [WF]

5 September 2011

"[...] they removed 'only' 17 homeless people and kicked them out on to the street in the early hours of the morning, in the rain, the Friday before a bank holiday weekend when it would have been pretty much impossible to get support, advice and possibly temporary emergency housing from the appropriate agencies."

Key Point: Evictions happen in the early morning, pushing people out onto the street harsh weather conditions (especially high winter evictions/ arrests), and police ignore their statutory duty to assist with finding alternative accommodation.

"[...] it wasn't really necessary to obtain a Writ of Possession to gain High Court approval. We had been in fairly constant contact with the courts, finding out when the bailiffs were due to evict us. [...] we had been informed by the Court Service that the eviction for the shops was due on 7 September and the flats were due to be evicted on 24 September."

Key Point: High Court bailiffs are used without informing occupiers, so that squatters are unable to vacate the premises in an orderly manner, when they know the eviction is due.

"It's surprising that someone who is writing an article for the Sheriffs Office including the text "*squatters who had been illegally squatting for up to a year*" apparently doesn't know the difference between illegal and unlawful. Squatting isn't illegal, it's not a crime, it's a civil wrong, a matter for the civil courts. We should have thought that the Sheriffs Office of all people ought to know the difference, since they're carrying out evictions as a result of such proceedings."

Key Point: The misconception that squatting is now criminal, perpetrated by politicians (e.g. Weatherley) and the media, is widely held, including with officers enforcing the law.

⁷ Rich, Al, "Squatting, adverse possession and the LASPOA s.144 debacle", 8 May 2014, <https://alrich.wordpress.com/2014/05/08/squatting-adverse-possession-and-the-LASPOA-s-144-debacle/> (accessed 9 April 2015)

“The properties were not *“recently bequeathed the premises as part of a legacy”*, the properties have been owned by the trust for a considerable length of time and have been arguably mismanaged, certainly neglected and allowed to become seriously dilapidated. The background is well-known locally, in that the owners and their managing agents have been trying to force out other legitimate shop tenants through raising rents by as much as 300 per cent, many of the shops on the street have been vacated due to the owner’s and their managing agent’s unreasonable demands.”

Key Point: Squatters squat derelict buildings which have been left empty, mismanaged or left to dilapidate. It is often falsely reported in the media, that police and bailiffs are repossessing properties on behalf of local charities, which are in fact private entities using a charity structure to hold property assets.

“The majority of the sheriffs were very obstructive and refused to let people collect their belongings. [...] After we had all vacated the premises those individual sheriffs also went back into the building to retrieve some personal possessions including a bag containing someone’s passport [...] We certainly were not permitted to remove *all* of our personal belongings. As things stand, we have made repeated phone calls to a number given on a notice affixed to the gate, yet no one has returned our calls to tell us when we can have our belongings back. At the moment, they are withholding many personal possessions, including documents, clothes, bedding, mattresses, all our pots and pans and cooking equipment from the kitchen. Most importantly, someone [...] has been repeatedly asking the 24/7 security guards to retrieve a bag containing her passport. This person is a European citizen and she can’t go home or travel anywhere without her passport and it will be difficult for her to get a replacement while she’s stuck in the UK.”

Key Point: Unexpected evictions (e.g. High Court bailiffs) cause massive disruption to peoples’ lives, including the loss of vital personal effects (e.g. coats and bedding for winter, computers) and documents (e.g. passports, letters). It may take days, weeks or months to get possessions back, and in some cases, never; there are stories of bailiffs selling possessions off at the auction house.

“*“One female squatter tried to re-enter the premises and was restrained by a Police Officer...”* Again, this assertion is factually incorrect. One squatter did not try to re-enter the premises, she simply attempted to remove from the gate a padlock, which was the property of the squatters. As she removed the padlock and passed it to one of the other squatters, she was physically grabbed and assaulted by the sheriffs as the police stood by and let them. She has photographic evidence of bruising to her arm, which left marks in the shape of finger prints where she had been physically manhandled by the sheriffs, and her nose was also bashed. As mentioned above, we were all being polite and not-resisting, and yet suddenly without warning, they grabbed her from behind and assaulted her.”

Key Point: Evictions by bailiffs is becoming more violent, and squatters treated as if they were “criminals”. More often than not, police in attendance turn a blind eye to the violent treatment meted out by bailiffs. There is no evidence to show that police act on these incidents of assault.

“*“... while another refused to leave and had to be physically escorted from the premises.”* This is misleading as well. What actually happened was that one squatter who had been staying in Well Furnished effectively had to remove not only her things, but those of the squatter who had left early that morning to go to work, and also some electrical goods belonging to someone else. [...] . It wasn’t possible for her to remove all those belongings without assistance. When she crossed the courtyard, she realised that just outside the gate were sheriffs with barking dogs straining at their leads. She was asked to leave the premises, but explained that she had an autistic spectrum disorder and, further, was afraid of dogs and wanted the dogs to be moved away. The sheriffs declined to move the dogs and started moving towards her and saying something about physically removing her

from the premises. [...] The dogs were not very well controlled, in fact they were particularly badly behaved as the dog handler was later witnessed yanking the dog back on its lead and shouting “Korva!” (which we understand is a Polish swear word) at it. The squatter was terrified of the dogs and eventually a police officer came in through the gate and offered to help the squatter leave, promising to stay at all times between the dog and the squatter as she left the building [...].”

Key Point: The use of dangerous dogs at evictions is now common, indicating increasing levels of violence used to evict squatters. The bailiffs were obviously not properly trained in the use of dogs, and refused to comply with the request by someone visibly afraid of them, to back away. The police had to essentially protect the squatter from the bailiffs to leave the premises unharmed.

2 195 Mare Street [195]

7 October 2013

“[...] at approximately 10:05 a.m. [...] a group of about a dozen builders forced entry into the social center. They then proceeded to affix a notice board to the wall declaring that the building was a construction site. We notified them that the property was legally occupied in accordance with the 1977 Criminal Law Act and that they had committed an offence by breaking into the building while it so occupied. Apparently unconcerned that their conduct was illegal, they proceeded to begin gutting the building while we were inside it. They also proceeded to disconnect the buildings water, by cutting the pipe connecting to the water main. The builders were employed by CS Solutions and their supervisor was Jim Casey, the same man who had similarly threatened us weeks ago. [...Later] The builders then began to leave. However, as they were doing so Jim Casey threatened that he would be back in a week to continue what he had started whether we were there or not . We advised him once again that he would need to take us to court before doing this, and he stated clearly that he did not intend to do this.”

