

CONTACTS

ADVISORY SERVICE FOR SQUATTERS (ASS)

2 St Paul's Road, London N1. Tel: 01-359 8814

Open Monday-Friday 12-6 p.m. but always phone first.

Legal and practical advice for squatters and homeless people, plus contacts for groups

LONDON SQUATTERS' UNION

10 John Street, London WC1.

Open Tues, Thurs and Friday 5.30-7 p.m. Tel: 01-404 0820

Individual membership, occasional general meetings. Help with finding squats and support for struggles. Publishes *Squatters News* (see REFERENCES).

RELEASE

1 Elgin Avenue, London W9. Tel: 01-289 1123

Open Monday-Wednesday, Friday 10-6, Thursday 2-10 p.m.

Emergency number all other times: 01-603 8654

Legal and practical advice for squatters, homeless people and others with housing problems: also 24-hour general legal and counselling service.

CAMPAIGN AGAINST A CRIMINAL TRESPASS LAW (CACTL)

c/o 35 Wellington Street, London WC2. Tel: 01-289 3877

Co-ordinates opposition to use of Part II of the Criminal Law Act

SELF HELP HOUSING RESOURCE LIBRARY

c/o Room 406, North London Polytechnic, Ladbroke House, Highbury Grove, London N5.

Tel: 01-607 2789 x 5027 (opening hours vary, so phone first).

Comprehensive cuttings files and documentation on squatting. Also has lists of short-life and squatting groups. Publishes occasional pamphlets and *Self Help Housing* (see REFERENCES).

BIT

97a Talbot Road, London W11. Tel: 01-229 8219/10.

Open every day 10 a.m.-10 p.m.

Also 24-hour telephone information service.

General advice on living in London, help with crashpads and sometimes squats.

HOUSING ACTION

c/o 52 Acre Lane, London SW2.

Organises various events and actions round housing issues. £2 a year membership (less if poor).

FEDERATION OF SHORT LIFE GROUPS

c/o 52 Acre Lane, London SW2. Tel: 01-737 4144.

Co-ordinates short life housing groups and acts as pressure group. Advice to groups and how to form them.

AFTER SIX

Tel: 01-836 6534.

No visitors, telephone service only. 10-6, plus 24-hour emergency service.

Advice to homeless single people in London.

SHELTER HOUSING AID CENTRE (SHAC)

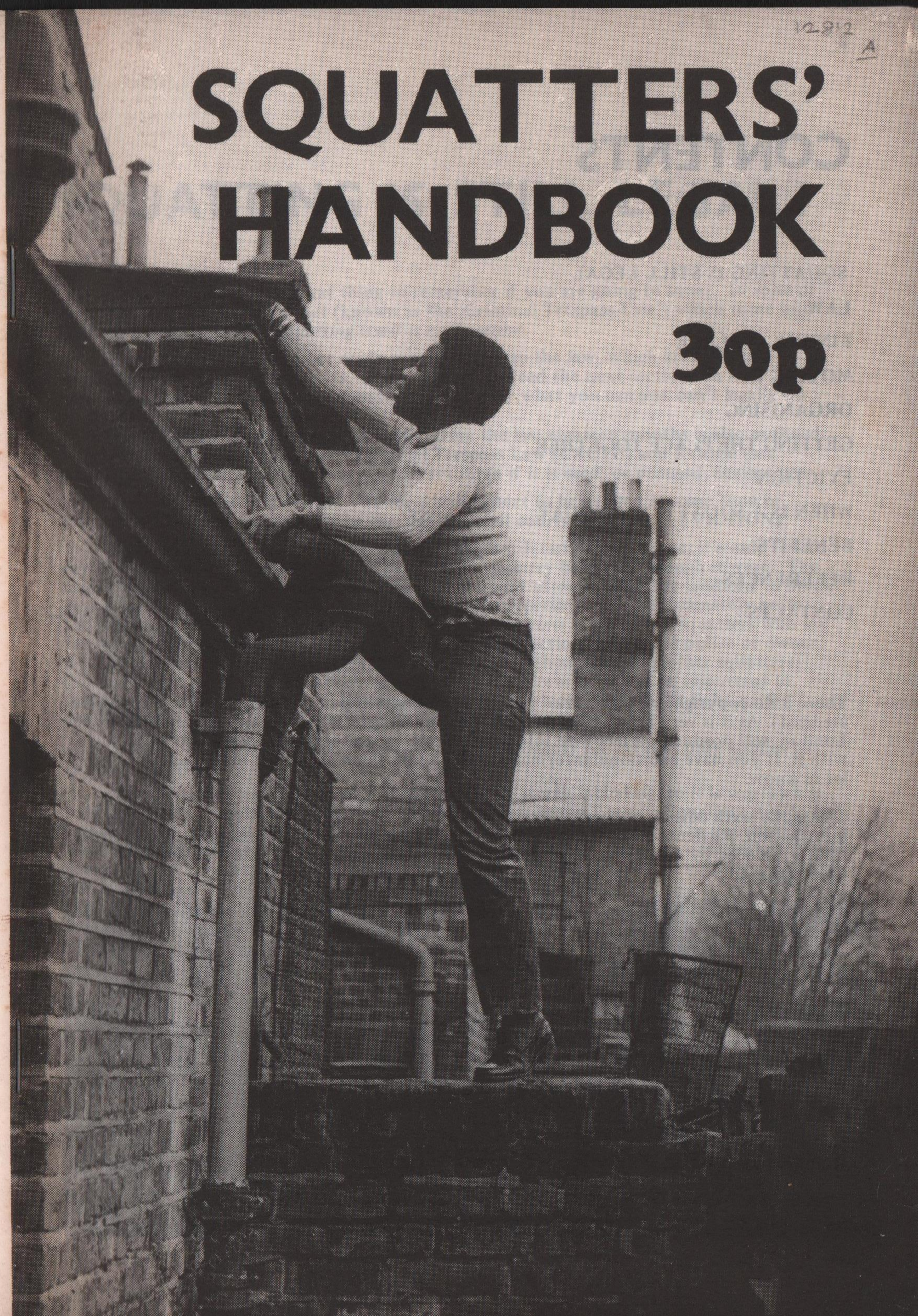
189a Old Brompton Road, London SW5. Tel: 01-373 7841

Mon, Tues, Thurs and Friday 9.30-4.30, Wednesday 1-4.30 p.m. Phone first.

Helps families with housing problems.

SQUATTERS' HANDBOOK

30p



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There is no copyright on this work: reprint it whole or in part (though we would like to be credited). As it is very London-based we hope that squatters, particularly those outside London, will produce leaflets with information relating to their own local experience to go with it. If you have additional information which you think should be in the next edition, let us know.

This is the sixth edition of the *Squatters' Handbook*, dated June 1979. It gives accurate information, particularly on the law, at the time of writing: it can be assumed to be correct till it's replaced by a new one. If you are in doubt about any part of it, contact ASS or Release for advice.

The *Handbook* has been published on average once a year since the first edition was produced by Islington Squatters. Much of the present edition is the same as the previous one (published February 1978) but revisions have been made to some sections, particularly to the LAW now that we have some idea how the Criminal Law Act is being used.

Thanks to all those who gave us free use of their photographs. Photographs, drawings, posters etc. are also needed for a book being produced on squatting: contact Nick Wates, 4 Newell St, London E.14 (01-515 8541).

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SQUATTING IS STILL LEGAL!

That's the most important thing to remember if you are going to squat. In spite of Part II of the Criminal Law Act (known as the 'Criminal Trespass Law') which came into force in December 1977, *squatting itself is not a crime*.

The Criminal Law Act *has* made some changes to the law, which are making it harder in some ways for squatters. It's important to read the next section, on LAW, very carefully before you squat so you understand exactly what you can and can't legally do.

