

We Will Win

Non-payment is going from strength to strength, but the question that comes up again and again is "what about the bailiffs?". People are worried, and may be frightened. But we can say loudly and clearly you have nothing to fear

the bailiffs can be beaten - if you know how! This 'know how' must be publicised; the more publicity

the better. Not only does it raise the confidence of the non-payers, it will also get back to the bailiffs who will avoid an organised area. The bailiffs know what they are up against let those of us in England and Wales go forward and follow the example of Scotland and make our communities Poll Tax and bailiff free zones!

ABAPTF CONFERENCE
NOVEMBER 25th
APOLLO THEATRE
MANCHESTER
Affiliate now!
Conference deadlines,
Resolutions, and details
will follow shortly.

Affiliate to the All Britain Anti Poll Tax federation! Build the Mass Campaign of non Payment

Our organisation would like to apply to the All Britain Anti Poll Tax Federation (£10 per organisation - affiliated groups will also need to reaffiliate before the next conference)

Name of Organisation:

Address:

All cheques payable to The All Britain Anti Poll Tax Federation. P.O. Box 764, London E59 SX

CONTACT:

London/National - 01 533 5551	East Midlands - 0246 231 634
Southern - 0703 211 995	Yorkshire - 0532 623 822
Eastern - 0268 558016	Merseyside - 051 226 8527
South West - 0272 255504	Mancs/Lancs - 061 256 1974
Wales - 0792 465895	Northern - 091 262 6694
West Midlands - 0203 555620	Scotland West - 041 204 3592
	Scotland East - 031 552 4673

All Britain Anti-Poll Tax Federation,
PO Box 764, London E59 SX.

All Britain Anti - Poll Tax Federation

SEPTEMBER / OCTOBER

special
edition

Donations !!

1990

We're Not But i'm your friend.
Paying! I created you.
You can't destroy me!

14 million people are not paying their Poll

Tax! This staggering figure shows the non-payment army is standing firm despite threats and intimidation from councils all over Britain. This figure is not from our calculations but from the councils own figures!

The most comprehensive survey to date sponsored by Newsnight recieved information from 75% of local authorities in England and Wales and gave the amazing figure of 8,237,428 people who hadn't paid a penny of their Poll Tax by August.

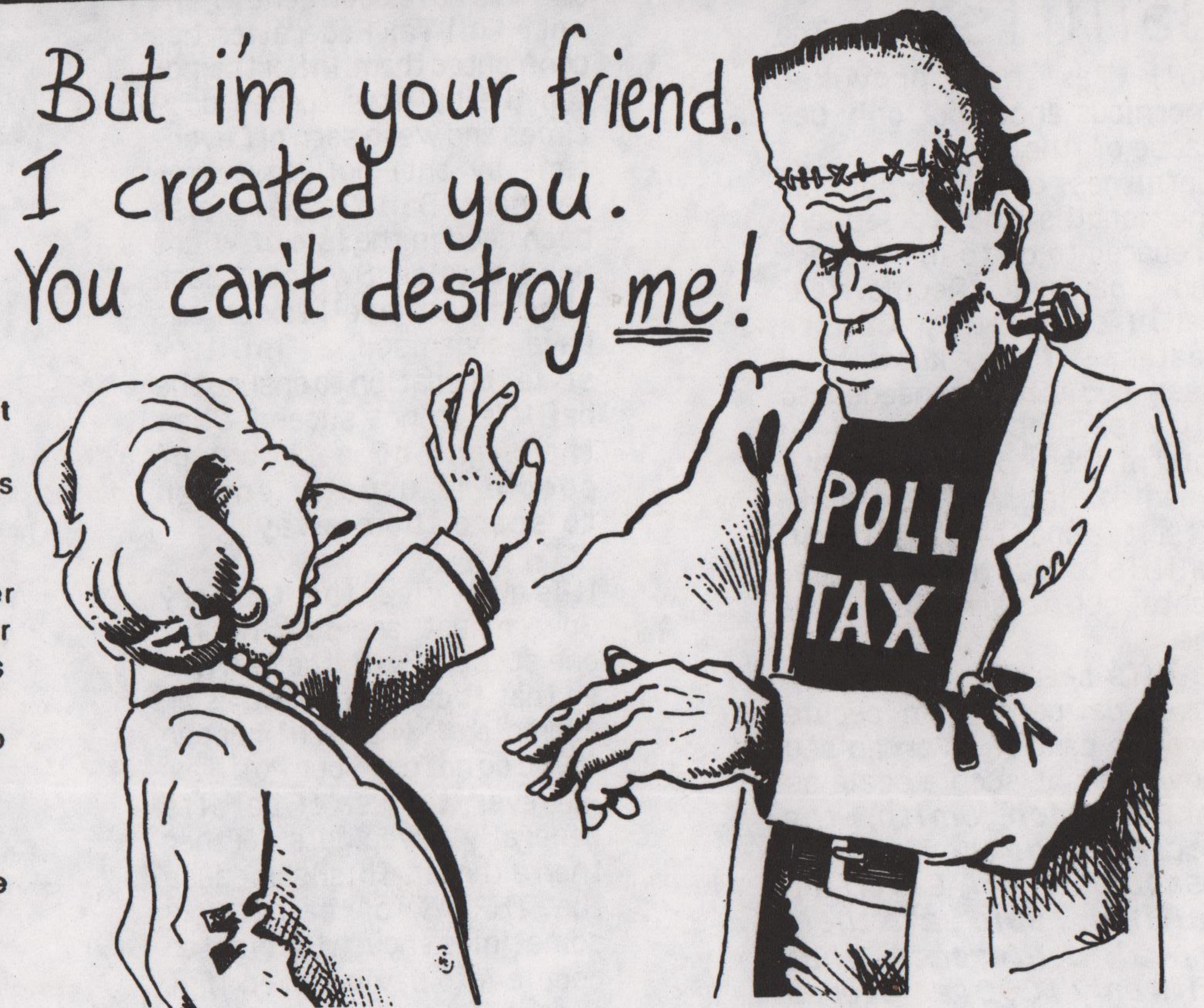
In London 25 out of the 32 boroughs show a figure of more than 1.25m not paying a single penny.