Key Point: The misconception that “squatting is illegal” means that builders and developers attempt to ride roughshod over the law, assuming that they have a right to reclaim their property by force, rather than via the civil courts.

“We called the police and notified them of the situation. Upon arriving the police seemed equally unconcerned with stopping their illegal conduct and stood by as the builders proceeded in destroying the building. They claimed that they needed to “find out all the facts”. We asked if they could please ask the builders to stop destroying the space while they did so, and the police refused. With the help of a friend from the Advisory Service for Squatters, we were eventually able to persuade police Sergeant Gomes that the building was legally occupied and that Mr. Casey needed to take us to court in order to remove us, but not before considerable damage had been done to the ground floor and our property being kept there.”

Key Point: The police refuse, or delay, to assert the rights of squatters to occupy commercial premises peaceably, even while builders are doing extensive damage illegally. The police never assert the law against builders, developers, bailiffs or private security when they are in the wrong, especially in squatting situations. Police act as a mediating force, in favour of the “owner”.

3 House of Brag [HoB]

2 July 2014

"[...] the new space has been under constant police surveillance and our comrades have been subject to intimidation and this morning we had one of our crew arrested. The show of solidarity from fellow squatters, queer & trans peeps, local activists and the community of Brixton has been incredible. We still need ongoing support as our electricity and water have been cut off and the cops are trying their best to make everything much harder since they can't find any legit legal reason to shut us down."

Key Points: Police use s144 LASPOA (and other anti-squat legislation) to intimidate, harass and arrest squatters when they first move in. Apart from this, the police and council, often cut off vital supplies (e.g. water, electricity) and post full-time surveillance on the property. Community support and solidarity helps squats get established.

19 December 2012

"We have court for an IPO hearing on 2nd Jan. While the court date is about when we expected the papers were served very quickly. The landlords (Guy's and St Tomas' hospital trust) must have been pretty keen to get their building back because they ignored all communication from us assuring them we'd look after the building, that we were running a worthwhile project and that we'd leave when they needed it back. They instead tripped over themselves to make sure it gets to sit nice and empty until it's demolished. In their eagerness they even prepared a triple threat team to serve us with the papers: a security guard, a lawyer and a cop. [...] It should be surprising really, how much contact we've had with the police. After all we've committed no crimes, every building we squat is commercial. And yet they seem to poke their thuggish noses into everything."

Key Points: Interim Possession Orders (IPOs) – 24hrs to leave once served - are much more commonly used now, even if there are no immediate plans for use. Large institutional owners refuse any contact with the squatters to discuss possible alternative uses for the building while it is unused. The fear of "squatters", encouraged by politicians and the media, means higher security measures, and acceptance of police intimidation.

13 November 2012

"This morning we were evicted by High Court bailiffs [with police support]. They did not even knock before they started battering down the door. Words cannot express our outrage and anger at these thugs who forced their way into our home, forced us out. None of us were harmed, and we managed to get most of our stuff out. [...] As our door was caving in we had time to make only one call, but within minutes we had maybe ten people in the courtyard, supporting us and hassling the scum. The solidarity we've received has made the whole experience less crushing, more defiant."

Key Points: Violent evictions by high court bailiffs are becoming more common. Solidarity from others is important.

21 October 2012

"Our first interaction with the police happened on the second night of occupation, the owner of the business renting a unit next door to ours came in the night with heavies and weapons and smashed the outside windows, threatening to kill us if we did not vacate."

Key Point: The belief that "squatters are criminals" means that owners are prone to use unlawful means to harass, intimidate, attack squatters to repossess their property.

"HoB [House of Brag] phoned the police. When the officers showed up they clocked us for squatters immediately and so rather than take a statement, accused us of criminal damage. We told them that we had not committed criminal damage but had successfully filmed those who had. Being presented

with video evidence of the accusations they were bandying around, the officers immediately lost interest in this claim and informed us that they couldn't wait for the law to be changed so they could 'come in there and drag you out'."

Key Point: The police do not assert the right of squatters to lawfully occupy a premises unmolested, and purposefully find means to evict. The officer refused to take their statement, tried to find a means to arrest them, and believed the new law would remove any squatters' rights.

"The next day, we found that our water had stopped. Hours of investigation by us and a plumber friend failed to resolve the situation so we were reduced to transporting water across the road in tanks and buckets from the out-door tap of a kindly neighbour who, of course, said we could take the water that we needed to drink and cook and clean. This regime continued for a few days until our neighbour called by looking quite harassed. It transpired that the uniformed thugs had been round to her house and threatened her, claiming 'neighbourhood disturbance' and instructed her to build a box around her outside tap to stop anybody drinking water for free."

Key point: The police and council use underhand methods to evict squats, such as cutting off utilities and access to basic supplies, purposefully deteriorating the living conditions in those places. The even use intimidation to ensure that squatters are denied basic facilities.

4 Eviction Resistance [ER]

9 January 2014 – Camden Garden Centre

"Numerous vans of police, a dog team and a helicopter were peacefully deflected by the 80 strong resistance. An aggressive attack on the group locked on outside the front gates led to one arrest and a few minor injuries. Once the chain on the gate had been angle grinded off, those inside the perimeter fought back with heavy barricades and sheer community power. [...] Much joy was had when, after a frenzied attack, the cops, bailiffs and security staff decided to call it a day."

Key Point: Large amount of police resources are used to evict squats (police, dogs, helicopter). The police approach tends to be violent and generally leads to at least some arrests. Barricades and numbers in support are essential for a successful eviction resistance.

5 October 2013 – "The Screw"

"A successful eviction resistance in Hackney squatters' local 'The Screw' this morning. Despite an overwhelming early start to the resistance (a plethora of bailiffs and private security guards with very angry dogs) the numbers of the resistance gradually swelled to an impressive 30/35 strong crowd. After a two hour standoff, numerous cups of tea and slices of melon, the forces of darkness eventually left the derelict pub and its occupants in peace [...]"

Key Point: Evictions tend to start early in the morning, and involve bailiffs, private security and dogs. Numbers on the ground help decide whether a resistance is successful.