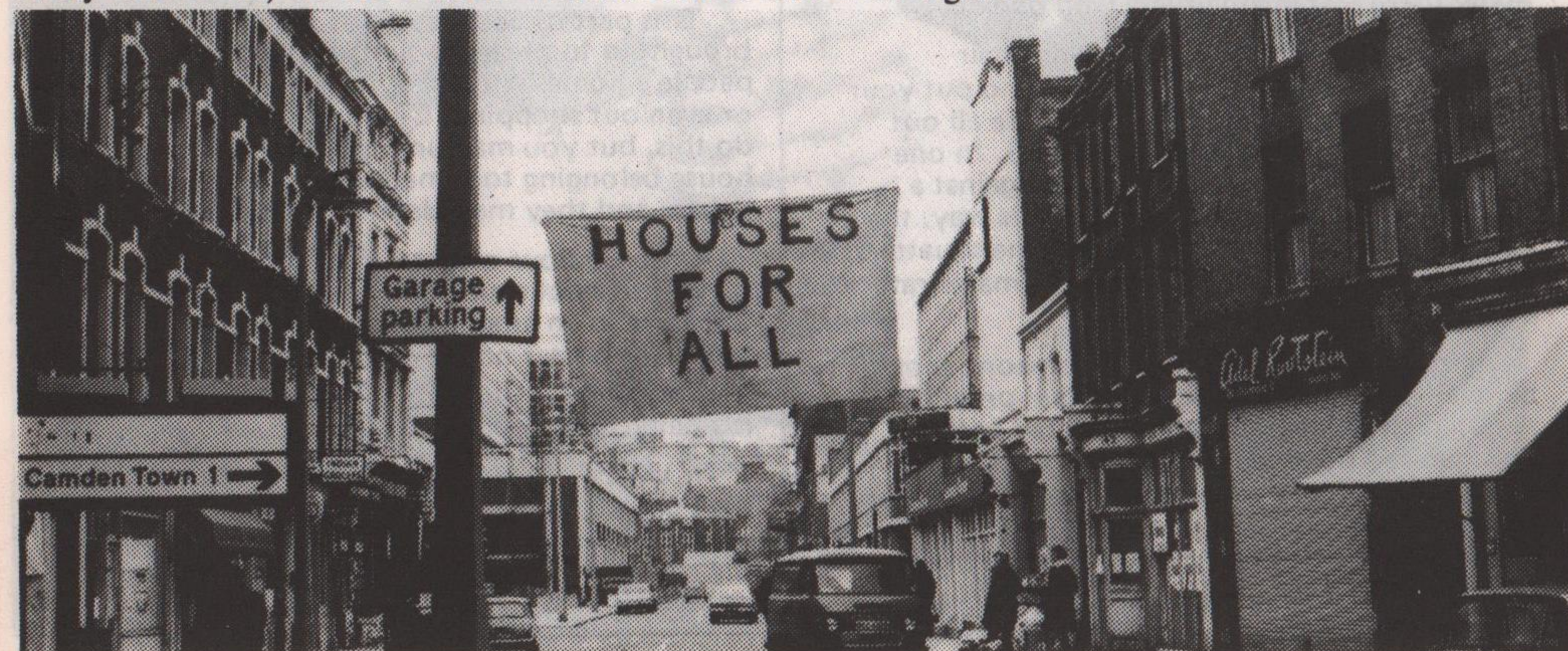
How the law has actually been used during the last eighteen months is also outlined in LAW. The Campaign Against a Criminal Trespass Law (CACTL) and Release (see CONTACTS) are monitoring its use — contact them if it is used, or misused, against you.

Although squatting is legal, you must still expect to be evicted at some time or other. This will almost certainly be through the civil courts though (see EVICTION).

Despite squatting and other forms of trespass still not being a crime, it's only fair to say that landlords and police in some parts of the country behave as though it were. The most common abuse — though it hasn't happened very often — is for the landlord to break into a house while squatters are there and evict them forcibly. (It's unfortunately quite legal for them to do this *if someone is not there at the time*). We advise squatters who are evicted illegally in this way to think about taking legal action against the police or owner: it won't help you get your house back, but it may stop them harassing other squatters. This will mean private prosecutions, which take a bit of work: it will be important to decide, with other squatters and housing law workers, which test cases to fight, as the decisions which come out of them are likely to affect all squatters.

Most of the information in the *Handbook*, particularly on the law, only applies to England and Wales.

Squatting contacts change too frequently to be worth including, so it is worthwhile to get in touch with the Advisory Service for Squatters or the London Squatters' Union for any squatting contacts they may have in your area. If there isn't a group in your area, there may still be a number of squatters there and the basis for starting a new group. If we're going to resist the 'criminal trespass' law and win the housing which is a right for each and every one of us, we need to be well informed and well organised.



LAW

Squatting is still legal — don't let anyone tell you otherwise. Only squatting on embassy property or occupying someone's home (or in certain circumstances their intended home) could be a crime.

The Criminal Law Act came into force in 1977 (the so-called 'criminal trespass law'). It makes it more difficult to squat, but squatting itself is not a criminal offence.

The 'Criminal Trespass' provisions are contained in Part II of the Act. The Act repeals the old Forcible Entry Acts, which used to protect squatters, and replaces them with a new offence which does give limited protection to squatters (Section 6 — see below).

The normal way of evicting squatters remains the same: the landlord goes to the civil court for a possession order under the 'squatters' procedures', Orders 26 or 113 (see **EVICTION**).

All that really exists of what is known as squatters' rights is that, if a house or land is continuously squatted for twelve years or more, it becomes the property of the person occupying it (it even happens sometimes!).

CRIMINAL TRESPASS

Violence for Securing Entry (Section 6)

This section gives squatters some limited protection from eviction. It makes it a possible offence for a person to 'use or threaten violence' to get into any house or flat *if there is anyone there who objects to them coming in and they know there is someone there who objects*.

This means that the owners and their heavies (agents) can enter by force and put your belongings out on the street if you are all out (or if they don't know you are there). In one prosecution that squatters brought against a landlord who had evicted them in this way, the landlord claimed he 'hadn't heard' the squatters shouting inside the house — and the magistrate believed him.

In principle this means that someone should be in all the time. In practice, this type of action is used mainly against isolated and unorganised squats and usually in the first few days after the squat has been opened up. If you are in a street with lots of other squatters, the owner is unlikely to try to evict you in this way. Some owners (for example certain councils and housing associations) have a policy of *not* evicting

in this way, whilst others, particularly some private landlords, may try hard to get you out without going to court.

Some squatters still use Legal Warning notices to advertise their presence and deter owners from eviction (see **MOVING IN**). However, it might not always be in your best interests to make your presence known as the longer the owners don't know you're there the longer you may be able to stay. Legal Warning notices may deter owners from trying to evict you forcibly — if there is someone there to back the warning up. Don't just put up a notice and then all go out thinking that it will protect your home.

It is important that the house is secured at all times so that the landlord cannot get in without forcing an entry. Yale locks are not good enough, as they can be slipped too easily. Remember to lock the windows, skylights and backdoor too.

People who are, or claim to be, 'displaced residential occupiers' (see below) *can* legally use violence to evict squatters.

An offence under this section could carry a sentence of up to 6 months and/or a £1,000 fine.

Displaced Residential Occupier — DRO (Section 7)

If you do not leave a house or flat after being asked to do so 'by or on behalf of a displaced residential occupier of the premises', you could be guilty of an offence.

This part of Section 7 was supposedly brought in to prevent squatters moving into people's homes while they were away on holiday or even out shopping! Of course, squatters do not do this, but you may unintentionally squat a house belonging to someone who owns several houses and they may claim that they live there.

Unscrupulous owners may try to use this section to evict squatters. They may leave furniture in an empty house and claim to live there. It's better not to move into a house that has the sort of furniture that could make it look as if it's being lived in.

It is vital that squatters are able to disprove such claims to the police on the spot. 'Knowing your enemy' is very important, for example who the owner is, what other houses he or she owns and where. Maintaining good relations with neighbours is important: they can tell the police

that the house was clearly not being lived in. Electricity and gas board records would also show if a house was being used. Dated photographs of the empty house, kept beside the front door to show police and/or in the care of a local law centre or solicitor might also be useful.

It is a defence to show that you had reasonable cause to believe that the owner didn't live there. If you manage to convince the police that you have a defence, they may not arrest you. But even if you are charged and found 'not guilty', you will probably lose the house.

Protected Intending Occupier — PIO (Section 7)

Once again, if you do not leave a house or flat after being asked to do so 'by or on behalf of a protected intending occupier of the premises' (someone who is unable to move in because you're there), you could be guilty of an offence.

There are two kinds of PIO:

1. The first type of PIO has to own the house concerned and has to have bought it or leased it (with at least 21 years of the lease left to run). If the PIO inherited it, or was given it, this section does not apply. PIOs also have to intend to live in the house themselves and not rent or sell it, and therefore estate agents can't be PIOs.

