

The HECKLER



For Whose Benefit...?

At **The Heckler** we believe in taking control of our lives where we live or work, rather than leaving things to the dictates of politicians, managers and so-called 'experts'. Through solidarity, and acting together, we can deal both with our local problems and at the same time work to change the bigger picture, and challenge the system that means profit and power for the few.

What do the changes to Lewisham's Housing Benefit really mean?

In March, Lewisham Council is merging its two Housing Benefit departments into one. Currently, one department (Housing) deals with council tenants, and another (Revenues & Benefits) deals with everyone else. The two are administered separately. Council tenants go to their local neighbourhood office (there are 16 across the borough). Private tenants can either wait hours at Lawrence House in Catford, or hang on the telephone for ages. From April, the service will be the same for everyone – via Catford.

To compensate, tenants (who weren't consulted about this except in derisory fashion through the local neighbourhood committees) are being told there will be one stop shops across the borough. Well, two anyway. One in Sydenham, one in Deptford. Tough if you live on Honor Oak estate or in Downham. But hardly surprising. We bet that Lewisham will even claim that making a service currently available in 17 locations available in three is an improvement!

The mandarins who run the Housing Department are pleased – losing housing benefit administration makes it easier to privatise, though front-line staff are not so keen, not least those who work in benefits and will transfer over to Lawrence House where pay and conditions are much worse. Nor are those whose job is to collect arrears, as they will now spend more time on the phone to benefits where previously they were in the same building.



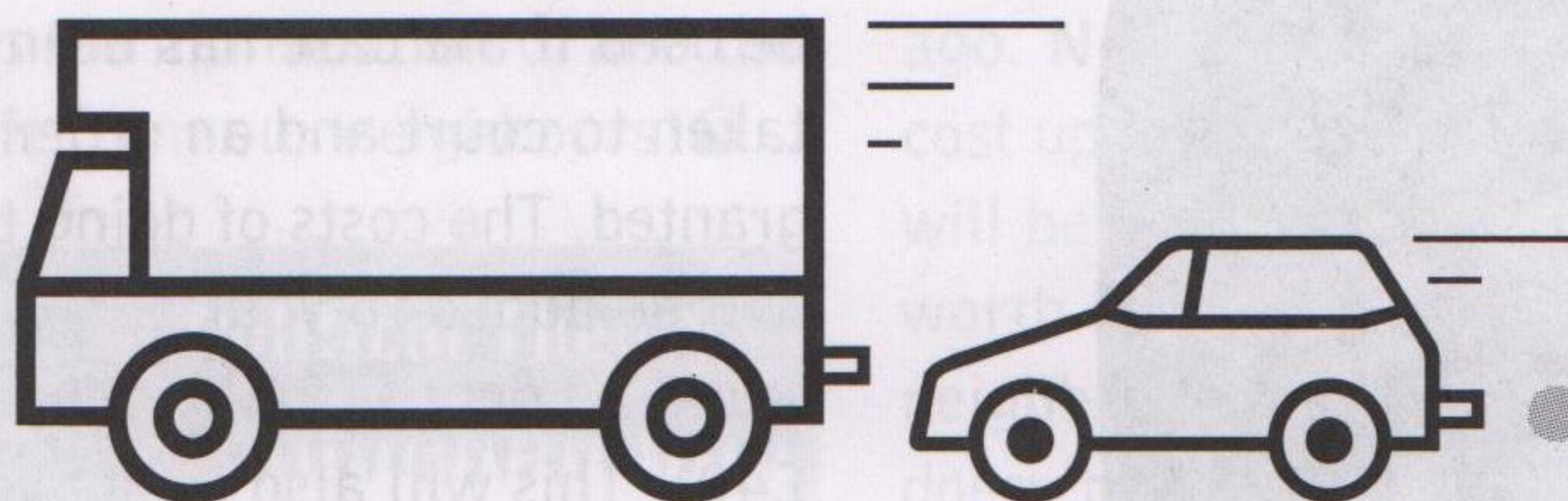
Squat's Up?

One of Britain's longest running squatted social centres, the **121 Autonomous Centre** in Brixton, is facing eviction after losing a court case on a technicality. Buildings squatted for 12 continuous years or more can be granted 'adverse possession', but the court ruled that occupancy had only been for 11 years, 11 months and two weeks. The first attempt at eviction was successfully resisted by squatters barricading the building, but support is still needed. For more info, ring: 0171 274 6655.