4 October 2013 – "Cuts Cafe"

"[...] the newly opened 'Cuts Cafe' was evicted yesterday evening after harassment from the Met and riot police. At first they threatened to storm the building and arrest folk for abstraction of electricity. Although when presented with evidence that the group had spoke to an energy company earlier that day they changed their minds... They were now adamant that the group were committing aggravated trespass and thus felt the need to call 3 vans of riot cops[...] Although no arrests were made, the building was emptied and re-secured by security. The police often use the offence of aggravated trespass as a way of getting people out of buildings. In the case of the cuts cafe, the building was empty. There were no signs that it was in use. The cops claimed that there were meetings scheduled there though for 'sometime in the future'."

Key Point: The police use harassment to deter squatting, sometimes using riot police to enforce it. The police look for a variety of charges they can use which enables them legally to force entry and evict a premises (e.g. abstraction of electricity). These charges can be tenuous (e.g. aggravated trespass) and are not subject to any checks or balances (e.g. case brought before a professional judge).

Aggravated Trespass (section 68, Criminal Justice and Public Order Act 1994) – Eviction Resistance

‘(1) A person commits the offence of aggravated trespass if he trespasses on land and, in relation to any lawful activity which persons are engaged in on the land, does there anything which is intended by him to have the effect of: (a) intimidating those persons or any of them so as to deter them or any of them from engaging in that activity (b) obstructing that activity (c) disrupting that activity’
The section goes on to define ‘lawful activity’ as an activity which can be engaged in without committing an offence or trespassing on land.’ So if the activity wasn’t lawful or there was no actual activity taking place then you will have a defence. This offence can only be tried in the magistrates court. The maximum penalty is 3 months imprisonment, a fine of up to £2,500, or both. First timers would probably get a fine in the region of £200-300.

1 September 2012

“On arrival at the crime scene we found a group of shocked people standing on the pavement surrounded by their personal possessions. Scheduled eviction date was the 26th of September 2012 and they believed that they would be evicted on this date as stated by the court. One person peddled furiously to Gee street county court where he told court officers of the illegal eviction taking place. After checking court documents it was agreed that this was the case and the eviction should be stopped immediately. When this information was relayed to the officers involved in the on-going eviction they replied ‘Ah well, it’s too late now’. With full knowledge that the eviction was illegal the police continued on with their work. When we spoke to the police about their actions the feeling on their part was that they were the law.”

Key Point: Unscheduled evictions are hugely disruptive, often illegal (i.e. do not have the right paperwork). Even when an eviction is happening illegally, the police do not intervene, or pay no attention to the checks and balances of the court or legislation, believing they “are the law”.

8 December 2014

“The eviction of Guildford Street went ahead and the new occupation (24-28 Argyle Street, WC1) had barely started when on the evening of Saturday 29th November 2014. Private security personnel – who had been seen around the property since almost the start of the occupation – moved in to forcefully and illegally evict the occupiers inside using a sledgehammer to break down one door. This was done in the presence of police who did nothing to prevent what appears to have been a criminal act by One Housing Group and Assured Guarding security services.”

Key Point: Private security and bailiffs are able to act outside the law to evict squats, while the police look on, and provide back-up support.

5 Rooftop Resistance [RR]

Background Summary:

“September 3rd 2012 (3 days after Section 144 LASPOA was passed, criminalising squatting in a residential building) A squat on London Rd in Brighton was raided by Sussex Police and hired goons from Veritas Security company. On the flimsy pretext that the building looked residential, Police kicked the door in, only to find that two squatters had made their way up on to the roof, and another three had superglued themselves together in the attic. After six hours, they finally managed to arrest the three in the attic (the two on the roof having escaped), who were charged with squatting a residential building, obstructing police and abstracting electricity. A three day trial was held in April 2013, at which all charges were dropped for two of the defendants on the basis that there was absolutely no evidence of any offence. One final defendant, Dirk, was convicted of Squatting a residential building despite the fact the only evidence against him was the statement of a single lying cop (he was literally caught lying in court). He was given a year long community order, 40 hours of unpaid work and £250 costs. An appeal was launched straight away.”

3 September 2012

“The police turned up this morning at around 11am to raid the property on London Road in Brighton, despite no crime being committed – as the new law restricts people living in unoccupied buildings, but not visiting them. Regardless, Sussex police have now arrested three people who attached themselves with glue, spending three hours to enter through barricades to remove them. [...] at 2pm, hours before three people were arrested inside the residential part of the building, despite not squatting the residential property. The two roof top occupiers say they are up there to stay, as cops miserably fail to negotiate a deal with them.[...] Inspector Bill Dickhead said: “The nature of the barricade has made their intentions to reside quite clear. We are now inside the residential area of the building that has been occupied and are seeking to resolve the situation as swiftly and as safely as possible. We are prepared to play the waiting game, but when we are able to remove them, they will be arrested under the new legislation.””

Key Point: Huge police resources were used to implement the law when it first came in. The police committed seven hours evicting the building, got in specialist teams to remove those locked on or on the roof, and clearly intending to use the new legislation for arrest.

6 Bodenham Manor [BM]

21 August 2014

“The following press release was available on **21st August 2014** on this "Police End Illegal Occupation of Bodenham Manor, Herefordshire"⁸. West Mercia Police officers have entered the site of Bodenham Manor in Herefordshire this morning to deal with people who, it is believed, have illegally occupied the property since Saturday afternoon (16 August). A man in his 50s was arrested for burglary after a caravan was broken into on the site over the weekend. A man in his 40s was arrested on suspicion of the offence of squatting in a residential building [s144 LASPOA] and seven further people were summoned to appear at Hereford Magistrates' Court to be dealt with for the same offence. Three people who were in the grounds of the manor, but not in the manor itself, were directed to leave under Criminal Justice and Public order legislation and served notices to leave the site, which they did.

⁸ ““Illegal occupation” of Bodenham Manor ended by police”, Herefordshire News, 21 August 2014, http://www.worcesternews.co.uk/news/regional/herefordshire/11425479.illegal_occupation_of_bodenham_manor_ended_by_police/ (accessed 9 April 2015)

Superintendent Sue Thomas, policing commander for Herefordshire, said: "Since this group of people moved into Bodenham Manor on Saturday, officers have maintained a small presence there while we assessed their legal status and whether any criminal offences had occurred. [...]Throughout, we have liaised with both them and the owner of the property. He is a private owner who bought the manor this year and has been attempting to renovate the building while living on site in a caravan, which was broken into this weekend. [...]The last week has been very distressing for him because he has felt intimidated by those on the site and unable to enter his legally held property. It is not acceptable that a group of people can take over someone's home and claim it for themselves.[...]The operation was generally peaceful and the majority of people we dealt with were co-operative and we thank them for that. We are satisfied we have cleared the site and it can now be returned to its lawful owner." The FOI request states: "The police must have very good reason to intervene in this dispute and must be thoroughly convinced that they are correct or else they have been negligent."