When you are asked to leave, the PIO or person acting on their behalf has to have with them a

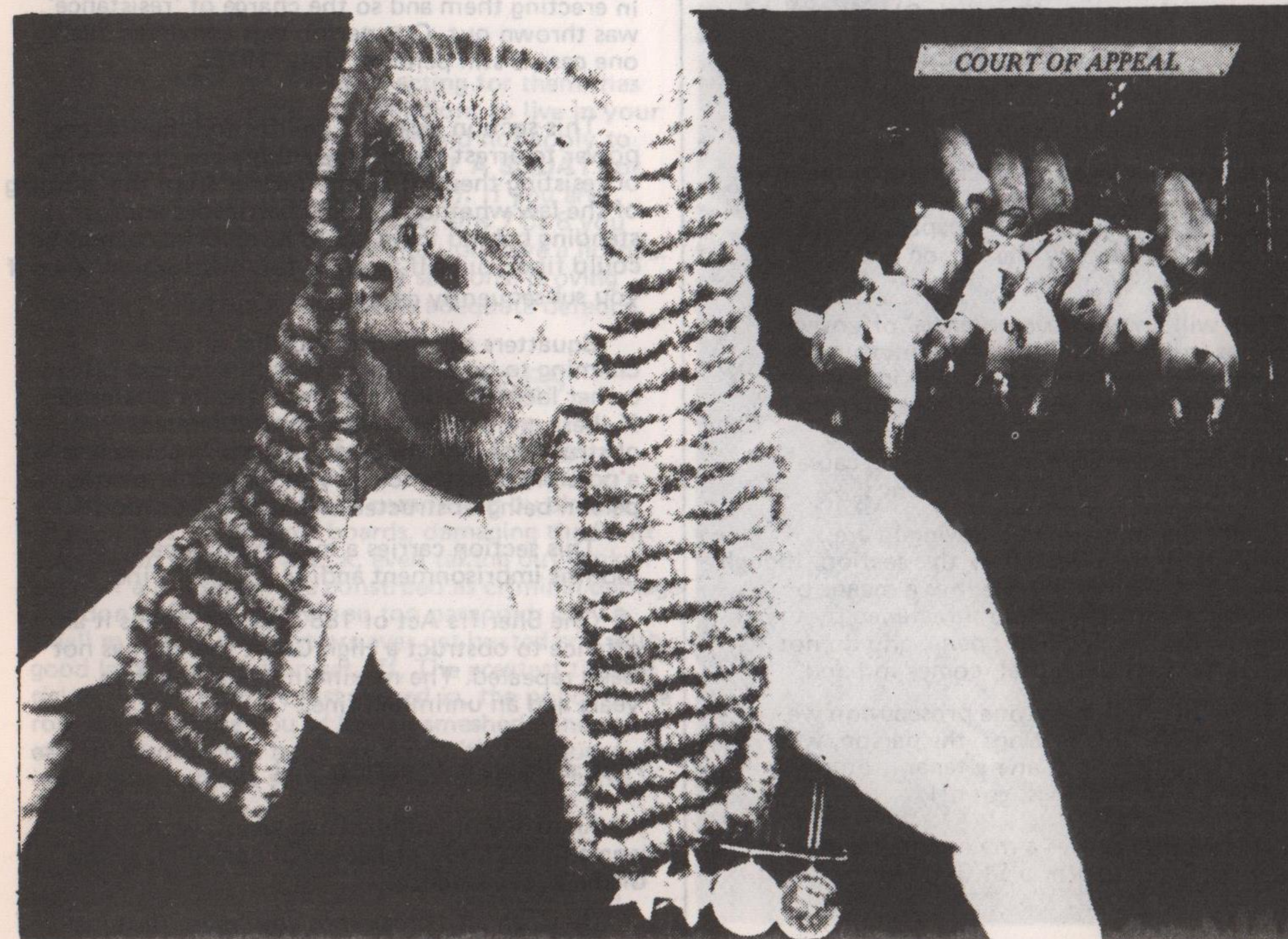
written statement sworn before a Justice of the Peace (magistrate) or a Commissioner for Oaths (solicitor).

This statement should say that the PIO has bought the house or flat and is intending to live in it. Making a false statement as a PIO is an offence punishable by a maximum of 6 months in jail and/or a fine of £1,000.

2. The second type of PIO does not need a sworn statement. Instead the PIO (or a person from the authority which owns the house) needs a certificate which states that the PIO has been allocated this house or flat. The house must be owned by one of the following: a council, the Housing Corporation, a registered housing association or a housing association specified by the Department of the Environment.

Abuses

So far, at the time of writing (May 1979) we know of only one case which has actually been taken to court under Section 7, and the squatters got off. However, several local authorities have tried to use Section 7 as a way of getting squatters out quickly. The procedure they generally use is to warn the squatters that there is a tenant due to move in and that if they don't move out quickly they could be arrested. Few squatters can resist this type of pressure even if the prospective 'tenants' don't exist. If anything like this happens to you, seek legal advice immediately. The council is supposed to show you a certificate, as described above, so don't move out until they show you one.



There have been only one or two cases of private owners trying to evict using Section 7. They are more likely to take you to court for a possession order (see **EVICTON**) or possibly wait till you're all out and repossess the house (see Section 6 above).

Don't worry too much about Section 7. Since most squatted council or housing association houses are in too bad condition to rent out to any prospective tenants, the owners won't legally be able to use Section 7. Again, though it is a criminal procedure, it is more likely to be used to get you out than to get you prosecuted.

Defences

If you are approached by a 'Displaced Residential Occupier' or 'Protected Intending Occupier' note his or her name and/or the name of any person acting on their behalf. Also try to take the numbers of any police present.

If the PIO fails to produce the sworn statement or certificate when he or she asks you to leave, you may be found not guilty of an offence if you fail to leave. All of section 7 applies only to residential property.

This section carries a maximum sentence of 6 months imprisonment and/or a £1,000 fine.

Offensive Weapons (Section 8)

Trespassers could be guilty of an offence if they have an offensive weapon with them without a reasonable excuse.

An offensive weapon, according to the Act, means 'any article made or adapted for use for causing injury to, or incapacitating a person, or intended by the person having it' for such a use.

You will always have *potential* offensive weapons in the house, as almost anything can become an offensive weapon. The important thing to make clear to the police is that the things, like tools or breadknives, that are around the house are not intended to cause injury to anyone, even in self defence.

Squatters who are just moving in are most likely to be affected by this section, though the police will probably use it as a means of harassing others. If you are threatened by the owner or the police *do not panic* and do not pick up the first thing that comes to hand.

There has only been one prosecution we know of under this section: the person, who was not a squatter but an ex-tenant returning to collect his belongings, got off.

This section carries a maximum penalty of 3 months in jail and/or a £1,000 fine.

Trespassing on Embassy Premises (Section 9)

This mainly applies to protest occupations of embassies. It could also be used against people squatting in houses owned by embassies or consulates. There have been no known prosecutions under this section, but nevertheless avoid embassies or consulates for your squat.

This section carries a maximum sentence of 6 months and/or a £1,000 fine.

Obstructing Officers of the Court (Section 10)

This section makes it an offence to resist or intentionally obstruct a bailiff (or sheriff) executing a possession order against squatters or ex-licensees (Orders 26 and 113 — see **EVICTON**). This section in fact creates *two* new offences, as 'resisting' and 'obstructing' are taken as two separate things.

Of all the new offences created by the Criminal Law Act, this is the only section that has, to our knowledge, resulted in convictions, of which there have been five known to us.

This includes the spectacular prosecution of the fourteen squatters from Huntley Street, Central London, who were charged with 'resisting' the sheriff. The Huntley Street squatters had collectively built barricades but police were unable to prove that twelve of the people were involved in erecting them and so the charge of 'resistance' was thrown out. One person was convicted and one case is still pending (July 1979).

This section gives the bailiffs and sheriffs the power to arrest people they think are obstructing or resisting them. It is still unclear from the wording of the law whether building barricades and/or standing behind them could be an offence, and you could find yourself arrested for 'obstruction' even if you subsequently get off.

Squatters should demand that anyone claiming to be a bailiff or sheriff produces his or her identification and a warrant for possession. If these are not produced, any subsequent obstruction may not be an offence because it is a possible defence to say you did not know the person being obstructed was a bailiff or sheriff.

This section carries a maximum penalty of 6 months imprisonment and/or a £1,000 fine.

The Sheriffs Act of 1887, which makes it an offence to obstruct a High Court sheriff, has not been repealed. The maximum penalty is two years and an unlimited fine.

Police Powers (Section 11)

An officer in uniform can arrest, without a warrant, anybody suspected of committing any of the above offences.

They can also break into *any* house (not just a squat) to search for and arrest anyone who they

believe has committed an offence under this Act.