DisInformation

A Streatham-based burglar, who tried to steal the heart of the 60-year-old pensioner whose house he'd broken into, got more than he bargained for...

On being startled by housewife June Silva, the lovesick thief immediately asked for her hand in marriage. She refused, beat him silly with an orthopaedic plastic shoe, then frog-marched him around to the caretaker's flat. "Quite a woman", commented hapless thief Kevin Wallis, 38, on learning that prior to her sex change, Mrs Silva had enjoyed a career as a professional bricklayer.



**GASping
for Air!**

GASP - Greenwich Action Against Pollution, are currently putting together a 'traffic impact map' in the borough, by doing a street-by-street survey of the effects of traffic on everyday life; everything from levels of noise and pollution to the detrimental effect on neighbourhood life and the safety for kids playing. With the Millennium looming, traffic levels in the borough – already responsible for some of the highest asthma rates in the country, reaching almost one in four children affected in SE10 – are likely to make things even worse.

They are asking for anyone in the borough who wants to contribute information from their street or area to contact them, so that they can fill in their questionnaire. For a questionnaire, or to get involved in the campaign contact: Phillip Connolly, 39 Derrick Gardens, Anchor and Hope Lane, Charlton SE7 7TA, or phone 0181 858 4248.

THE HECKLER SURVIVAL GUIDE

Beating the Bailiffs

PRACTICAL HINTS FOR DAILY LIFE

The credit boom of the 1980s fuelled a dramatic expansion of the retail sector, with retailers anxious to get a piece of the cake created by Tory low taxes (paid for by the North Sea oil bonanza), and the creditor institutions' desire to expand. Raising house values meant far more people were able to borrow larger amounts against the wealth locked up in their homes. Instant credit was on offer everywhere and new forms of credit appeared overnight to meet the increasing demand partly stimulated and manufactured by the companies themselves. From 1980 to 89 personal consumer credit grew fourfold and mortgage borrowing fivefold. In 1980 22% of the lowest income group used credit, this had risen to 69% by 1990 many of whom couldn't afford to repay.

Working class debt is often an attempt to sustain consumption in the face of low or falling wages, while lending to the poor is a highly profitable and effective way of transferring wealth to the rich through interest rates and debt service. Debt also keeps people quiet – a hefty monthly mortgage or credit card bill will make you think twice about strikes and other forms of trouble-making at work. Debt is often presented

as an individual's problem created by them over-extending themselves, but the evidence directly contradicts this; the CAB's report 'The Cost of Living' clearly shows poverty is the root cause of most debt. Benefit levels and low wages simply aren't adequate to live on, so when confronted with an unusually high fuel bill for



example, they take out a loan. The irony is that in this way poor people are obliged to take out the most expensive forms of credit. Debt has always been an inevitable consequence of borrowing and is recognised by the credit industry as part and parcel of their lending. Lenders will always make provision in their accounts for debts which are to be written off.

The advice below is written on the assumption that debt should not be blamed on the individual action of borrowers. Individuals are led into borrowing by low wages, meagre benefits and the insidious pressures to consume. They are forced into debt by factors beyond their direct control like rises in interest rates, prices, unemployment or illness. But whilst the causes of debt may not be individual, the effects most certainly are; individuals and families coping with evictions, the struggle to survive without water or fuel supplies after disconnection, harassment by bailiffs. The stress this causes often leads to mental breakdowns, illness, and relationship break-ups. And the 1980s and 90s have seen an increase in the numbers imprisoned for the crime of poverty. Below we lay out in simple terms the laws about debt and bailiffs.

Bailiffs are legally sanctioned thugs who are employed to recover debts. Bailiffs can only be used if the case has been taken to court and an order granted. The costs of doing this will be added to your outstanding debt (usually around £40). This will also affect your credit rating – you will be blacklisted for three years for debts under £5000. Once an order is issued the bailiffs can visit a debtor's home at any time. Bailiffs don't have to give you any prior notice, but they probably will do as they want people to be in so they can collect money or goods when they call. Bailiffs may 'levy distress' (collect debts, seize

goods) anywhere in England and Wales, ie. they can go anywhere they believe there may be goods belonging to the debtor; workplace, a friend's house, etc. However if a bailiff enters a property belonging to a third party (not the debtor's) and there are no goods of the debtor's there, they are trespassing, even if they had reason to believe such goods would be there – bailiffs can be sued for trespass. Bailiffs may only take goods that belong to the debtor. They cannot take property belonging to someone else including goods on loan, on hire or lease. They cannot take goods of one partner of a couple to cover the others debt, unless a liability order was issued against the couple jointly (the court summons named both of them).