Response from West Mercia Police

West Mercia Police can neither confirm nor deny that it holds the information relevant to this part of your request as the duty in s1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

S30(3) Investigations; S40(5) Personal Information; S31(3) Law Enforcement

2. What documents have the police seen for them to believe that the people have illegally occupied the property since Saturday afternoon (16 August)."

REPLY: The Land Registry entry for Bodenham Manor shows who the lawful owner is and the persons present on the property did not have this lawful owners consent to be there.

3. Who has assessed these documents as being valid for the police and what is the reasoning?

REPLY: West Mercia Police Force Legal Department

4. Has any action been taken to return the cars reported stolen and sold to their rightful owners as reported to the police clearly in this video.

REPLY: West Mercia Police cannot confirm nor deny that any information is held for this part of your request. Please see the response provided for question 1."

Key Points:

- **The details of the case are rather unclear, and the answers to FOI by West Mercia Police are not helpful. However it is a case of s144 LASPOA being used, with 1 person arrested, and 7 people appeared before the Magistrates Court on this charge.**
- **West Mercia statistics for that period (August 2014) state 2 arrested under s144 LASPOA, 2 convicted.**
- **From the details, it looks like the Police launched a large-scale operation on the manor house with tenuous and unreliable evidence, arresting people and seizing property.**
- **Apart from arresting people for s144 LASPOA and burglary, they used the Criminal Justice and Public Order Act to make people leave the grounds, showing that police use a range of offences to achieve their ends.**

Appendix 4: Squatting Timeline – Sept 2012 to Jan 2015

4.1 Squatting Timeline - Image & Key

MEDIA: General coverage of squatting in the media (newspapers, TV, online, etc.), and media position; does not include coverage of particular squats in the media (see SQUAT). Critical, or supportive of s144 LASPO, followed by number of articles, blog posts, media programmes, etc.

C - Critical of the new law, or extending it

S – Supportive of the new law, and extending it

SQUAT: Squats and social centres which have received some coverage in the media (initials of squat)
Coverage in the media (*italics*):

W – Widely reported, including N, L, and OM.

N – National

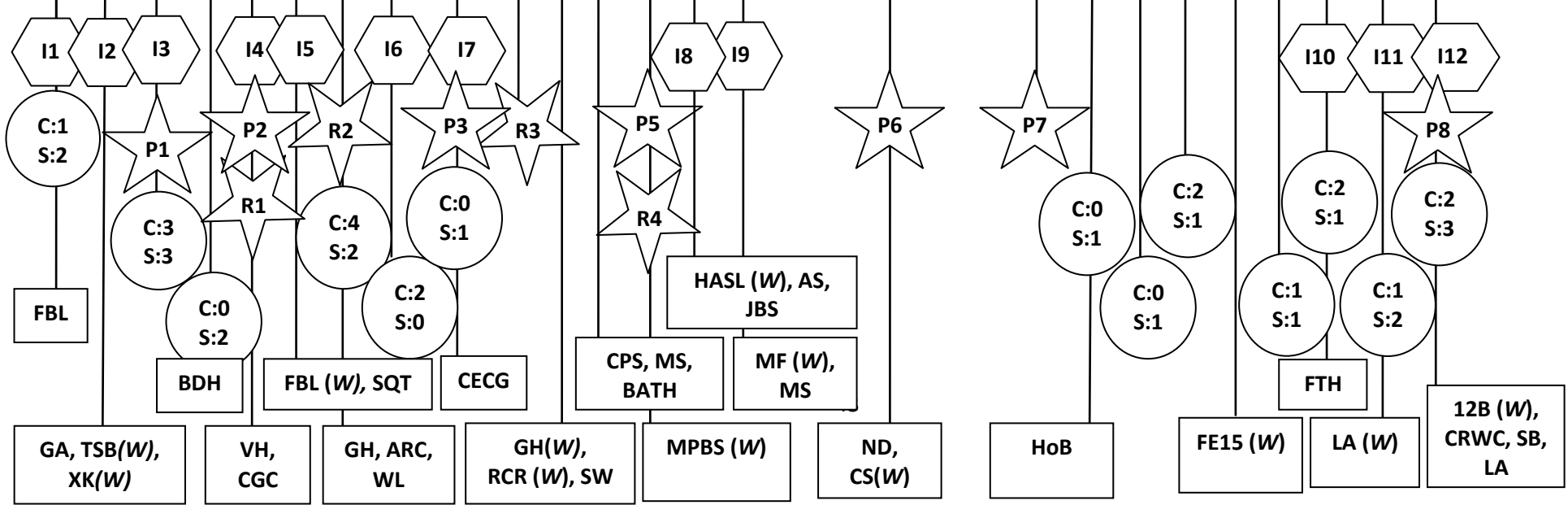
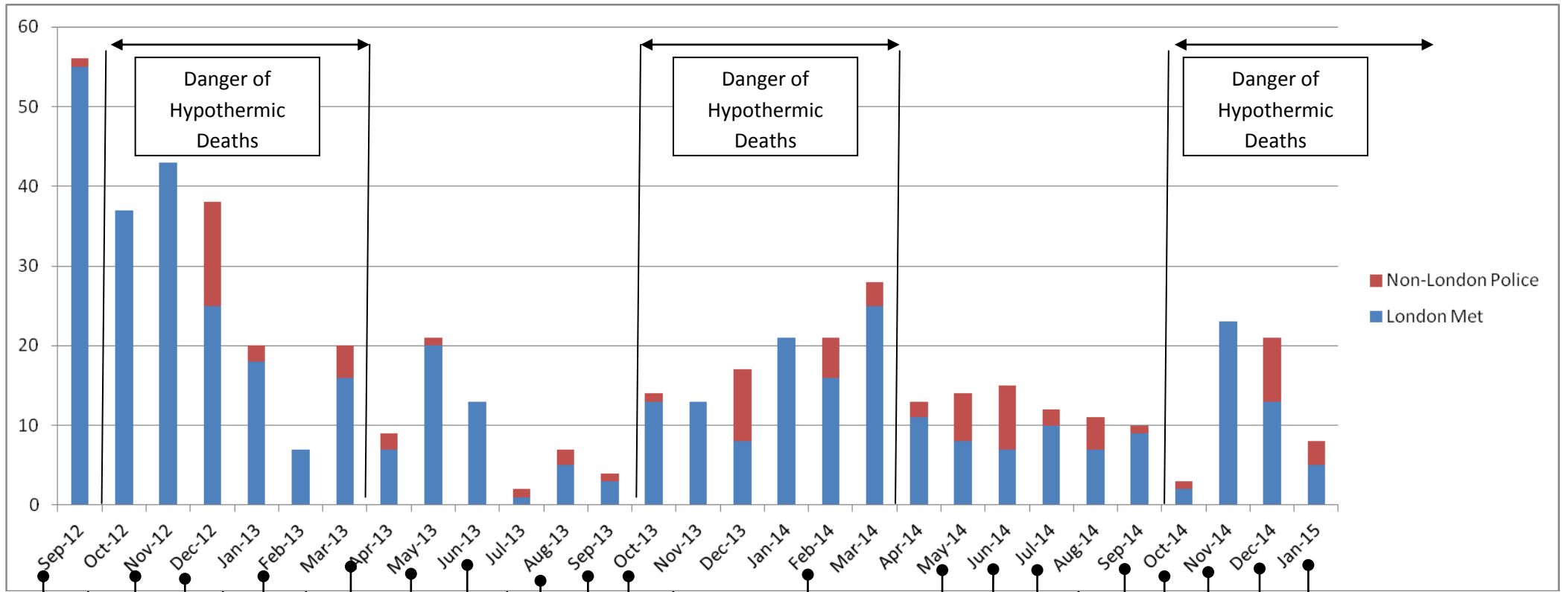
L – Local

