

"TRESPASSERS will be prosecuted!" That has been a hollow threat for centuries. Trespassers simply can't be prosecuted... at present. All that a property owner can do is sue you - a long and costly business. But that may soon be changed. The Law Commission last month published detailed plans for changes in the law. RICK WALKER reports...

The legal attack on occupations and squatting

THE LAW COMMISSION, a panel of lawyers which advises the government on changes in the law, originally wanted to make trespass, in any situation, a criminal offence, posing a massive threat to occupations of any kind.

A campaign grew up to fight these proposals, backed heavily by the squatting movement and campaigns for the homeless, but also drawing support from many trade unions and student bodies.

Last month the commission published their finished version of these proposals as part of their report on Conspiracy and Criminal Law Reform.

Undoubtedly they have backed down to some extent, and credit for that can be given to what the commission conceded was "an extraordinary amount of opposition". There will be no Criminal Trespass law. Instead there will be a sneaky, piecemeal series of changes which can be built on by future governments and by the courts themselves.

The proposals are as follows: It will be open to the police to enter any occupation, be it a squatted terrace, an occupied factory, a student sit-in, a protest at a housing office or whatever, if they believe:

1. That violence has been threatened or used to get into the place.
2. That the building was in use beforehand as residential premises.
3. That anyone there has an offensive weapon.
4. That anyone there has resisted a bailiff or similar official.

It doesn't take too much imagination to see the abuses which these measures could be put to. In the first instance the word of any security guard or caretaker would be sufficient excuse for the police to break up a factory or college occupation.

In the second case, there is a rider that the displaced resident can intervene himself, which opens up vistas of any sly landlord (the "displaced resident") getting together a group of friends and intervening, with police backing.

The third case is enough to give the police the right of entry without warrant into any squatter's house or any occupation.

The fourth case means that any tenant or militant who uses even passive resistance against bailiffs with a possession order can be sent down for six months.

The involvement of the police is what has up till now been civil procedure will thus increase enormously. The Law Commission has used squatting as almost the sole justification for all this. Yet the final proposals are, if anything, more dangerous to those involved in industrial actions and other protests.

For example, one specific new offence is that it will be illegal to trespass in embassies or any building with diplomatic cover, which effectively prevents foreigners in this country from portesting in their own embassy.

In any case the use of squatting as a justification relies heavily on the Law Commission's assumptions that squatters (a) use violence and are always involved in breaches of the peace; (b) always possess offensive weapons and (c) frequently occupy people's homes while they are on holiday.

There are two possibilities here: One is that the Law Commission reads the Sunday People too much; the other is that they are playing on some media-created myths and prejudices in order to push through legislation which attacks the weakest sections of society - the homeless, the unemployed, those with no security of tenure, gypsies, etc. Indeed, this legislation so far extends the powers of bailiffs, the police and the courts, that the more powerful sections of the labour movement who might think themselves immune, could feel the pinch very soon.

Here is a summary of the new offences to be created:

- Without lawful authority to use or threaten violence (against the person and against property) to secure entry to premises... against the will of another person. Except that measures taken by a person to regain his own living accommodation shall be exempt. **Maximum penalty: 2 years plus fine.**
- As a trespasser to refuse to leave premises when required to do so by the displaced residential occupier. **Maximum penalty: 6 months plus a £400 fine.**
- As a trespasser to have upon the property an offensive weapon. **Maximum penalties: (On summary conviction) 3 months plus £200 fine. (On indictment) 2 years plus fine.**
- As a trespasser to enter or remain upon premises with diplomatic inviolability. **Maximum penalty: One year plus fine.**
- To resist or obstruct any sheriff, bailiff etc., seeking to execute a writ of possession. **Summary offence - maximum 6 months plus £400 fine.**

Councillors act against Sayers

ANOTHER BLOW for the management of Sayer's bakery. A Knowsley Council committee has decided not to order any more confectionery from them until the five-month-old dispute there is settled.

The strike at Sayer's began when 20 men were sacked for refusing to work Saturday overtime.

Industrial action at a factory in Ormskirk

I ENCLOSE a report of the working conditions and the action taken last week by some of the workers against them at Rigby's in Ormskirk.

The factory is a small sweat-shop engaged in the manufacture of wooden boxes - spirit boxes, cabbage crates, etc. The boss also runs a haulage firm which has a permanent contract with English Electric in the transportation of fusegear.

In the woodshed there are seven workers - one sawyer on a basic £33 (no bonus or any other addition), three full-time box makers on piece rate of 10p per box. The average number of boxes a person can make a day without knacker himself is about 50 - £25 a week. There are also three part-time schoolkids on 6p a box.

