

 West Mercia POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Unauthorised Encampments
REFERENCE NUMBER	WMP187
Version	1.1

POLICY OWNERSHIP	
DIRECTORATE	LOCAL POLICING
BUSINESS AREA	TERRITORIAL POLICING

INITIAL IMPLEMENTATION DATE	February 2022
NEXT REVIEW DATE:	August 2025
RISK RATING	LOW
EQUALITY ANALYSIS	LOW

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy.
Please e-mail policiesandprocedures@westmercia.police.uk

1.0 POLICY OUTLINE

This policy will explain how West Mercia Police will deal with people who trespass on land owned by another with an intention to reside.

2.0 PURPOSE OF POLICY

The purpose of this policy is to detail how unauthorised encampments are managed, when police powers should be considered and providing an auditable record of the encampment management.

This policy and associated procedure forms its basis from the two most recent pieces of guidance: **ACPO Guidance on Authorised Encampments** (Version 13 – June 2011) and **Operational Advice – Trespassing On Land Without Consent / Unauthorised Encampments: Police Crime, Sentencing and Courts Act 2022: Changes to Legislation**. (May 2022) These are the nationally circulated guidance and should be read in conjunction with this policy.

There are primarily two additions to the West Mercia Police policy:

- This policy requires that any use of police powers is authorised by a Superintendent which is not required in the NPCC Guidance.
- The ACPO document does not offer any guidance with regard to utilisation of police powers under Sec 62A-E of Criminal Justice & Public Order Act 1994 (direction to move to an alternative local authority site), primarily because this power has been rarely used due to lack of available sites. The new NPCC 2022 guidance makes reference to S62 A-E CJPOA.

Within West Mercia policing area some local authorities either provide or plan to provide sites. This policy and associated procedure provides direction on the use of this legislation.

3.0 IMPLICATIONS of the POLICY

An unauthorised encampment will usually involve the need to balance the competing needs of the local community and the occupants of the encampment.

The Code of Ethics underpin this policy and the management of unauthorised encampments in general. The policy sets out to ensure that decisions made around their management are compliant with the Human Rights Act in that they are legal, proportionate and necessary for all parties concerned.

A requirement of this policy is provide an audit record detailing the management of the encampment which will be retained and referred to should decisions be challenged by any party in the future.

4.0 CONSULTATION

This policy has been circulated to relevant stakeholders and the Critical Friends group.

<i>Business Lead Consulted</i>	<i>Date Consulted</i>
Ch Supt LP	August 2022

5.0 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the below chart:

Date	Author / Reviewer	Amendment(s) & Rationale	Date of Approval / Adoption
		Previously approved at JNCC meeting	JNCC 18/11/2016
Feb 2022	M White	Reviewed removal of Alliance text from policy, reverted to WMP policy. Full review will follow in May 2022 when NPCC Guidance will be available	Feb 2022
August 2022	Insp Tom Clayton	Reviewed following consultation with CF Group and with new NPCC guidance.	Aug 2022

6.0 PROCEDURE

A separate document details the specific procedure.

7.0 ASSESSMENT AND ANALYSIS

The policy and procedure has been subject of an Equality Analysis (EA), Health and Safety Assessment (HAS) and Risk Assessment (RA) .

8.0 MONITORING / EVALUATION

Monitoring and review of this policy is the responsibility of the policy owner