OM – Our Media, i.e. independent sources, e.g. IMC UK, Schnews, Occupied Times, blogs, etc

INCIDENTS (I): Significant incident regarding squatting and impact of s144 LASPOA, such as arrests, evictions, court cases & outcomes, etc

POLITICAL (P): Actions at a political level, national or regional, which have encouraged further criminalisation, enforcing the law with more rigour, etc.

RESPONSE (R): Response to political manoeuvring by SQUASH and other squat lobby groups.



4.2 The Housing Crisis in England and Wales

The housing crisis in England and Wales has continued to deteriorate since 2011, as exemplified by the ever increasing evictions, displacement and homelessness. The three years to 2012/13 saw an expansion of 27% in the total number of local authority assessment decisions for statutory homelessness, growing from 89,000 in 2009/10 to 113,000 in 2012/13, while households 'accepted as homeless' rose by 34%, from 40,000 to 52,000. Statutory homelessness in London has risen by 80% since 2009/10 and homeless placements in temporary accommodation have increased nationally by 24%.⁹

In the private rented sector, the ending of Assured Shorthold Tenancies (AST) has seen a sharp rise in evictions, producing 30% of all statutory homelessness acceptances in the first quarter of 2014/15. Social-renting tenants are being subjected to policies of dispersal and displacement, with 64% of the 38,000 tenant households who lost their home in 2014 being as a result of possession claims from councils and housing associations. Crisis has raised concerns about the "growing 'business' orientation of some housing associations, coupled with reductions in benefit entitlements, [...] curtailing low income households' access to social tenancies". In 2013/14 numbers of people seen sleeping rough in London was up 64% since 2010/11 (from around 4,000 to 6,500), with the 2013 national total up 37% on its 2010 level. Rough sleepers of European origin have risen by 79%, as compared with the 56% increase in UK-origin counterparts, in part due to reductions in welfare benefits to Central and Eastern European (CEE) migrants.¹⁰

Those most affected by the changes to the welfare system, rising rents and homelessness are the young. Often referred to as "Generation Rent," adults aged 21 to 38 years, who have not been able to get on the property ladder, now find themselves locked in to a future of ever-spiralling rents and diminishing social security. Changes to the Shared Accommodation Rate have reduced access to the private rented sector for 25-34 year-olds, while Citizens Advice caseload evidence shows a substantial rise in youth homelessness, with the number of 17-24 year-olds seeking help with housing up by 57% between 2007/08 and 2012/13¹¹. Homeless Link shows the 70% of service users at accommodation projects in England were men, and 53% Young People (16-24)¹². Homeless charity Crisis has shown that squatting is a common response to homelessness: their report, "Squatting: a Homelessness Issue,"¹³ demonstrates that 40% of single homeless people squat "as a direct response to homelessness". With nearly one million buildings standing empty across the UK, of which 200,000 are long-term empty¹⁴, with property speculation and foreign investment fuelling upward rental and purchase prices, squatting is the only alternative to street homelessness for increasing numbers.

9 Suzanne Fitzpatrick, Hal Pawson, Glen Bramley, Steve Wilcox and Beth Watts; "The homelessness monitor: England 2015"; Crisis, February 2015, http://www.crisis.org.uk/data/files/publications/Homelessness_Monitor_England_2015_final_web.pdf (accessed 9 April 2015)

10 Ibid

11 Ibid

12 "Support for Single Homeless People in England: Annual Review 2014", Homeless Link, 24th April 2014; <http://www.homeless.org.uk/sites/default/files/site-attachments/Support%20for%20Single%20Homeless%20People.pdf> (accessed 9 April 2015)

13 Reeve, K., "Squatting: a Homelessness issue", Crisis, 2011, http://www.crisis.org.uk/data/files/publications/Crisis_SquattingReport_SEPT2011.pdf (accessed 9 April 2015)

14 Empty Homes Agency; <http://www.emptyhomes.com/statistics/>

4.3 Squatting Timeline - Commentary

Arrests:

- **Seasonality:** The number of arrests seem to rise during the coldest part of the year, October – March, when the risk of hypothermic death is the highest, especially for rough sleepers as mentioned by the pathologist at the Daniel Gauntlett Inquiry¹⁵.
- The initial spike in arrests in 2012, dropped off by February 2013. However, continued political pressure and anti-squatting media has meant that arrests rose again after October 2013 (even after taking seasonality into account) to higher and sustained levels.

Political:

- There has been a sustained and concerted effort by Conservative politicians to extend s144 LASPOA to commercial properties after s144 LASPOA came into force (P1, P2, P3); this was not based on any further evidence or need.
- In September 2013 (P5), three Labour politicians called for criminalisation to be extended, which saw a rise in, and sustained level thereafter, of arrests by the London Metropolitan Police and other police forces. This may have been seen as a “green light” by the official political opposition to continue the persecution of squatters.
- May 2014, Tory backbenchers attempted to introduce criminalisation of squatting commercial and land via stealth legislation with amendments to the Criminal Justice and Courts Bill (P7).