The whole firm is run on a 'family' basis - more than half the entire workforce are either related to or friends with the boss.

Three of us - the sawyer, me and one of the other boxmakers were sent by the dole after long periods without a job; plus the fact that the place had been cleaned up and we were told we could make about 80 boxes a day, i.e. £40 a week. We all took jobs.

The drivers are members of the TGWU. The first thing I did was join along with the other two blokes off the dole who joined a couple of weeks ago.

The place is so bad that it became clear that very soon we would have to take action - the toilet facilities were disgusting to say the least, there were no heaters, no canteen, no fire exit. The fire extinguisher has from time to time been under huge piles of wood. There is no first aid in the workplace and unchained dogs often get into the workplace and there's shit and piss all over.

Everything was against us - the other boxmaker is a 'creep' which made it even more difficult. Anyway he was off last week so one hurdle was crossed easily.

On Monday March 22 - it had snowed the night before - I took a thermometer to work. After one hour the temperature was 34 deg F. So we went into the office to ask for some heaters. This request was refused - it'd be warmer soon, he used to have some but they were smashed and all the rest. We also asked about the dogs getting in at night - again he refused to do anything.

By this time he was shitting himself. He smoked three fags in ten minutes! Anyway we went back and decided to walk out and get a factory inspector - and also ring the union.

The boss hated us after that - three of his workers had actually had the nerve to challenge his god-given right to exploit.

We rang up the factory inspectors in Bootle, told them it was urgent but they still couldn't promise a bloke down that day. We also rang the T & G. The official, Peter Ralston, said he would get in contact with Rigby, which he did.

When we got back the boss had agreed to put in a temporary butane gas stove which wasn't much good but least it was a start.

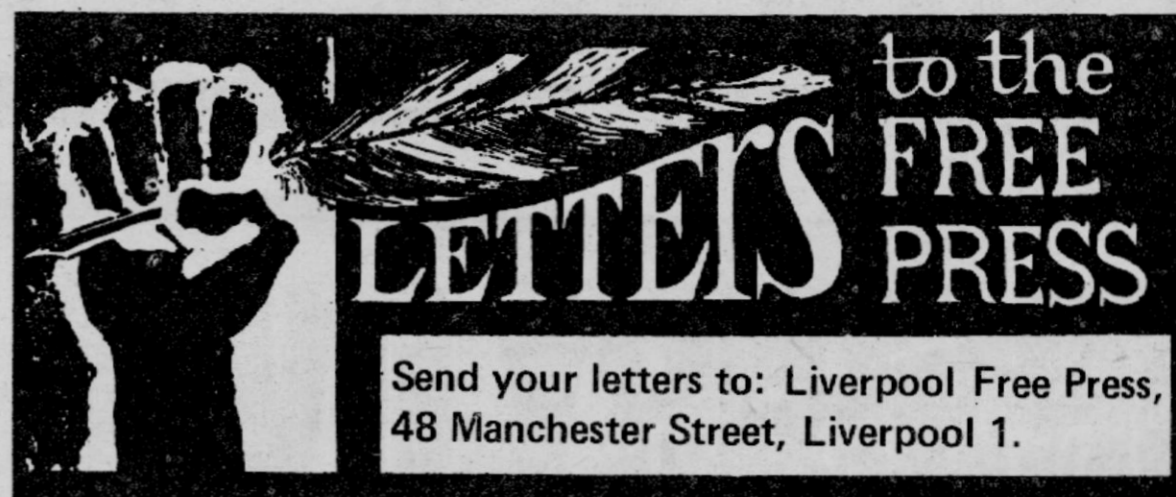
We also rang up Merseyside Right to Work Campaign who gave us their support in case we got a lock-out - this was very important.

That morning the feeling in the place had really changed - there was a mood of confidence in ourselves. We also had the support of two of the drivers. We'd taken the initiative and won the first round. We found that he'd cleaned the bog up a bit as well!

On Tuesday 23 March a clock had gone up on the wall. At 9 o'clock two factory inspectors turned up. Apparently they'd been there before - about six or seven years on the run - that shows how effective they are!

This time though they seemed really determined to get him, although the anomalies in the law stopped them doing more than the heating and toilet facilities. They threatened to take him to court, took statements off all of us and put a prohibition order on the saws BUT the boss was allowed to use them himself.

By this time the feeling was fantastic but we were planning for a



fight for when the boss fought back.

The T & G official came in the afternoon. Also I went to see the shop steward at Atkinson and Kirkby, another wood factory just over the road. We were trying to get ourselves organised fast.