The survey does not include Scotlands 1.25 million non payers who have stood firm for nearly 18 months.

Also not included is the record number of 1.7 million people who have removed themselves from the electoral register since December to avoid payment. Add to this those who have paid one or two payments and now have stopped and the 100 local authorities not included in the survey, and the levels of non-payment are easily 14 million.

INNER CITIES

The inner cities show even higher non-payment. Glasgow has now reached more than 50%, with 45.6% having not paid ONE PENNY! Liverpool City Council released non-payment levels of 51% recently. Birmingham City



Council, Britain's largest collecting Authority, have been forced to ask major creditors for a stay of execution because of the 50% non-payment levels in the city. Wigan faces a financial crisis because of 40% non-payment of the uniform business rate, according to the Independent On Sunday, who also say that more than £2 billion has been borrowed by local authorities to cover the non-payment shortfall. In inner London 42% of the expected amount up until August had not been collected. In the North East, collection is 30% behind schedule and 29% behind in the East Midlands, with these figures including those who have paid the full year's bill. Councils in Scotland have plundered the reserves to the tune of £105 million to allay "collection difficulties" and in an attempt to keep this year's poll tax level down.

NON-PAYMENT GROWING

Their efforts have been in vain, as a report in The Scotsman recently admitted that far from encouraging people to pay up, non payment is actually growing in Scotland.

The People's March Against the Poll Tax will win more people to the thousands of anti-poll tax groups around the country. The strength of organised mass non payment will be seen as communities greet the marchers in every town and city along the route. By the time Margaret Thatcher stands to address Tory Party Conference in October she will have heard millions roar in defiance.

"WE'RE NOT PAYING!
WE ARE MARCHING TO
VICTORY!"

Beating the Bailiffs

Beating the Bailiffs

The Poll Tax has provoked enormous anger not only because of the unfairness of the tax but also the lengths the Tories are prepared to go to in recovering payment. People fear bailiffs, but they CAN be beaten - if you know how! Mass publicity is needed to allay peoples fears and to inform them of their rights when dealing with the bailiffs. It is one thing sending in bailiffs to recover individual debts, but never before have the bailiffs been sent in to recover payment from people who are part of an organised movement of such a scale as this. *Simon Smith, the Secretary of the National Association of Certified Bailiffs, said at their annual conference that with only 1000 registered bailiffs and over 10 million non-payers expected, they haven't got a hope of enforcing even a small fraction of these.* In Scotland 191 bailiffs have been unable to deal with 1.25 million non-payers. How will the 800 bailiffs in England and Wales deal with 14 million non-payers?