Responses:

- **Pro-squatting lobby** groups like SQUASH have worked to challenge political pressure to extend criminalisation, through open letters, reports, press releases and petitions (R1, R2, R4)
- An open letter from a number of organisations and lawyers in **June 2013 (R3)**, voicing fears that extending criminalisation to commercial would jeopardise political protests, sit-ins and occupations, has opened the way for political squatting of residential premises (e.g. HASL, October 2013)
- The work of **squatted social centres and “political” squats** to keep squatting in the public eye have been effective under intense pressure, capturing media attention, and demonstrating that squatting is still legal. Squatting and occupations have been at the forefront of opposition to community and public assets being sold off or demolished.
- **Our media** have been essential for publicising squats and squatting in the period, producing positive commentary (C: “Critical” (of the new law)) to counteract the negative image portrayed by the right-wing mainstream media (S: “Supportive” (of the new law)).

Media:

- The Mainstream Media (MSM) have reported on squatting from time to time, especially when politicians have announced their plans for squatting; critical media has generally been done by our media, and followed up by a handful of left-wing MSM papers.
- **Supportive (of the new law) MSM:** The main papers to report on squatting in a negative light have been the London Evening Standard (circulation 600,000+), the Daily Mail (1.7m) and the Brighton Argus (16,000). The Daily Mail have a 25% stake in the Evening Standard. These papers cover the stories of politicians calling for the extension of the new law, and drip-fed anti-squatter stories throughout the period.
- **Critical (of the new law) MSM:** Pro-squatting stories have tended to appear in the Guardian (circulation 177,000), Observer (214,000) and the Independent (62,000).

¹⁵ <http://www.squashcampaign.org/2014/12/a-christmas-tale-the-gauntlett-inquiry/>

4.4 Squatting Timeline – Events

Events have been taken from SQUASH's NewsRounds, which provide an archive of squatting-related media, political incidents and other resources as they occur.

September 2012

MEDIA

Critical (1): Welsh woman, Irene Gardiner (49), who squatted an abandoned cottage for 11 years and raised her children there; case under Article 8 of the European Convention of Human Rights.(Guardian, 31 August 2012)¹⁶

Supportive (2): Daily Mail (31 August 2012)¹⁷, Evening Standard (31 August 2012)¹⁸

INCIDENTS (I1): Alex Haigh (21) Arrested; sentenced to 12 weeks in prison (2 September 2012) (W)

SQUATS (FBL): Occupation Friern-Barnet Library [4 September 2012] (W)

October 2012

SQUATS (TSB, GA, XK)

TSB: Squatters occupy old Lloyds TSB bank, Bristol [2 October 2012] (W)

GA: Gremlin Alley [squatted bowling alley, Cardiff] – (4 October 2012) (OM)

XK: Cross Keys pub squatted (Chelsea, London) – (DATE) (W)

INCIDENTS (I2): attempted to evict House of Brag squat, Kennington (21 October 2012) (OM)

November 2012

INCIDENTS (I3): MP Weatherley's visit to the University of Sussex disrupted by protesters against the new law (14 November 2012); One man arrested in relation to the incident, Brighton (23 November 2012)

POLTICAL (P1): Mike Weatherley and other Tories start to call for squatting criminalisation to be extended to cover commercial properties, calling squatting in commercial properties a "loophole in the law". Guardian (30 November 2012)¹⁹

¹⁶ <http://www.theguardian.com/society/2012/aug/31/challenge-to-law-criminalising-squatting>

¹⁷ <http://www.dailymail.co.uk/debate/article-2196251/End-squatters-rights-From-midnight-tonight-squatters-finally-enjoy-free-housing--jail.html>

¹⁸ <http://www.standard.co.uk/news/london/we-could-have-done-with-help-when-we-were-invaded-says-woman-of-waltham-forest-home-that-was-occupied-by-squatters-8099293.html>

¹⁹ <http://www.theguardian.com/society/2012/nov/30/criminalise-squatting-commercial-property>

MEDIA

Critical (3): Al Jazeera (12 Nov 2012), Occupied Times (9 Nov 2012), Ally Fog (15 Nov 2012)
Supportive (3): narrative: “extend criminalisation commercial”
Howes Percival Solicitors, Out-law.com (7 Nov 2012), Telegraph (6 Nov 2012).

December 2012

MEDIA

Critical (2): narrative: “squatting is a positive experience”
Grow Heathrow article (Guardian, 3 December 2012)²⁰, Richard Madeley Documentary “Madeley Meets the Squatters” (ITV, 7 December 2012)

SQUATS (BDH)

BDH: Bute Dock Hotel squat, Cardiff (11 December 2012) (OM) – see case study XXXXX

January 2013

SQUATS (VH, CGC)

VH: Police Raid to evict Vauxhall squats, London (5 January 2013) (OM)
VH: Pimlico squat stand-off with police (8 January 2013) 21 (OM)
CGC: Police & bailiffs try to evict Camden Garden Centre, London (9 January 2013) (OM)

INCIDENTS (I4): Teenager arrested under s144 LASPOA, Leicester (11 January 2013) 22 (L)

POLITICAL (P2): MP Weatherley makes Early Day Motion (EDM)²³ to Parliament to criminalise squatting in commercial premises (14 January 2013)

RESPONSE (R1): SQUASH launch petition “Repeal s144 LASPOA”²⁴ with 1,482 signatures by 5 Feb 2013.

February 2013

SQUATS (FBL, SQT)

FBL: Friern Barnet Library wins court case; license from Barnet council (5 February 2013)²⁵
SQT: Squattastic, squatters networking meeting, held (17 February 2013)

INCIDENTS (I5): Homeless man, Daniel Gauntlett, freezes to death outside empty Kent cottage²⁶ (W), Polish rough-sleeper arrested for squatting in building, Blackburn (5 February 2013)²⁷ (N)

²⁰ <http://www.theguardian.com/society/2012/dec/03/squatters-criminalised-not-home-stealers>

²¹ <http://evictionresistance.blogspot.co.uk/2013/01/first-resistance-of-2013-come-on-then.html>

²² <http://www.leicestermercury.co.uk/Teenage-trespasser-Loughborough-falls-foul-new/story-17819451-detail/story.html>