This extends the rights the police already have under the Prevention of Terrorism Act, the Misuse of Drugs Act and other legislation.

Courts

All these offences are 'summary offences', which means that you can be tried only in a Magistrates' Court; you will not have the opportunity of a jury trial.

If you are arrested on any of these charges, tell ASS or Release; they can give you information on any similar cases, put you in touch with sympathetic lawyers and make sure your case is publicised throughout the squatting movement. If you are in London, make sure you contact the LSU as well for practical support.

The police may advise you — or you may think it is less bother — to plead guilty. Don't take any decisions like that before you have had a chance to get reliable advice. These laws are still relatively new and have yet to be tested in the courts. The police might be trying it on. It is important that each case is looked at carefully for possible defences and defended in court if there are any. (See **Dealing With The Police** below).

CACTL, ASS and Release are keeping a close eye on the use of the Criminal Law Act, so make sure they know about any arrests under this law.

Licensees

If the owner (or someone acting for them) has ever given you a licence (permission) to live in your house, then Sections 7 and 8 should not apply to you (see **WHEN IS A SQUAT NOT A SQUAT** for an explanation of what a licence is). If you are threatened with arrest under Sections 7 or 8 you should explain to the police that you have a licence. If you are arrested under these sections, proving you have a licence should be an adequate defence.

OTHER CRIMINAL CHARGES

Squatters are sometimes arrested — or threatened with arrest — for **Criminal Damage**. Criminal damage, taken in its strictest possible interpretation is an offence committed by almost all squatters. Taking off boards, damaging the front door when changing a lock, even taking out broken parts of a house, can be construed as criminal damage. But don't let that make you too paranoid; only a small minority of squatters ever get busted and with good legal advice often get off. The greatest time of risk is when you have just moved in, the police come round and accuse you of having smashed windows etc. If any damage has been done, it's obviously important to make sure that it is repaired as soon as possible.

Theft, Going Equipped to Steal, Being on Enclosed Premises or related offences are also used occasionally against squatters, but there are legal defences to these charges if you can prove your intention to squat.

DEALING WITH THE POLICE

1. You do not have to say or sign anything at any stage — in the street, at home or in the police station.

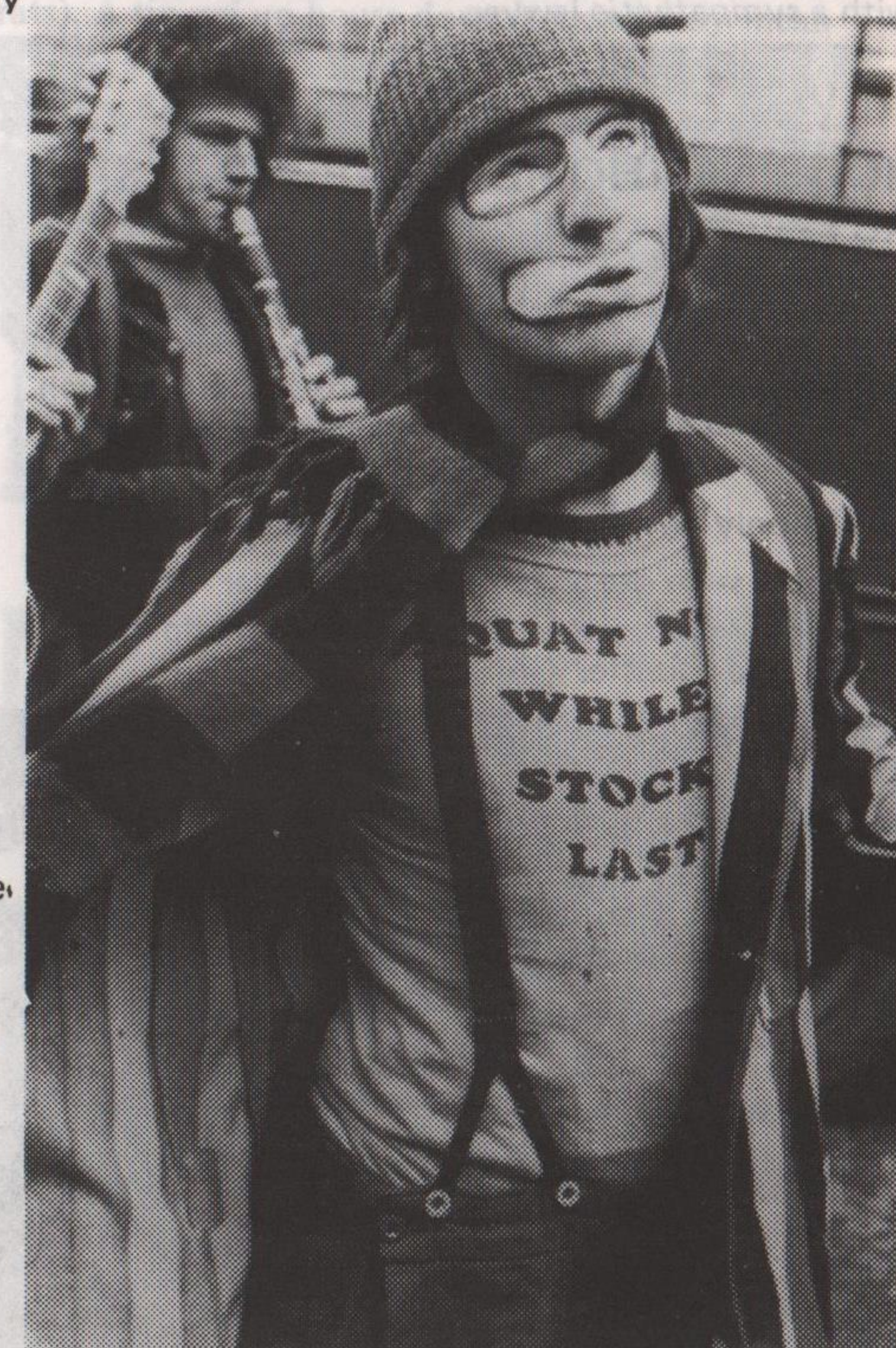
2. You have the right to refuse to answer all police questions (though if you are stopped when driving it is an offence not to give your name and address). In cities and most large towns the police are given the right, by law, to demand your name and address. If they are refused the information they can (but rarely do) arrest you and take you to a police station until they have found out the information. The Act which gives them this power doesn't make it an offence to refuse the information, so you can't be fined or imprisoned for it and it doesn't cover other information which the police might ask for like your date of birth.

3. Check their identity. Ask to see their warrant card and remember the details. If they are uniformed, remember their numbers.

4. Remember, you do not have to say or sign anything.

5. Ask to be charged or released. You cannot be legally kept at the police station indefinitely. If you are charged, ask to be bailed.

6. Without an order from a Magistrates' Court, it is illegal for the police to fingerprint you forcibly. Taking your photograph forcibly is also illegal (except



CACTL demonstration, 1977

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under the Prevention of Terrorism Act). In practice the police will always take your photograph (if in London) and are unlikely to release you without taking fingerprints unless you make a big fuss about it.

7. In order to get bail (released from the police station before going to court) you will have to satisfy the police that you have a fixed address. As a squatter, you are likely to have problems here, particularly if you've been evicted while being arrested, unless you can stay with friends or relatives who aren't squatting.

IN PRACTICE YOU HAVE FEW ENFORCEABLE RIGHTS AGAINST THE POLICE. EVEN EVIDENCE OBTAINED BY THEM ILLEGALLY CAN BE USED AGAINST YOU IN COURT.

If You Come Up in Court

Most likely you will appear in court the next morning. The offence you are charged with will be read to you and you will be asked to plead 'guilty' or 'not guilty'. Tell the magistrate you want to discuss the case with a lawyer, you want 'legal aid' and you want to be bailed, whether or not you were bailed by the police. Legal aid means that the state pays for your defence lawyer and should be available for most cases for which you could be sent to prison.

As soon as possible after the court hearing is over, get in contact with Release or your local law centre: they should be able to put you in touch with a *sympathetic* lawyer.

HOUSING (HOMELESS PERSONS) ACT

Though this Act sounds as though it should help squatters, probably it has not improved things much. Under it you are defined as homeless if you are literally homeless or will be within 28 days.

The only people who will be helped are:

- * people with dependent children under 16
- * people who are homeless as a result of flood, fire or any other disaster

- * people who are old, mentally ill or with physical disabilities (and the people with whom they can reasonably be expected to live)
- * pregnant women (as soon as the pregnancy is confirmed in writing)
- * people who run the risk of domestic violence if they stay where they are (such as battered wives)

Other people will be given advice and 'appropriate assistance' (which may mean being referred to squatting organisations!)