BAILIFF BUSTERS!

The pledge from the All Britain Anti-Poll Tax Federation is - **WE WILL STOP THE BAILIFFS!**

This pledge has already been honoured by the Scottish Anti-Poll Tax Federation for 18 months. To date not a single person has had their possessions taken away from them or sold. The Federation has mobilised people every time the sheriffs (bailiffs) have tried to visit a home. They have always retreated.

In England and Wales where bailiffs have been sent in, the Anti-Poll Tax Federation has confronted them. In Northampton the bailiffs turned up 9 times and were seen off every time by anti-poll tax campaigners. Bailiffs have also been used in the Isle of Wight and outside Swindon. Each time the anti-poll tax unions have organised a "military style" operation to ensure the bailiffs do not succeed. Just the sight of a crowd of people is usually enough to scare them away!

It is quite clear that the Tory Government are looking for one success with the bailiffs so that it can be held up as an example of what will happen if you do not pay your Poll Tax. However, the use of bailiffs generally never gets further than a threat. This is because the THREAT of bailiffs is sometimes enough to frighten people into paying, even if it pushes them into the hands of loan sharks. For example, in 1988 1.2 million "warrants of execution" (the legal term for sending in the bailiffs) were issued to county court bailiffs, but only 2393 (that is 0.2%) ended up as sales of seized goods. They are now dealing with ten times that number, and with people who are part of an organised non-payment campaign.

All anti-poll tax unions must familiarise themselves with the powers that bailiffs have and prepare their own communities with advice in the event that bailiffs are used. Hopefully this bulletin will aid you in your fight to defend your community.

2

WHEN CAN THE COUNCIL REFER PURSUANCE TO THE BAILIFFS?

After obtaining a liability order, and the council has chosen to use the bailiffs, before they can proceed they must go through the administrative procedure of issuing a distress warrant obtained from the courts. The point should be made that a distress warrant does not give the council any extra legal powers - confronting the bailiffs does not bring anyone into conflict with the courts. It is important to remember that bailiffs are employed by the council - not the courts.

The distress warrant is issued to private bailiffs instructing them to try to "seize" and sell property to the value of the Poll Tax, plus their own costs. Many people are intimidated by the legal phrases in letters sent to them. The anti-poll tax unions need to explain that this phrasing is used for that very reason.

It is also important to understand that councils do NOT have to inform you that they are applying for a warrant of distress, so they can in theory send in the bailiffs without warning as soon as they issue a "warrant of distress". However, as said previously the aim of the council is to recover payment. They will rely on the threat of using the bailiffs to frighten people into paying. So it is more likely that the council or the bailiffs themselves will send you a letter threatening to issue a distress warrant if payment of the poll tax plus costs is not made by a certain date.