²³ <http://www.parliament.uk/edm/2012-13/912>

²⁴ <http://epetitions.direct.gov.uk/petitions/44597>

²⁵ <http://www.squashcampaign.org/2013/02/squatters-save-friern-barnet-library/>

²⁶ <http://www.kentonline.co.uk/maidstone/news/homeless-man-daniel-gauntlett-di-a55383>

March 2013

SQUATS (GH, ARC, WL)

GH: Grow Heathrow's 3rd Birthday (2 March 2013) (OM)

ARC: Arnos Family Resource Centre squatted; win case against Enfield Council (12 March 2013) (OM)

WL: Feminists evicted from Women's Library occupation, Waterloo (12 March 2013) (OM)

RESPONSE (R2): SQUASH launch "Case against section 144" report in Parliament, attended by Crisis, John McDonnell MP, Jeremy Corbyn MP and some members of the House of Lords. (4 March 2013)²⁸

MEDIA:

Critical (4): narrative: "s144 LASPOA should be repealed"

Inside Housing (8 March 2013), Guardian (25 March 2013), Independent (24 March), New Internationalist (12 March 2013),

Supportive (2): narrative: "squatters are mostly immigrants", "extend to commercial"

Evening Standard publish anti-migrant squatting article based on London Met police FOI (22 March 2013)²⁹, The Argus³⁰ (6 March 2013)

April 2013

INCIDENTS (I6): Three defendants acquitted of squatting offences in Brighton (23 April 2013)³¹

MEDIA

Critical (3): Justice Gap, Real News (3 April 2013), Open Democracy (3 April 2013)

May 2013

POLITICAL (P3): Pressure from MoJ Minister and Weatherley to extend squatting criminalisation to commercial premises; MoJ releases statistics on new offence s144 LASPOA (30 May 2013)

MEDIA:

Supportive (3): narrative "extend criminalisation"

The Argus (2 May 2013), Out-law, Evening Standard (9 May 2013)

²⁷ <http://www.dailymail.co.uk/news/article-2273701/Polish-immigrant-jailed-squatting-refusing-leave-house-told-police.html?ito=feeds-newsxml#axzz2K22XMvEI>

²⁸ <http://www.squashcampaign.org/2013/03/squash-launch-6-month-impact-assessment-of-s144-LASPOA-in-parliament/>

²⁹ <http://www.standard.co.uk/news/uk/romanians-make-up-45-per-cent-of-squatters-breaking-new-law-8545711.html>

³⁰ http://www.theargus.co.uk/news/10269294.Anti_squatting_MP_to_report_web_claim/?ref=m

³¹ <http://www.squashcampaign.org/2013/04/anti-squatting-law-challenged-in-brighton-court/>

SQUATS (CECG)

Crouch End Community Group occupy two commercial buildings belonging to Haringey Council (20 May 2013)³² (L)

INCIDENTS (I7): Police operation swoop on homeless rough sleepers, Illford (23 May 2013)

June 2013

RESPONSE (R3): Some big trade unions such as the PCS, CWU & NUT and many large student campaigning organisations sign a letter published in The Guardian acknowledging their concern with criminalising squatting in commercial properties because of the impact it could have on workplace & student occupations. (17 June 2013)³³

July 2013

SQUATS (GH, RCR, SW)

GH: Grow Heathrow under threat of eviction (3 July 2013) (W)

RCR: Rushcroft Road, Brixton, evicted by police, bailiffs and Lambeth council (15 July 2013)(W)

SW: Scratch Wood squat in Barnet opens (19 July 2013) (L)

August 2013

SQUATS (CPS, MS, BATH)

CPS: Canton Police Station squat anti-prisons, Cardiff (opened: 8 August, evicted 27 August 2013) (OM)

MS: 195 Mare Street Occupation, London (August 2013) (OM)

BATH: Woman occupies public toilets to protect them from demolition, Bath (1 August 2013) (L)

September 2013

SQUATS (MPBS)

MPBS: Made Possible by Squatting Exhibition, Dock Street, London (9-16 September 2013)³⁴ (W)

POLITICAL (P4): 1) Labour MPs Chuka Umunna, Dame Tessa Jowell and Lib Peck, leader of Lambeth council, send Secretary of State for Justice Chris Grayling letter demanding further criminalisation (2 September 2013), published in the Evening Standard (10 September 2013)³⁵; 2) Philip Davies (Conservative MP for Shipley) asking questions from Minister Damien Green regarding squatting in commercial buildings (6th September 2013)³⁶

³² http://www.thisislocalondon.co.uk/news/10430439.Squatters_occupy_empty_council_buildings/

³³ <http://www.theguardian.com/society/2013/jun/17/attack-squatting>

³⁴ <http://www.squashcampaign.org/2013/09/made-possible-by-squatting-exhibition-now-open-9th-16th-september-2013/>

³⁵ <http://www.standard.co.uk/news/politics/make-squatting-in-commercial-property-a-crime-ministers-told-8806249.html>

³⁶ <http://www.theyworkforyou.com/wrans/?id=2013-09-06a.165181.h&s=squatting#g165181.r0>

RESPONSE (R4): SQUASH reply to Chuka, Tessa and Peck's call for further criminalisation in an Open Letter (18 September 2013)

October 2013

SQUATS (JBS, AS, HASL)

JBS: End of JB Spray squat in Nottingham (6 October 2013) **(OM, L)**

AS: Ashmount School occupation in Islington (25 October 2013) (OM, L)

HASL: HASL squat residential houses sold off by Southwark Council (29 October 2013)³⁷ (W)

INCIDENT (I8): Builders force entry to 195 Mare Street, London (7 October 2013)

November 2013

SQUATS (MF, MS)

MF: Pro-criminalisation MP's, Mike Freer, Constituency Office in Finchley occupied (22 November 2013)³⁸ (W)

MS: Free School at 195 Mare Street (18-24 November 2013) (OM)

INCIDENT (I9): Another s144 squatting case collapses, Court of Appeal (Powys, Wales) (7 November 2013)³⁹

December 2013

January 2014

February 2014

SQUATS (ND, CS)

ND: North Devon pub occupied by local residents (19 February 2014) (L)

CS: Camden council houses occupied in protest to their sell-off, evicted by police and two charged with s144 (25 February 2014) (L)

POLITICAL (P5): Tory MP Mary Macleod (Brentford and Isleworth, Conservative) asking questions in Parliament about squatting in commercial premises (26 February 2014)

March 2014

April 2014

³⁷ <http://www.theguardian.com/commentisfree/2013/oct/29/why-we-occupying-3m-council-house-southwark>