Bailiffs are well aware of their limitations on their powers and so will attempt to walk straight into a house as soon as the door is open. Once a bailiff goes through the first or main door to the property, they are considered to have lawfully entered and can break through any inner door. If a bailiff has gained entry once, they can use force to enter on subsequent visits. They may try to gain entry by trickery, for example, they may say they're from the council, post office, etc. – so use your door chain if you have one, and demand to see ID cards through the letterbox. Bailiffs cannot gain entry by force. If they do they have committed a criminal offence under Section 6 of the Criminal Law Act 1977. If bailiffs try to force entry it is perfectly legal for a person to use physical force to prevent the bailiff gaining entry. Bailiffs are allowed to get in through an unlocked or open door, so keep them locked, or an open window (but not a closed but unlocked window).

As you can see from above it is perfectly legal to refuse entry to bailiffs, just don't give them the opportunity. Bailiffs can seize cars, so keep them parked around the corner –

however it is fairly rare, and is more likely to happen if bailiffs gain access to documentation.

If a bailiff has called on you and you aren't in, you will be charged for this visit and they will leave a notice that they have called, stating the date and time and asking you contact them to make arrangements to either pay them or a date for them to visit again. The police may not in any circumstances be used by the bailiffs to help levy distress. They may however attend if they believe that there might be a breach of the peace.

Some Special Cases

1 Local authority landlords and housing associations can use bailiffs to seize a tenant's goods without a court order for unpaid rent for those with secure tenancies which began before the 15th January 1989.

2 Warrants of possession are issued to bailiffs used by the county court and are to enable a mortgagee or landlord to evict an occupier by force (and change the locks), if they haven't vacated the property by the date set by the court. They will also seize any property remaining.

3 Magistrate court fines – once a debtor has defaulted on an order of payment they will be sent a reminder, giving them 21 days to pay. If no payment is made the court will either issue a 'distress' warrant to the bailiffs or an arrest warrant to the police, or a summons for a 'means enquiry'. In the last case you should make some payments towards the fine before the date of the hearing to avoid the court deciding 'wilful refusal' or 'culpable neglect'. They may then 'remit' a fine (cancel all or part of the fine or vary the instalments) if you can show that your circumstances have changed, and order someone to supervise the debtor during payment of the fine, usually the probation service. They can also make an 'attachment of earnings' and get an employer who pays your wages to deduct a certain amount each payday

to recover the debt. A charge of 50p may be charged (each time) by the employer to cover administration costs. Imprisonment is the final option so if you're near this stage, get legal advice.

4 If a 'maintenance order' is made by the magistrates court then the debt is treated the same as a fine.

5 Council Tax debt – if bailiffs fail to recover sufficient distress (ie. goods) to cover the debt the local authority can make a attachment of earnings (see above) or a deduction of income support (those on low wages or benefits will probably pay less per week than the actual council tax). If this fails the case will be returned to court for a means enquiry and a possible committal to prison.

The above debts can ultimately lead to imprisonment so it essential you get both debt advice from the Citizens' Advice Bureau or the Child Poverty Action Group and legal advice.

We can give advice to anyone, but to be really effective we need people not to see us as an advice service but as something they can get involved with and help out. The more of us (that's you) that work together, the more we can achieve, you would be surprised what we can do with even small numbers. We need to build up a network of support, physically preventing evictions, visiting bailiffs at their homes and workplaces. We must stop the intimidation of and the theft from our neighbours! ●