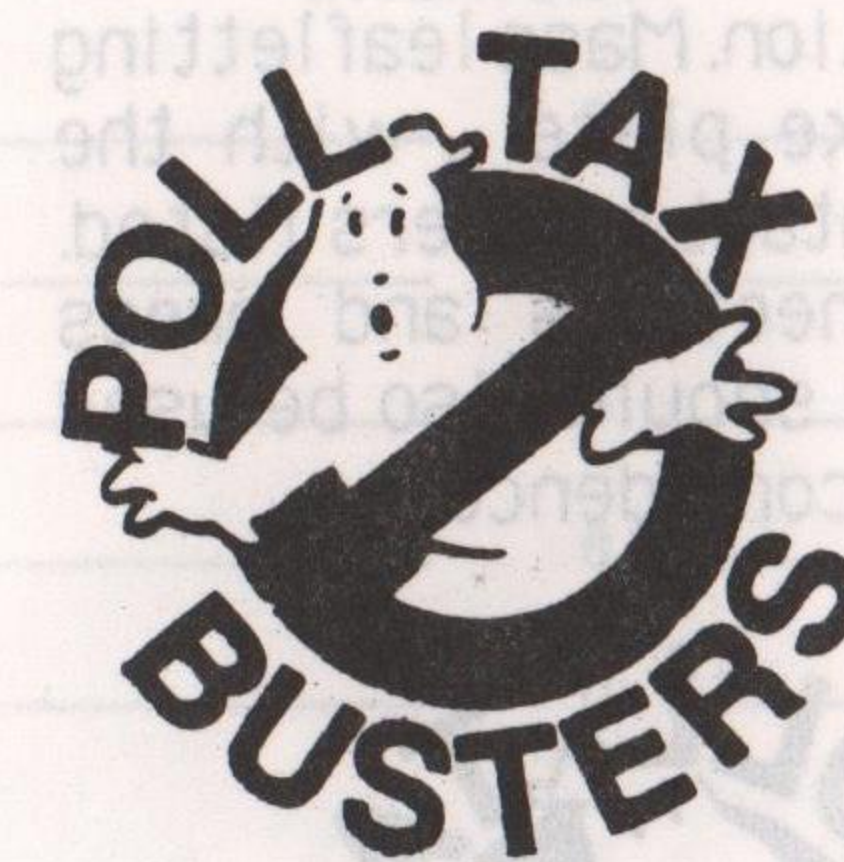
From a purely financial point of view, the councils will find it more cost effective to send letters - or get the bailiffs to send them to, say 5000 people than to send in 10 bailiffs. We can have enormous confidence that the bailiffs can be beaten based on the successes in Scotland over the past 18 months. Unlike Scotland where bailiffs can force entry, in England and Wales they can only gain entry through peaceful means and with your co-operation. If this is denied **THEY CANNOT PROCEED ANY FURTHER.** In Scotland bailiffs must give a minimum four days notice of their intentions.

It doesn't matter how many times they turn up. As long as you do not give them your permission to enter your home they cannot obtain possession of your goods. However, if they do gain entry, then on any subsequent visit, the bailiffs can use force.

If they gain entry they must have the following documents.

Bailiffs must have the written authority of the charging authority and must show this to the non-payer if requested. They must also leave a copy of the appropriate regulation with the non-payer and a list showing the fees and costs payable (Reg. 39 of the Administration and Enforcement Regulations 1989 and schedule 5 of the act). If they do not have these you may challenge this as irregular entry. This point must be understood in every area, and anti-poll tax unions must be clear - **AS LONG AS YOU DO NOT LET THEM IN TO YOUR HOME THEY CANNOT TAKE POSSESSIONS.** This is an ancient piece of law established over the centuries - you HAVE the right to refuse entry to your home. But - precautions need to be taken:

1. A bailiff can enter your home via an open window (Vol 2 Stones Justice Manual 4-5496). If you have a reason to believe bailiffs may call in your area, make sure people keep their windows closed!
2. If you are in when the bailiffs call, do not let them into your house. If you know it is them - don't open the door. However if you have already done so, then firmly tell them to leave and shut the door. They are not allowed to push their way in or put a foot in the front door. They will probably tell lies about you being the only one not paying and everyone else co-operating and so on. Just ignore them completely. They are people who are paid to do this. Repeat again that they cannot come in and shut the door. **We repeat, say "NO THANKS" and shut the door.** Children should be told not to answer the door. In Grantham bailiffs attempted to intimidate one woman who shouted that she was going to call the anti-poll tax union, with that they scarpared!