Even those in the categories above who are accepted as homeless have to prove they have 'a local connection'. This means that people who have just moved to a new area may be sent back to where they came from. In London, for example, you have to have been living in an area for six months before the local council will take you in and offer you housing. If you have a job or close relatives in the area you may be able to get housed more quickly.

People will not be accepted (even if they come within the categories above) if they have 'made themselves intentionally homeless'. This could possibly include some squatters: if you squatted because your rent was too high (and it couldn't be reduced by a rent officer) or because your home was so awful that squatting actually improved your living conditions and you are now being evicted, they might say you have made yourself homeless 'intentionally'. If that happens, get legal advice.

Under the Act, it is possible to be prosecuted if you knowingly give wrong information.

Remember, too, that the 'housing' given to homeless people is usually substandard and often in bed and breakfast hotels. Some councils even make sure that ex-squatters get the worst of this bad accommodation — as a punishment.

Even the limited 'rights' that exist under this Act are sometimes ignored by councils, who tell people they have no rights in the hope that they will 'go away'. Many will go so far as to break the law in refusing to house people who clearly qualify for rehousing. You will probably have to make it plain to them, by hassling them, that you know what you're entitled to and won't 'go away'. It's possible that SHAC (see REFERENCES) can help you here.

FINDING A PLACE

LOCAL GROUPS

Finding empty property in most places is not difficult — even property in good condition. The main problem is to determine how long you're likely to be able to stay, and in this section we've tried to give you a few hints as to how you might find out a house's life expectancy.

As with all other aspects of squatting, it is to your advantage to work through a local squatting group. Over the last few years there has been a sharp decline in the number of squatting groups so you will probably have to cope on your own. But don't try to squat a house by yourself — always have at least one other person with you and preferably more. It's easier to make sure that you are not evicted without a court order if you squat with enough people to ensure there's someone at home all the time (see LAW).

ASS or the LSU may be able to help with possible addresses of empty houses. Or they may be able to put you in touch with a group or local contact who can offer various kinds of assistance. If there is a group which holds regular meetings, it's best to go along to it to meet as many people as possible — you will get more information this way. Even if you don't find out anything the first time, keep going back till you do; new squats can turn up at any time.

Even if there is no group in the area, you should try to contact other squatters in the area as isolated squats are much more open to harassment. You never know when you're going to need help.

If there is no local group or contacts in the specific area, then start tramping the streets checking out empty houses. Note the general condition and make sure that entry is not too difficult. It is obviously important to check thoroughly that the whole house is empty — if it isn't, leave fast!

Take care that the services have not been disconnected at the street, e.g. a paving-stone which has obviously been dug up recently in front of the house and so on. See GETTING THE PLACE TOGETHER for ideas on alternatives if the house has been cut off but you like it otherwise.

If the house needs a lot of work, it's important to find out how long a life it has, otherwise you may find yourself getting evicted just as you've finished spending a lot of money and energy getting it together.

WHAT KIND OF HOUSE?

Councils

They frequently buy up houses in areas which they want to develop and leave them empty for years before they demolish them. Houses due for rehabilitation usually don't last quite so long, but may still be a good bet. A Housing Action Area can have many houses which don't come empty all at once and are only left for a few months; this is a possibility if you are prepared to move from house to house every few months. HAA local offices sometimes unofficially co-operate with squatters.

Many councils have a policy of 'gutting' houses to make them uninhabitable for people and tinning them up (so that they're only fit for rats). A tinned up house doesn't necessarily mean



Rural squat, Northern Ireland



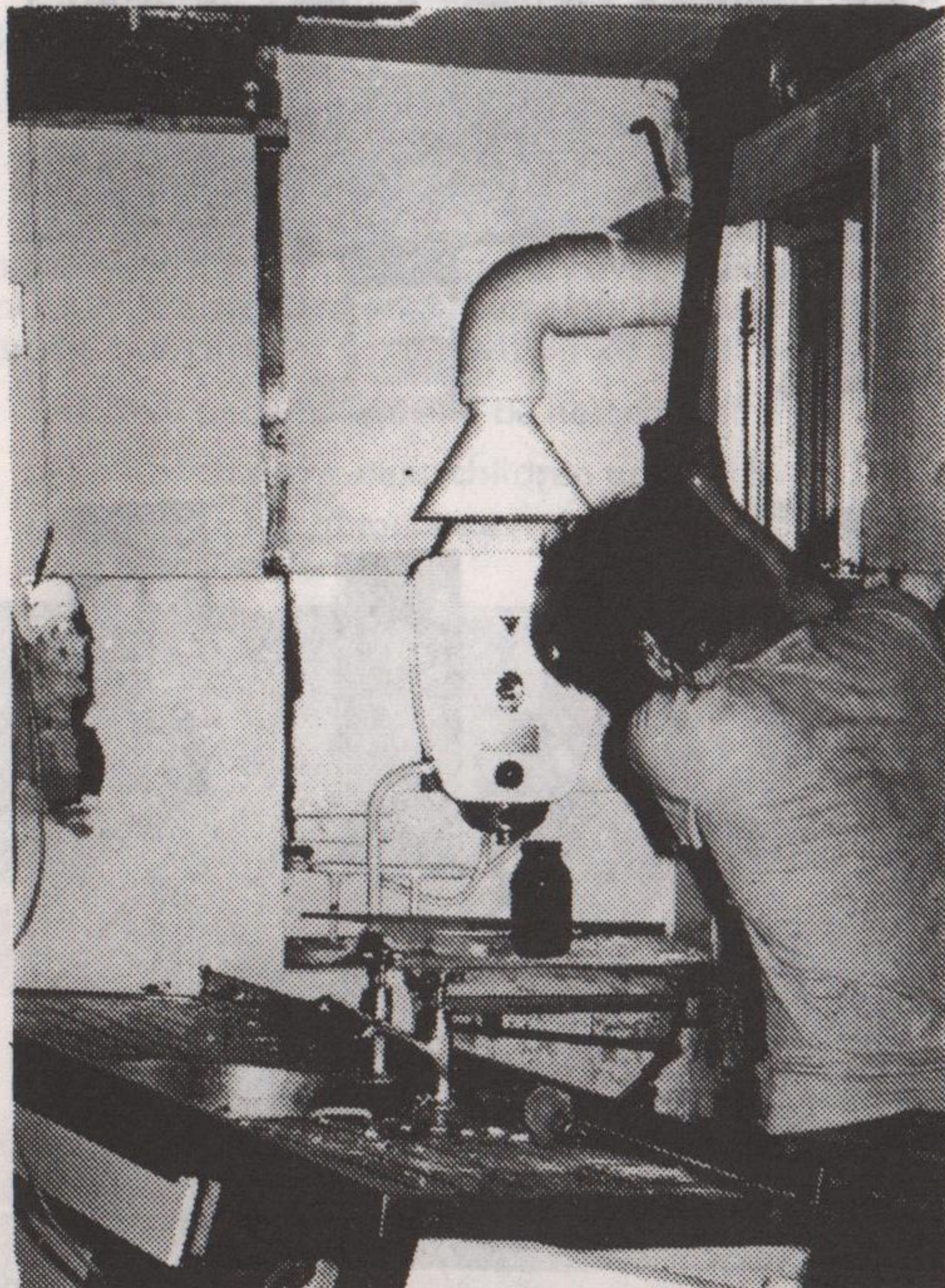
a wrecked house, but check that it's possible for you to repair it. Most squatters expect to do at least some plumbing (replacing pipes usually) or electrical work (rewiring), but rebuilding floors or stairs and unblocking cemented drains may be beyond your resources.

Squatters have often stopped councils from gutting empty houses. By occupying houses, squatters actually prevent damage by vandals, thieves, rodents and the weather. You might also be able to work with an empty property group or short-life licence group in your area.