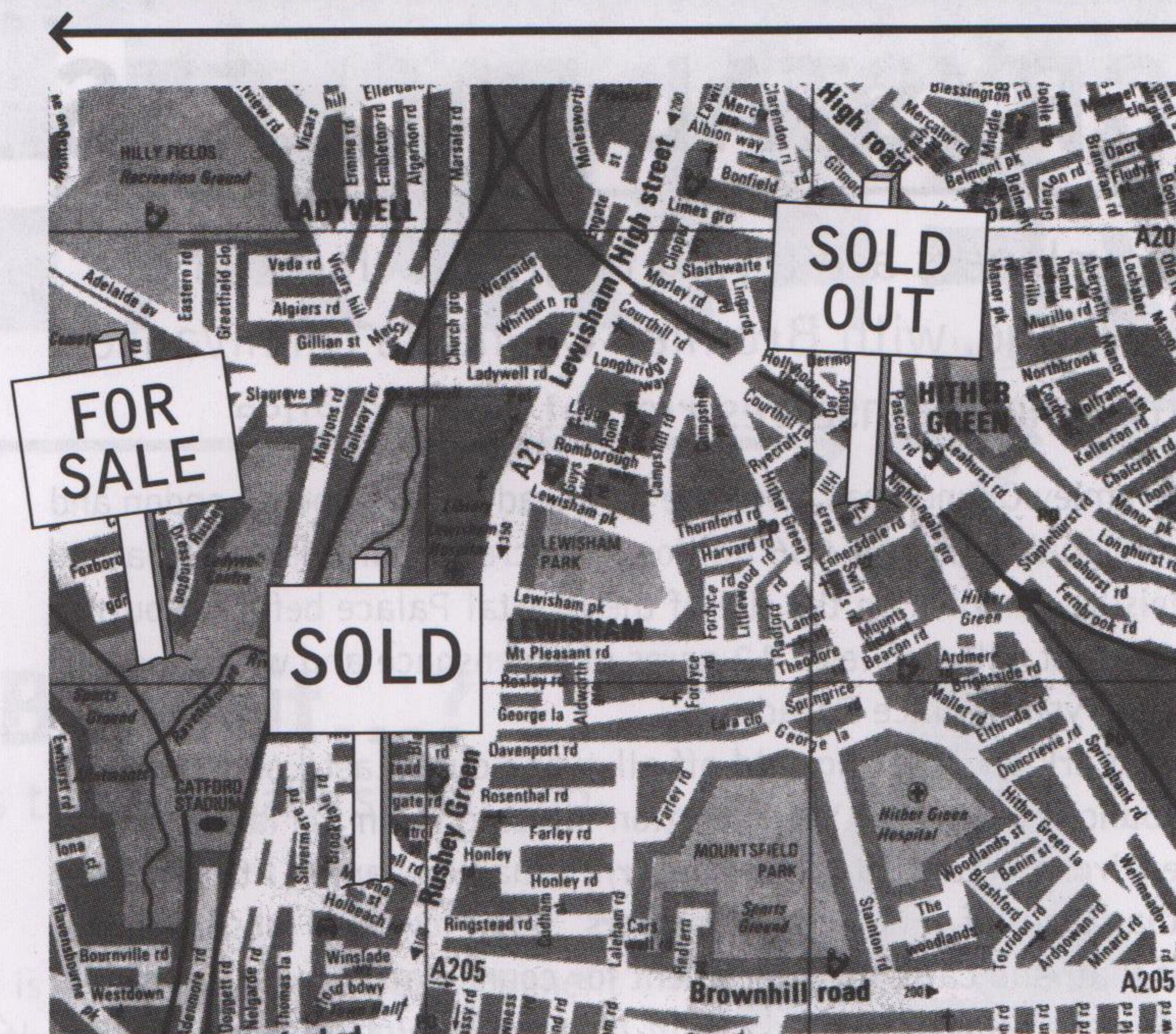
'Deep Political Theory'

"I have no weakness for shoes. I wear very simple shoes which are pump shoes. It is not one of my weaknesses".

Imelda Marcos, former First Lady of the Philippines and owner of 3,400 pairs of shoes

"China is a big country inhabited by many Chinese"
Charles De Gaulle, French President, talking about China

SELLING OUT the COMMUNITY



Council tenants all over the borough should be worried about Lewisham's latest plans for a 'housing company'

Three neighbourhoods (Brockley, Rushey Green and Forest Hill) are to be balloted in July on transferring to this housing company. The carrot is extra investment in repairs and improvements. The council says rents will stay pegged for five years. But after that it's not up to them. The company will be run by a mixture of tenants, councillors and the great and good (ie. political cronies). Lewisham are making a show of consulting, but council leader Dave Sullivan is committed to a 'burn your boats – privatise it all' strategy, so only a no vote from tenants will stop this (the law on such schemes is very explicit). Many councils these days are trying local housing companies. The first one round here was Thamesmead, where rents quickly went through the roof and tenant board members regularly resign.

So if the council is right about rents not going up, isn't it good that tenants get more repair? Obviously, yes, but we don't think all tenants are getting the whole story. Firstly, Lewisham got rid of most of its in-house staff who managed the big contracts years ago. Now 'consultants' of varying quality are used – these can cost up to 20% of the cost of a scheme, so if you're told £5 million will be spent on your area, remember it's actually only £4 million worth of work. And what about the services to the other 13 neighbourhoods? Lewisham assure us they won't suffer, but it doesn't take a rocket scientist to work out that central costs (which account for a huge chunk of your rent) divided by 13 will be more than divided by 16.