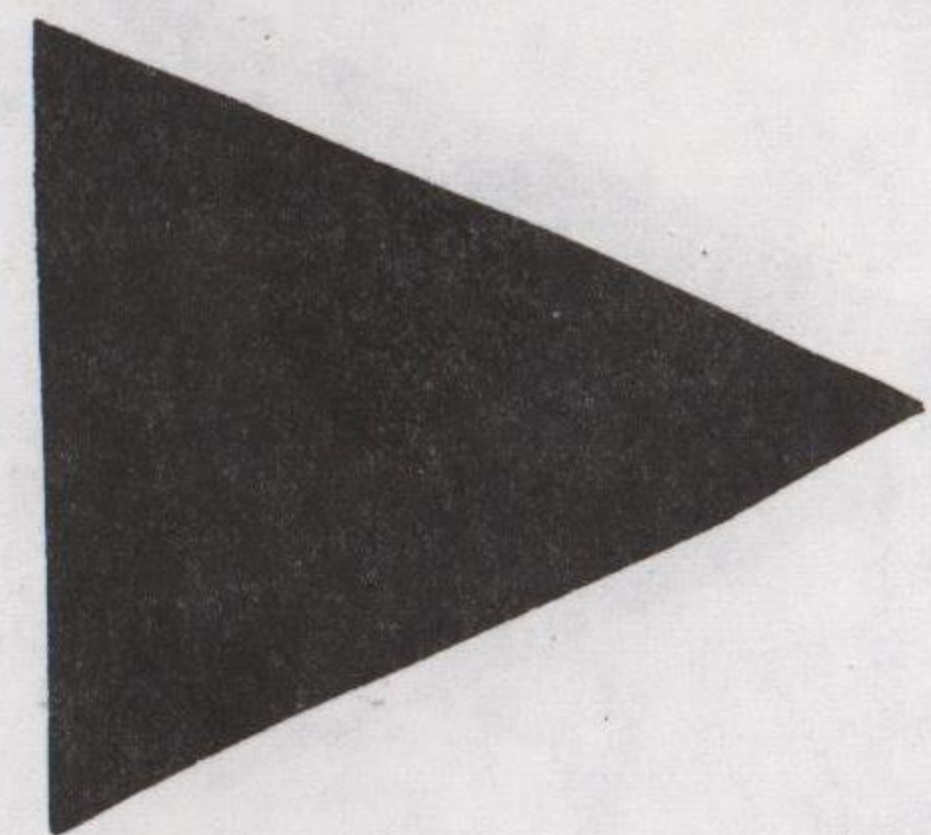


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WHAT SHOULD THE ANTI-POLL TAX UNIONS BE DOING NOW?

Josie Alvarez from Mornington Crescent APTU, Camden Town, London explains what preparations they have made in the event of bailiffs being sent in:

"We were asked to appear on TV, on a London wide news programme. We must admit that we were a bit dubious of going on as it is a mickey taking programme - we felt it could give a biased view. After having a discussion with the producer she was most impressed and even wanted to join the campaign! We also decided to use the TV coverage as a practice run and it worked really well. Everyone now knows their role and is confident that they can stop the bailiffs. We have organised a rota so we know who and when people are available to do whatever shift. We have organised a "knock up" system giving people different responsibilities for knocking up each part of the estate when the bailiffs are spotted. Telephone trees have also been established. We have approached a couple of mini-cab firms who have agreed to be bailiff spotters, they are ordinary people who are not paying Thatcher's Poll Tax. God help the bailiffs if they get in. We visited the bailiff's office in Wandsworth and believe me they are worried. After all they are used to intimidating old aged pensioners and one parent families but now they know we are organised it is a different story. We must also remember that they are being paid by our own councils. In Camden it is a Labour council which is doing Thatcher's dirty work, we must put pressure on them to withdraw the bailiffs....."



Beating the Bailiffs

All the Labour Party members in our ward are going to the next ward meeting to put up a resolution calling for the council not to use bailiffs and we will fight for this position to be adopted by the Labour Group on the council. I am a single parent, a working mum with 2 children to support. I have never been involved in anything political in my life before this. We have to ensure other people like me are drawn into the campaign. Beating the bailiffs will give confidence to more people like myself to join in and fight!

Martin Cock, from the Kent Federation explains how they are preparing for the bailiffs;

"We are preparing to get telephone trees sorted out as soon as possible - a central contact number (to be used on all leaflets) and then 5 or 6 local numbers to ring, who in turn ring another 5 or 6, etc. Cars and immediately available transport will also have to be sorted out at the same time.

We have to start NOW, setting up the networks and contacting all APTU members to see what they can do - many people who don't come to meetings would love to have a go at the bailiffs! We will be attempting to use the resources we've built up over the last year or two, in terms of members and supporters, to get "Bailiff Busters" set up. We are also looking outside the APTU's to get others involved - Perhaps by printing "Join the Poll-Tax Bailiff Busters" posters with the contact numbers on. Once we know of a Bailiff being used, we'll also be able to mobilise the immediate local community, by leafletting the surrounding streets (obviously checking with the person concerned). Finally, we are trying to find out what bailiffs are being used.