By Thursday the saws were back in action. Two fan heaters have been put in. The boss was really weird - no move at all to fight us. We couldn't understand it, so we started putting the boot in again, this time for a canteen - which he again refused.

But he relented soon after and began cleaning out the old canteen which is now used as a storeroom. This was to be ready for Monday 29 March.

Monday came - the sawyer was off and the 'creep' was back. He wouldn't join the union or have anything to do with us. There was no wood cut. Eventually the boss's son-in-law came (he's an employee and also a member of the T & G). He cut the wood for the 'creep' but not for us. A union bloke scabbing on his fellow members and cutting for the non-union lad.

All day we were starved of wood. We made a few boxes but not many. Obviously this was the boss's way of fighting back - also to get the creep to find out about us and try and split us. There was no canteen either.

We were giving him no excuse to sack us but on Monday the boss was definitely on top. Unfortunately I've been ill the last couple of days so I don't know what's happening, but it's very likely that the boss is now in a position of strength again.

This action does show one thing - only rank and file militant action can get anything done. The factory inspectors are like dragons with imitation teeth. With support we can still win in the long term - without it we've lost, all the odds are back against us. But we've shown just a little bit of what can be done. - PETE HALSALL (TGWU), Yew Tree Road, Ormskirk, L39 1NX.

Housing in Kensington

I WOULD like to draw your attention to the plight of the people left in this area.

In my opinion it's a disgrace to this city and the council. I am a member of the Kensington ward of the Labour Party, but I'm afraid they are tarred with the same brush as both Liberals and Tories when it comes to trying to find out what is going on.

I estimate that there are at the most 20 to 30 houses occupied. The area wanted for the Butler Street School extensions extends from Butler Street to Farnsworth Street, from Boaler Street to Gaenwer Street.

The corporation seem not to care about the conditions they have left us people in. The area is a playground for kids, also a health hazard, also a virtual paradise for scrap metal collectors. Nothing is safe... bins, lead, copper, even grids which are left open and clodded with rubbish.

Most of the area has come under CPO, except for four frontal blocks, and we have been approached by the Education Department. In my case I don't know why because I live in a house.

I was approached by the Education Department in October 1974. I accepted their first offer. The only stipulation I made was that I be re-housed where I wanted to go. I was visited by a Mr Keegan, a hous-

ing official, who told me that as far as priorities went I had none; those under CPO had first priority.

After nine months of fruitless attempts to complete the negotiations, I was finally told the corporation could not re-house my family and myself, so I called the sale off.

I was willingly prepared to forfeit the £360 disturbance allowance by sitting tight and waiting for a CPO order.

But you see I'm fed up with the state of the area we live in. Come and see it.

I've tried to find out if I can have a repair grant for roof repairs. The house is damp because we have empty properties on either side of us, both corporation.

I am unemployed and receive no state benefit whatever because my wife works full time and has to support the family.

I even approached the Department of the Environment with no joy. My mother-in-law lives in Finch Lane. She is a widow aged 69 years, has a 30-year-old Mongol daughter to look after. I wrote to a Mr J.A. Hall and explained these circumstances, giving him details of several empty houses close by. I enclosed a stamped addressed envelope. He didn't even answer me. There is still one empty - 164 Finch Lane. I told him this.

This is the way I feel. If God forbid something happened to my mother-in-law, I could not take Lesley, my sister-in-law in. The house is too old, too damp. My elder son sleeps in the kitchen - there is nowhere else.

I told a Mr Benson from the Walton/Clubmoor Housing Department that I knew of cases of families who moved into properties in this area, already under CPO, and he admitted it. They have since been re-housed where they wanted to go.

This city's council and planners achieved what Hitler could never do, destroyed us as a proud city. They and the police wonder why there is so much crime and vandalism. They must walk around with their eyes closed. If the treatment I received and the conditions I live in are an example, they don't care, so why should we? They could not run a sweet club never mind a city - all of them, Labour, Liberal and Tory.

Once they reach a certain position, they become divorced from the people. Also so do their officials. May God forgive them. - JOSEPH COOPER, 76 Boaler Street, Liverpool L6 9AE.

Keep up the police work

YOU ARE to be congratulated on your fight on anomalies by police. When Robert Kilroy Silk was elected his first promise was to have an independent committee to investigate the force.

This has been forgotten. The police do their own investigations and find results in their favour. As one who has been a victim I hope one day to see it pass. An independent witness to statements signed, and a body of people to investigate any citizen's complaints.

Meanwhile carry on your fight. - M. ABBOTT, E18 Ravenscroft, Tower Hill, L33 1XS.

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