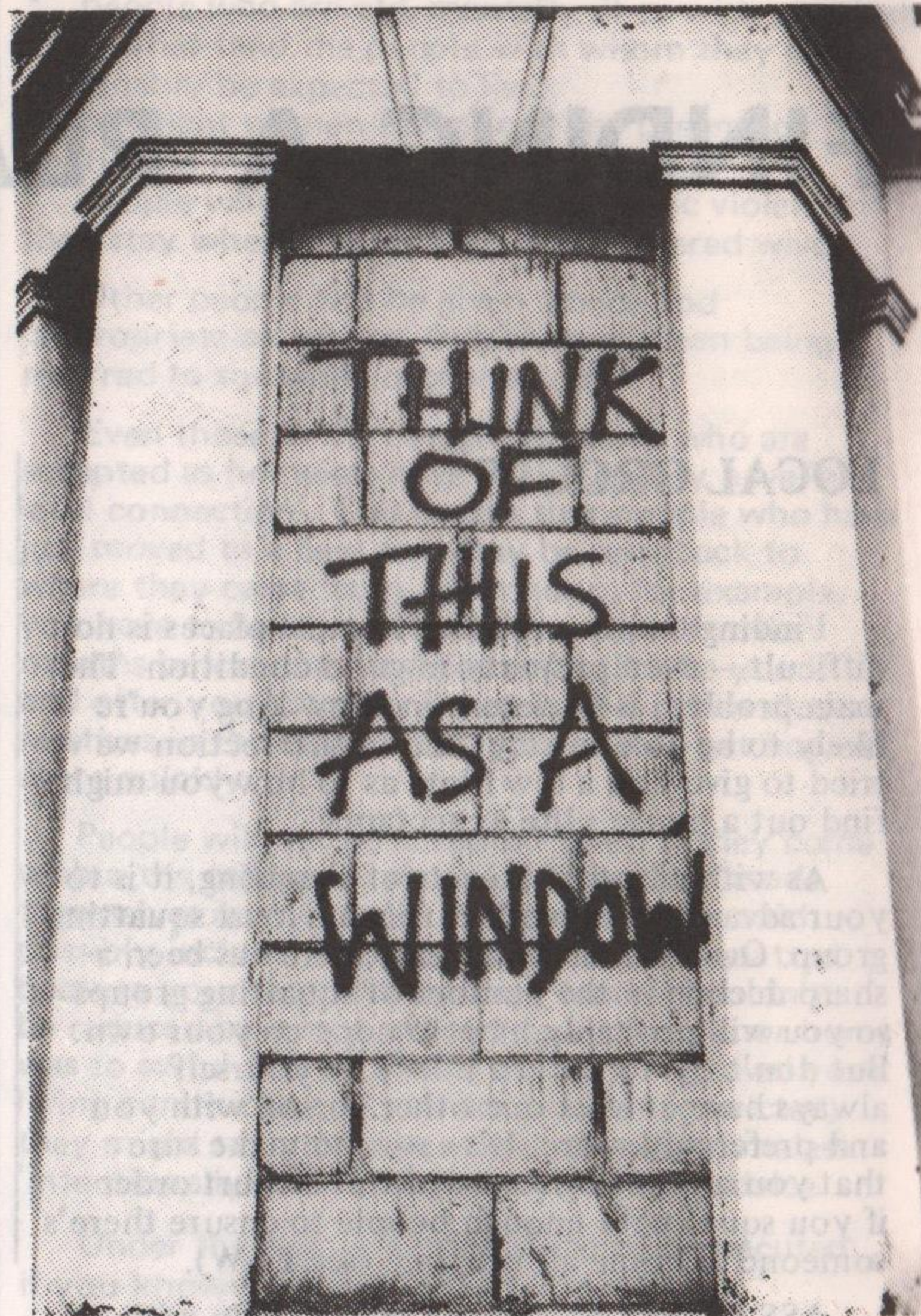
Sometimes squatters have pressured councils into giving licences, but this is now very rare. Some councils will however let you stay (usually unofficially) until they need the house. Some councils obtain possession orders immediately but don't use them until they need the house.

One advantage of squatting council property is that their plans are usually more predictable and easier to find out. They don't usually evict people without going to court first, but don't bank on it. There have been some instances of councils using Section 6 of the Criminal Law Act to evict people without going to court and several do have a policy of using Section 7 (see LAW).

A few councils actually keep vigilante patrol groups of heavies to carry out illegal evictions. Some have also issued instructions to their local electricity boards not to connect up any squats.



Council vandalism, Westminster



Housing Associations and Trusts

Housing Associations and Trusts which are funded by the government are to be found everywhere, buying up lots of houses which are often left empty for long periods waiting for rehabilitation. As far as evictions go, they vary as much as councils, but on the whole they tend to obtain possession orders.

Under the Criminal Law Act they can also evict you if they have 'protected intending occupiers' (see LAW). It is sometimes possible to get some kind of a licence (usually a verbal one) from a housing association till they actually need the house to work on (for licences, see WHEN IS A SQUAT NOT A SQUAT).

Other Authorities

Hospitals, education and government departments etc. can be quite good, but also tend to be variable. Many of them leave houses empty for a long time, and education authorities often buy up property in areas surrounding schools (with the cuts in public spending, they haven't got the money to expand most schools at the moment, so such houses may be empty for several years). Education authority houses are usually managed by the council (in London the GLC).

This group of owners has been known to give licences.

Section 7 of the Criminal Law Act (displaced residential occupiers and protected intending occupiers) does not apply to them (except where a department, like education, is part of a council). Of course under Section 6 they can evict you if you leave the house empty.

Private Landlords

Private landlords and speculators are always the most unpredictable type of owner — they could send the heavies in, or ignore you for months.

Sections 6 and 7 of the Criminal Law Act give some individual landlords (rather than limited companies) the chance for pretending they are 'displaced residential occupiers' or 'protected intending occupiers' and carrying out self-help evictions legally (and getting you nicked into the bargain).

With some landlords, though, if they are having difficulty selling, there may be a chance of coming to some agreement to use the house in the meantime. Since these landlords are so variable, it's a good idea to check out their reputation locally before taking the risk of squatting one of their houses. Otherwise they will sometimes bend if pressure is exerted — but you have to be organised for this kind of campaign, preferably with tenants as well as squatters in the area.

Privately Owned Houses

Where the owner has just moved out, these are not likely to be a worthwhile proposition unless the house has been bought by the council. A new private owner who wants to move in is likely to want you out pretty quickly, and under

Section 7 she or he will be able to do this. It may be worth finding out how long the house has been empty and whether it has been sold, but unless you can be reasonably certain the owner has no immediate plans for it, it's probably safer to leave it alone.

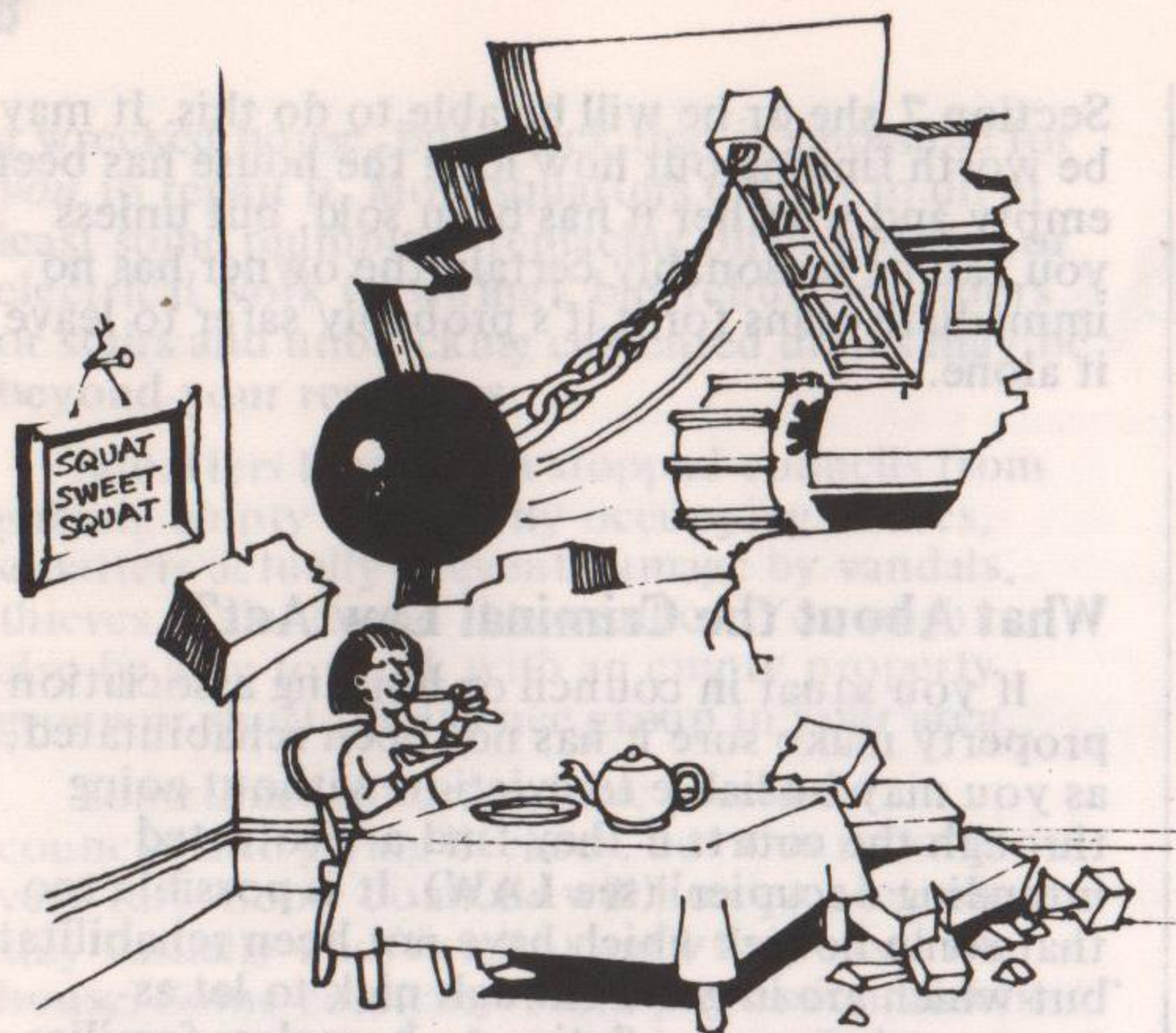
What About the Criminal Law Act?