The councils are not legally obliged to provide information as to the firms they employ. The council minutes have parts which are excluded from "the press and public", so they're not much use. We are writing directly to the council and also attempting to enlist the help of a sympathetic Labour councillor (There are still one or two!).

We have started to compile a list of bailiffs. Even finding out who was used to collect rates will give you a 99% certain "Poll-Tax Bailiff". We are even trying ringing the bailiffs direct. Already identified in the South are; Gaults (Beckenham) 081-658-7211 Rosan Heims (Croydon) 081-680-4458 Madigans (Croydon) 081-760-0375

1) Anti-poll tax unions must ensure that their local areas are flooded with information about their rights with the bailiffs. The bailiffs rely on intimidating people who do not know their rights and fear to get in, we have to cut across this by putting out our own information. Mass leafletting must take place, with the local contact numbers listed. public meetings and press coverage should also be used to build confidence.



2) Find out which bailiffs firm the council is using; ask sympathetic councillors to find out or write to the council yourself. If they refuse to say then this can be used in the campaign, to show how frightened the council is of the local APTU.

3) Once you find out where the bailiffs office is, organise a lobby/picket outside to attract local and media attention. This will draw attention to the rights people have when dealing with the bailiffs, it also shows how the APTU is prepared to confront the bailiffs wherever they go and alert the community to the fact that bailiffs are being used in the area. In Bristol the APTF organised a mass picket which blockaded the bailiffs office in response to their attempts to seize goods in Bishops Lydeard and Barry. The London Fed organised a picket of Madigans, the bailiffs firm used in Wandsworth and gained widespread publicity.

4) All APTUs should write to councils to obtain a copy of their guidelines, this will give an idea of how the council means to proceed but also pressure can be exerted to limit action against the most vulnerable section of the community and reduce what the bailiffs can take.

5) One idea APTUs should consider is distributing donation of Possession Forms. this must be carried out before a distress warrant is issued otherwise the courts can dismiss it as an attempt to avoid payment and declare the agreement invalid. Any attempt to move goods after the bailiffs have gained entry is fraud.

ACCOUNTABILITY OF THE BAILIFFS

In Scotland the list of exempted goods is extensive compared to England and
..cont. p.6

This is a copy of a bailiffs notice sent out in the Isle of Wight. Even though this looks like a binding legal notice it has no legal powers whatsoever. It was posted through the door and it's sole purpose is to frighten people into paying. **GOODS CANNOT BE SEIZED UNLESS BAILIFFS GAIN ENTRY.**

In the notice, under Amounts Due, this charge can only be made once entry is gained. The levy fee is incorrect. It is laid down in schedule 5 of the Community Charges Enforcement Regulations 1989 para 1 and 2.

The levy charged cannot be more than £12.50 if the debt is under £100. There is a sliding scale for debts over £100. Walking possession is charged at 45p a day. Other charges may include removal, this must be "reasonable" and sale - auctioneers commission.

Gaults
THE
BAILIFFS

DEPT. P.
IRONSTONE HOUSE
205-213 HIGH STREET
BECKENHAM
KENT
BR3 1AH
Tel: 081-658 7211 (10 lines)
DX: 40623 BECKENHAM
Fax: 081-658 4312

A/C No 0512165.

NOTICE OF SEIZURE OF GOODS & INVENTORY

THE COMMUNITY CHARGES (ADMINISTRATION AND ENFORCEMENT) REGULATIONS 1989, REGULATION 39

or
THE NON-DOMESTIC RATING (COLLECTION AND ENFORCEMENT) (LOCAL LIST) REGULATIONS 1989, REGULATION 14

TO Mr Patrick R Westmore

OF 10 Tennyson Close Ryde Isle Of Wight PO33 3QB
and all others whom it may concern.

TAKE NOTICE that by virtue of a LIABILITY ORDER issued by the ISLE OF WIGHT Magistrates Court and with the authority of MEDINA BOROUGH COUNCIL I have this day seized on the premises at 10 Tennyson Close Ryde Isle Of Wight PO33 3QB the goods and chattels specified in the following inventory for the sum of £ 96.25 being Community Charge/National Non-Domestic Rates and costs owing to MEDINA BOROUGH Council.