³⁸ <http://www.squashcampaign.org/2013/11/mike-freer-mp-constituency-office-occupation/>

³⁹ <http://indymedia.org.uk/en/2013/11/513573.html>

May 2014

POLITICAL (P7): Tory backbenchers attempt to amend the Criminal Justice and Courts Bill to include the criminalisation of squatting in commercial premises and on land (12 May 2014)⁴⁰

June 2014

SQUATS (HoB)

HoB: House of Brag opens queer social centre in Brixton (June-July 2014) (OM)

MEDIA:

Supportive (1): Evening Standard (5 June 2014)

July 2014

MEDIA

Supportive (1): Evening Standard (18 July 2014)

August 2014

MEDIA:

Critical (2): 99% campaign (15 August 2014), BBC Word Update (18 August 2014)

Supportive (1): "Sherriffs are Coming", BBC (14 August 2014)

September 2014

SQUATS (FE15)

FE15L: Focus E15 Mums occupy decanted Carpenter's Estate, London (23 September 2014) (W)

October 2014

MEDIA

Supportive (1): Evening Standard (16 October 2014)

Critical (1): Fleabite (27 October 2014)

November 2014

INCIDENT (I10): Four squatters walk free from s144 prosecution (12 November 2014)⁴¹

⁴⁰ <http://www.squashcampaign.org/2014/06/alert-attempt-to-criminalise-squatting-in-commercial/>

⁴¹ <http://www.squatter.org.uk/2014/11/four-more-s144-defendants-walk-free/>

SQUATS (FTH)

FTH: Fenton Town Hall in Stoke-On-Trent occupied by community to stop its demolition (9 November 2014) (OM, L)

MEDIA

Critical (2): Boston Review (4 November 2014), Huff Post (27 November 2014)

Supportive (1): Argus (24 November 2014)

December 2014

INCIDENT (I11): Kent Coroner's Office Inquiry into death of Daniel Gauntlett; verdict: "death by self-neglect" (10 December 2014)⁴²

SQUATS (LA)

LA: Love Activists occupy RBS HQ, West End, London in solidarity with street homeless (23 December 2014) (W)

MEDIA:

Critical (1): Hajdukat Balkan (December 2014),

Supportive (2): Daily Mail (11 December 2014), Evening Standard (17 December 2014)

January 2015

POLITICAL (P8): MP Matthew Offord (Hendon, Conservative) asks the Secretary of State for Justice, what discussions his Department has had with the Crown Prosecution Service on ensuring that more prosecutions are made under squatting legislation (7 January 2015)

SQUATS (LA, CRWC, SB, 12B)

LA: Police evict Love Activists in central London (13 January 2014) (L, N)

CRWC Crossroads Women's Centre 40th anniversary (23 January 2015) (OM, L)

12B: 12 Bar Soho squatted to stop demolition of cultural icon (22 January 2015) (W)

SB: March for Homes with Squatters Bloc, London; Aylesbury Estate occupied (31 January 2015) (OM, L)

MEDIA

Critical (2): contributoria (January 2015), London24 (13 January 2015)

Supportive (3): Times (24 January 2015), Daily Mail (23 January, 29 January 2015)

INCIDENT (I12): Legal case regarding adverse possession and s144 LASPOA: Judge rules in favour of Mr Best (adverse possession for 10 years); Land Registry takes him to court; judge rules s144 LASPOA does not apply.⁴³

⁴² <http://www.squashcampaign.org/2014/12/a-christmas-tale-the-gauntlett-inquiry/>

⁴³ **Best, R (On the Application Of) v The Secretary of State for Justice (Rev 1) [2015] EWCA Civ 17 (21 January 2015)** <http://www.bailii.org/ew/cases/EWCA/Civ/2015/17.html>

SQUASH NewsRounds:

Details of the events above can be found in the relevant SQUASH NewsRounds listed below:

September 2012 –

<http://www.squashcampaign.org/2012/09/squash-news-round-september-2012/>

October 2012 –

<http://www.squashcampaign.org/2012/10/news-round-october-2012/>

Mid-October 2012 –

<http://www.squashcampaign.org/2012/11/news-round-10-november-2012/>

November 2012 -

<http://www.squashcampaign.org/2012/11/newsround-no-4/>

January 2013 -

<http://www.squashcampaign.org/2013/01/newsround-no-6/>

Mid January 2013 –

<http://www.squashcampaign.org/2013/02/squash-newsround-january-2013/>

February to March 2013 –

<http://www.squashcampaign.org/2013/06/squash-newsround-february-to-march-2013/>

April-June 2013 –

<http://www.squashcampaign.org/2013/06/squash-newsround-april-june-2013/>

June-July 2013 –

<http://www.squashcampaign.org/2013/07/squash-newsround-june-july-2013/>

July – August 2013 –

<http://www.squashcampaign.org/2013/08/squash-newsround-july-august-2013/>

August - September 2013 -

<http://www.squashcampaign.org/2013/09/squash-newsround-august-%E2%80%93-september-2013/>

September – October 2013 -

<http://www.squashcampaign.org/2013/10/squash-newsround-september-october-2013/>

December 2013 – January 2014 -

<http://www.squashcampaign.org/2014/01/squash-newsround-december-2013-january-2014/>

February 2014 -

<http://www.squashcampaign.org/2014/03/squash-update-february-2014/>

March – May 2014 -

<http://www.squashcampaign.org/2014/05/squash-newsround-march-may-2014/>

June- November 2014 -

<http://www.squashcampaign.org/2014/12/squash-newsround-june-november-2014/>

December 2014 – January 2015 -

<http://www.squashcampaign.org/2015/01/squash-newsround-december-2014-january-2015/>

January – February 2015 -

<http://www.squashcampaign.org/2015/02/squash-newsround-january-february-2015/>



SQUASH (Squatters Action for Secure Homes) is a campaigning organisation which, since the early 1990s, has worked to protect squatters and other vulnerably housed people. We undertake extensive research into the impacts of squatting criminalization, releasing reports “Can We Afford to Criminalise Squatting?” (2012) and “The Case Against Section 144” (2013). We campaign to raise awareness of these impacts and give voice to squatters and others experiencing insecure housing. SQUASH is in a unique position as one of the only organisations researching squatting in the UK from within the diverse world of squatting itself. SQUASH research quoted extensively, from the Home Office Research Paper 94/1 (1994) to Professor Danny Dorling’s book “All That is Solid” (2015). Our broader aim is to provide resources for the achievement of secure housing for all.

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