If you squat in council or housing association property make sure it has not been rehabilitated, as you may be liable to eviction without going through the courts if they find a 'protected intending occupier' (see LAW). It is possible too that some houses which have not been rehabilitated but which are in good enough nick to let as temporary accommodation to homeless families could also be liable to this. This means, unfortunately, that the worse the house is, the safer you are. In general anyway it's a bad idea to squat rehabilitated houses since you are likely to be keeping out people whose housing need is as great as yours.

Much of the media campaign against squatters in the last few years has been based on the myth that houses are squatted whilst the occupants are away on holiday. We don't know of any true cases of this happening (the two original 'reports' were proved to be lies), but some people are rich enough to take very long 'holidays' and others in fact own — and live in for part of the year — more than one house.

So if the house you have your eye on has a lot of furniture in it or any other sign of being occupied, don't move in or you can be evicted by the 'displaced residential occupier'. This means, for instance, that it is unsafe to squat holiday cottages in such places as Wales, where the owner lives somewhere else and just uses them for a few weeks in the year.





"THE MAIN ADVANTAGE OF SQUATTING COUNCIL PROPERTY IS THAT THEIR PLANS ARE MORE PREDICTABLE"

WHO OWNS IT AND WHAT DO THEY PLAN?

It's helpful if you can find out who owns a house and how long a life it has. When doing this research, remember that most people 'in authority' will not usually give away information if they think you're going to squat.

So when trying to get information, be prepared with a feasible story about being a tenant or wanting to buy a house as the situation requires. Another story is that you're a neighbour and there's rubbish accumulating in the garden which is causing a nuisance.

The Land Registry is not open to the public. Only solicitors can consult it, and even then the owner's name will only be made available to them with the owner's permission.

The Housing Department

They can tell you simply whether they do or do not own the property. You might try telling them you've seen this empty house, are interested in buying it and wonder whether it is privately owned. Of course you must be careful not to alarm them in case they are the owners.

The Planning Department

They have plans which show development areas and are supposed to tell you what the council is doing and when. They should be able to tell you in the case of privately owned houses whether planning permission has been applied for.

The Rates Department

They are usually reluctant to disclose who the owner is, though they usually know. They will sometimes say whether or not it is publicly owned, i.e. by a council.

In practice, most people working in these departments — except perhaps the Planning Department — will be unhelpful. There will be

exceptions, so it may be best if you can make an indirect approach through local contacts (see below).

Land Charges Register

Another source of information is the local Land Charges Register (phone the Town Hall to find out which council building it is kept in). This should give details of Compulsory Purchase Orders, restrictions on the use of the land for specific planning purposes, orders made by the council under the Public Health and Housing Acts. Anyone is entitled to search the Register; if they try to put you off, point out that it is your right under Section 16 of the Land Charges Act of 1925. It won't tell you directly who owns the house, but you can sometimes work it out.

Council Agendas

Agendas for council and housing committee meetings are available to the public and they generally contain some information on what the council is buying, though sometimes specific details are only given in a confidential part of the agenda. Agendas are generally available to the public at the actual meeting, can be inspected in local reference libraries or obtained by request from the Town Hall (some councils give them away, others charge up to £2 a set).

Public Notices

Careful reading of the public notices in the local papers often gives you an idea of what compulsory purchases and planning applications the council are making. Even after you've moved into your squat, keep an eye on these notices: from them you will get information on the state of the plans on your house, as requests for planning permission must be published three times running.

Estate Agents

If the house has an estate agent's board outside, ring them up; if they say it's been sold ask to whom as you want to make an offer. But make sure it hasn't been bought by someone who is going to live in it themselves, or you could get evicted by a 'protected intending occupier'.

Local Contacts

The surest way to find out anything is through such local contacts as a community centre, a short-life licence group, tenants' association or empty property group.

All these groups, apart from knowing their areas well at street level (they may know a friendly neighbour or shopkeeper near your house) generally have contacts in the various council departments. For instance, even if they are not sure exactly when the council plan to start demolishing a development area, they may well know someone in the Planning Department who is prepared to look it up for them.

If there are already squatters in the area, they may already have the information you want.

MOVING IN

Getting In

The most difficult part of squatting is actually gaining possession. These days landlords and councils attempt to make their empty buildings squat-proof by using corrugated iron and padlocks. Taking corrugated iron or boards off a window could be considered to be criminal damage by the police (see **LAW**) but this doesn't happen very often in practice, so don't let that put you off squatting such a house. It can be taken off once you have moved in. A padlock can frequently be unbolted from the inside without causing any damage. If that isn't possible, dump it somewhere inconspicuous outside the house; if you are accused of stealing it, point it out and blame vandals.

This leaves the problem of getting in. Try all the obvious ways first: front and back entrances; open windows, or windows with catches that can be slipped; windows and skylights that can be reached from nearby houses that have friendly occupants.

Take with you as few tools as you can manage (so there's less possibility of getting arrested for 'going equipped' to steal or commit criminal damage, or under Section 8 of the Criminal Law Act — see **LAW**). If you have to take tools, hide them somewhere in the house while you check it out; if the police arrive you could blame vandals for anything which is broken.

If you are stopped in the street by the police don't say you're looking for a squat; perhaps you needed to 'clear your drains' and the crowbar in your hand is 'being returned to the friend who lent it to you.' But remember the police might check your story, so warn your friend in advance. Remember all the information you have to give the police if you are stopped is a name and address (see **LAW** for how to deal with the police).

If you're just having a look at the house (which is a good idea before you decide to move in!) you'll need a mains-tester (see **GETTING THE PLACE TOGETHER**) to check whether the electricity's on. When you go back to open it up you'll need a new Yale-type lock and a screwdriver to put it on with.

Never open up a squat by yourself. Most evictions under Section 6 of the Criminal Law Act (see **LAW**) happen in the first few days, so make sure there's a group of you who open up the squat and are ready to move in at once. Also, if the police do want to charge anyone with criminal damage, they have to sort out who

actually did it. Provided no one is caught red-handed or makes any stupid statements, they will obviously have a difficult job to decide who, out of five or six people, to charge. If they still do charge anyone, then he or she will have witnesses to call.

In some places, it is virtually impossible to open a place up without alerting the neighbours, and it may be a good idea to try and enlist their support. Explain why you are homeless and ask if they mind you moving in. If you are pleasant, friendly and patient with some of the prejudices they may have about squatters, you can sometimes get some surprising support. It's a risk, of course, as you may get a negative reaction, but since such people would be likely to call the police anyway you may not have lost anything by trying.