AND FURTHER TAKE NOTICE that unless the said Community Charge/National Non-Domestic Rates be paid within FIVE days from the date hereof then they will be sold in accordance with the Law.

INVENTORY

- | | |
|----------|-----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |
| 5. _____ | 6. _____ |
| 7. _____ | 8. _____ |
| 9. _____ | 10. _____ |

AMOUNTS DUE

Community Charge/National Non-Domestic Rates	£ 96.25
Levy Fee (see Scale)	£ 14.38
Possession Fee (one day)	£ 0.52
Total if paid today	£ 111.15
Additional Possession Fees	£

TOTAL

Signed _____ Date 25.8.90

Bailiff

VAT Reg No 299 4190 13 Registered No 2172507

5

Beating the Bailiffs

Wales. In England and Wales there is very little restriction on what bailiffs can take, goods exempted are tools of your trade to the value of £150 and clothing and bedding (includes beds/mattresses) to the value of £100. Goods that you are buying but do not yet own (under HP or held by you under a conditional sale agreement), and items that do not belong to you or are rented cannot be touched.

Private bailiffs sent in to recover debts from a mother who had an incontinent child took her washing machine bought with a social fund loan. They commonly remove cookers, fridges and washing machines.

Cars can be taken by the bailiffs by assuming that the car parked outside your home or in your garage is yours. According to chapter 15 of the statute of Marlborough 1267, goods apart from cattle cannot be seized in "the King's Highway nor in the common street" "Except by the King or his officers". However, as we have already seen in the courts with the barring of "Mackenzie's friends", we cannot rely on legal technicalities to win the fight against the poll-tax. To be on the safe side if the bailiffs are about make sure that you park your car away from your home!

What is important is that local authorities issue their own guidelines regarding collection of debt and distress. For example, Brighton Council has issued guidelines that mean there will be delays in using bailiffs against the following groups of people: the disabled, people who have suffered a recent bereavement,

long term sick/seriously ill, elderly people, single parents, pregnant women and people who don't understand English. The guidelines also lay down goods which are exempt, and this list is far more extensive than the general guidelines.

If stricter guidelines are adopted this will give confidence and show that the bailiffs are the servants of the council, which is an accountable body and pliable to pressure.

Bailiffs however will try to flout guidelines, so be prepared.

What usually happens if bailiffs gain peaceful entry is a list is made of the goods "seized" and an agreement is entered into that the goods will remain with the charge payer as long as a certain payment arrangement is kept to. This is known as a "Walking Possession" Agreement. If the payments are defaulted on they can return and remove the goods, using force to enter if necessary. Hiding or removing the property that has been seized is a criminal offence.

COMPLAINTS AGAINST THE BAILIFFS

If a person wishes to protest against the actions of the bailiffs, he/she can lay a complaint before the Magistrates Court. They can then rectify the injustice and, if necessary, instruct the council to alter their practices. Such complaints might relate to:

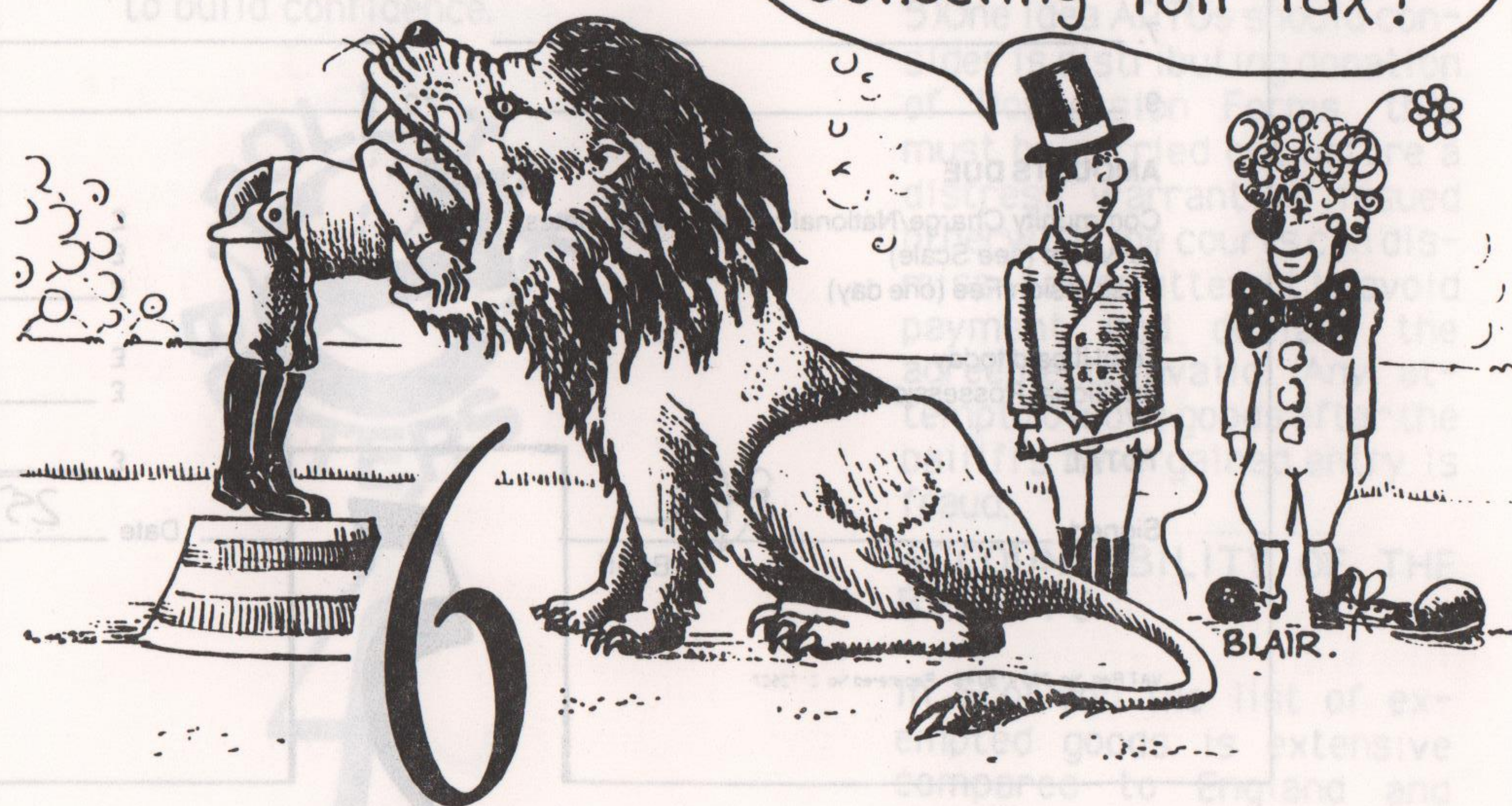
a. Illegal distress - this is, for example where entry to the premises is forced.

b. Irregular distress - this is where the distress is commenced properly, but the bailiffs fail to perform their duties properly.

The anti-poll tax unions should complain to the council and the bailiffs and seek meetings to exert pressure for them to drop proceedings.

Remember, bailiffs are just employees of the council. They are not acting on behalf of the court.

He used to be a Bailiff but he wanted a job that was easier than collecting Poll Tax!



Artists Against The Poll Tax

Artists Against the Poll Tax (AAPT) is a collection of artist who have pledged not to pay the poll tax and have signed the Artists Against The Poll Tax Charter.

Over thirty artists have signed including: Rebel MC, Cookie Crew, Double Trouble, The Beautiful South, Beats International, Jimi Somerville, The Wee Papa Girl Rappers, New Model Army, Del Amitri, The Proclaimers, Gil Scott Heron and The Wedding Present.

Benefit Gigs have been organised all over the country. On March 30 a brilliant gig was organised at the Brixton Academy in London. Over two and a half thousand people raved to acts such as Rebel Mc, Beats International, Wee Papa Girl Rappers. Bands such as The Wedding Present and The Beautiful South have been involved in local activities. Rebel MC and Overlord X were also 2 of the speakers at the March 31st demonstration.

At the moment we are drawing up an extensive list of artists who are prepared to appear at rallies, play at benefit gigs etc. If you need artists to appear in your area or you have names of artists (not just singers, but also actors, comedians etc) who are willing to get involved in the campaign of mass non-payment please contact us at the National Federation Office. Finally because of the mammoth task we have in compiling this list and making contact with the artists we are always looking for helpers, if you are interested please contact me, again at the National Federation office on 071 326 0302. Foluke