One thing that has been absent from all the discussion though, is who should control the housing stock. We believe that housing is best managed by the people who live in it (obviously that still requires workers to administer it, but the policy decisions should be the tenants'). There are several options that could have been explored by Lewisham, including Tenant Management Co-ops or a stock transfer. Why were none of these considered? Couldn't be anything to do with the proposed housing company having one third councillors and another third cronies, thus out-voting any tenants on the board? ●

CRYSTAL PALLETS

Developers are trying to grab a chunk of our heritage, with Bromley Council's connivance—making themselves rich at our expense

Bromley Council has given the go ahead to developers London and Regional to build a £56 million, 18-screen multiplex cinema and leisure complex on the site of the Crystal Palace before it burnt down, it will also level 12 acres of greenspace and wildlife park on Crystal Palace Parade.

Parkland is being sold-off all over South East London by councils promising 'regeneration' dressed up in the language of environmental and social concern, usually meaning little more than loads of money for developers, a few low-paid jobs for locals, if that, and career advancement for council officers. In Lewisham we have seen parks sold off for housing developments out of the price range of local people, increasing population density and decreasing green space in one go. Had it not been for the Deptford Residents' Action Group, Margaret McMillian Park would not exist today, park space is finite, this encroachment must be stopped!

Bromley Council have given the developers carte-blanche in return for a premium of £6.1 million, who have come up with a design that can best be described as a cross between a giant shed and a airport terminal with a car park for nearly 1000 cars on it's rooftop.

It is intended to be open 19 hours a day leading to more traffic in an area which already suffers from high levels of congestion, pollution and noise, leading no doubt to a increase in accidents in a place famous for having the first fatal car accident in 1896.

The complex will contain in addition to the multiplex cinema other 'leisure boxes' including numerous cafés, restaurants, and bars (something the local area has plenty of) and will become a terminal destination, leading to a blight on local businesses and collapse in the local economy, some 'regeneration'!

There has been no meaningful consultation with local people, Bromley has pushed through it's plan despite strong local resistance, it has refused to do a Environmental Impact Assessment, the proposals are in direct conflict with current thinking on urban parks of both the HLF and DoE, the park is Grade II listed by

English Heritage, and comes under Metropolitan Open Land policy and Unitary Development Plan policy both of which the proposed complex would contravene. It is also in conflict with Bromley's own Local Agenda 21 Blueprint. New Labour's John Prescott gave the go-ahead, so much for their much-vaulted commitment to protect the environment, just one more in a string of such decisions since coming to power.

All legal strategies have been exhausted, and only thing stopping the developers is the Crystal Pallet eco-camp on Crystal Palace Parade next to the TV mast, a protest camp set up on 1st April to defend the site if all else fails, and us coming out to physically defend the site. The developers obtained an eviction order last September and eviction is now imminent of the people, many from the local area, living in benders, tents, vans and makeshift homes. Some have been on anti-roads and similar campaigns in the past, they have built treehouses, aerial walkways, tunnels, scaffold towers and ingenious lock-on points to hinder any eviction. But they need support. Bromley Council also wants to cut down 200 trees and flatten the top site ready for the developers in the near future, we need a huge number of people as near to the site as possible in either event (it is likely to happen at the same time). There is very strong local support for the eco-camp and campaign.

What You Can Do To Help...

Get on the telephone tree and be at the mass protest on the day. They need people to deliver leaflets, cash to cover publicity and phone calls and observers (video cameras would be useful to record any violent or unlawful behaviour by the bailiffs during the eviction). Food and materials are still welcome. To join the phone tree, or to get info on any of the above, contact: The Ridge Wildlife Group, 5 Damascene Walk, SE12 8HJ, or phone 0181 693 8200 or 0181 659 3301.

Stop Press! On Wednesday 3rd March, at midday, several hundred police, most in full riot gear, swarmed onto the site with the bailiffs forcibly removing hundreds of campaigners from the site, many sustaining cuts and bruises. Demonstrators then staged a sit-down protest on Crystal Palace Parade causing traffic chaos. But up to 60 activists still remain in concrete tunnels and fortified tree houses. The eviction is expected to last weeks because of the miles of old sewage pipes under the site, and it is believed to have cost £1m so far. Ring for updates and to see how you can help. ●

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