Once you take the decision to move in, it's best to do so as soon as possible. If you wait, someone else might squat it, the owners may smash or board it up (if they haven't already),



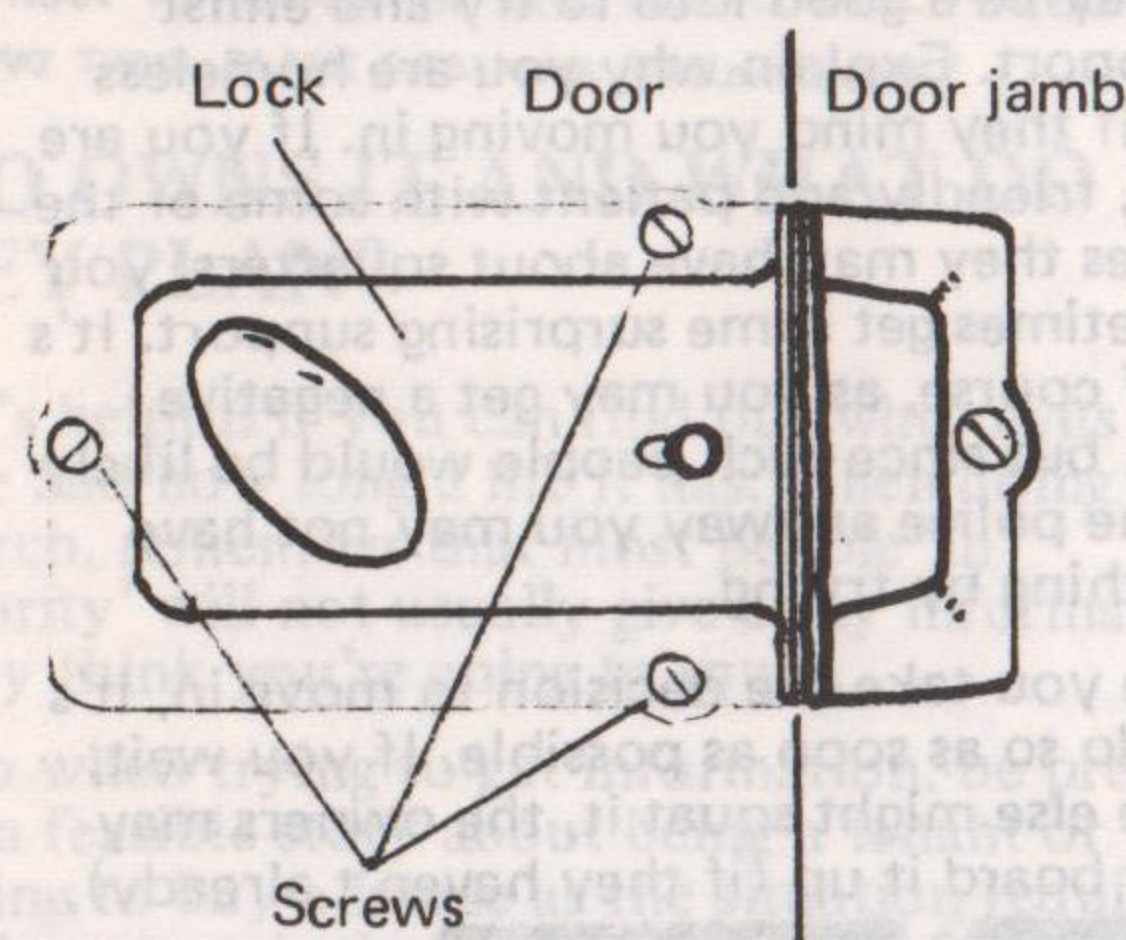
Dutch squatters moving in

the police might notice that it's empty and start to keep an eye on it, and almost certainly its condition will get worse (smashed windows and stolen pipes).

Changing the Lock

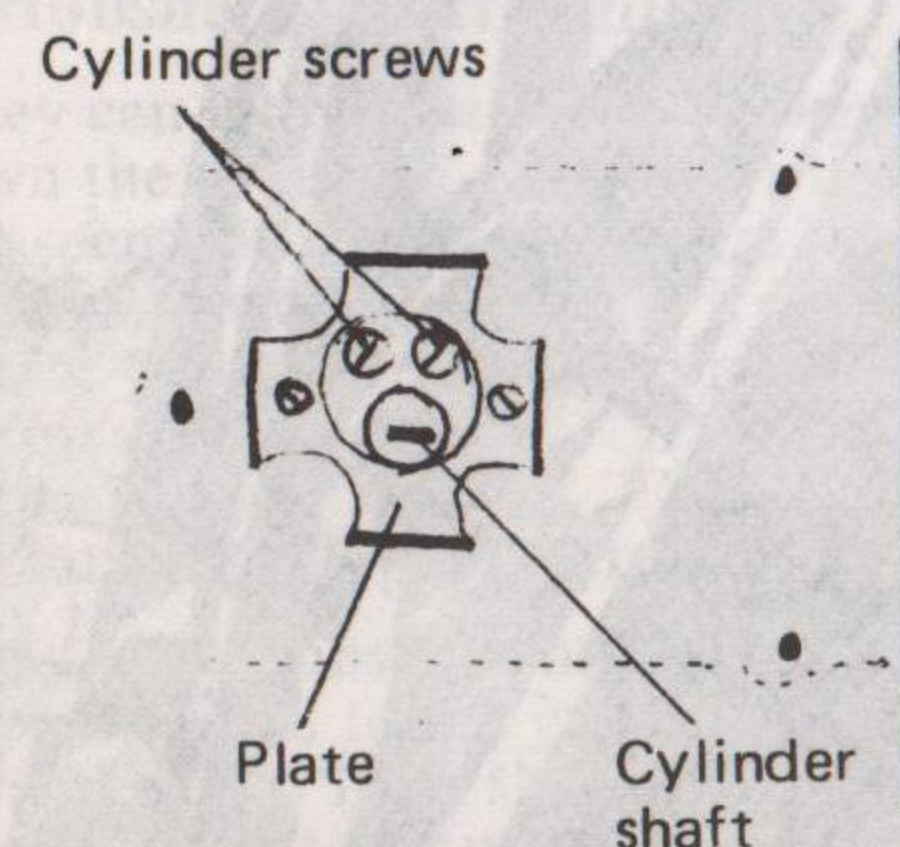
The first thing to do after getting in is to change the lock on the front door and to secure all the entrances. Until you change the lock and have control over who comes in and out, you do not have possession and can be evicted straight away if the owner or the police come round.

Take the old lock off by unscrewing it carefully: it's important to keep it safely (for example, in a bag on a kitchen shelf) so that if you are accused of theft you can produce it at once. It is possible to be charged with criminal damage, but such cases are rare and there are usually good defences.



Undo the screws which hold the lock to the door and take the lock off. This will reveal the plate. Undo the cylinder screws. You can then pull the cylinder out of the *front* of the door.

You simply replace the old cylinder with a new one and work backwards. If the shaft on the new cylinder is too long don't worry; it's scored to make it easy to break a bit off.



This type of lock will do for the time being, as it's quick to fit, but you need to add a stronger lock, such as a mortice, which is fitted into the door, so that the owner can't enter 'without violence' by slipping the lock.

If you get in the back, you can fit a security chain *before* you change the Yale-type lock. A chain is a good idea for a squat anyway (particularly if you have another way of seeing who is at the door). You can get them with

locks incorporated in them so keyholders can unlock them from the outside as well.

You also need to check that there are no back door or basement entrances the owner may have the key to. If there are, secure them from the inside, for instance with bolts. Many potential squats have been lost by people not securing their house properly. Remember to secure the way you came in by, any entrance from the roof, and put nails in the window-frames of any windows that can be reached from the ground so that they don't open any more than three or four inches (or fix proper unscrewing window locks). In the past, most councils and many estate agents have refrained from breaking into a house that was properly secured.

What If The Police Arrive?



After you have changed the lock, it's best to start moving your things in as quickly as possible. This will make it obvious that you are squatting the place rather than breaking and entering or trying to steal. This is the point at which the police are most likely to arrive. *Don't* let them in if you can avoid it.

In the past, squatters were advised to stand their ground and tell the police firmly:

'We have moved in here to live because we have nowhere else. We did not break anything when we entered and we have not damaged anything since. It isn't a criminal matter; it is a civil matter between us and the owners, and they must take us to court for a possession order if they want us to leave.'

In law, this is still essentially the case, unless you are in a house where someone can claim to be a 'displaced residential occupier' or a 'protected intending occupier'. A few years ago, most police were aware they had no right to interfere with squatters, but in the last few years there have been some instances of police forcibly evicting squatters.

Some police seem to believe that the new law gives them the right to evict, and possibly arrest, any squatter they see. **This is not true.** It is very important that you should have read carefully the section on **LAW**.

If the police appear on your doorstep, try not to let them in — if necessary talk to them through the letterbox. They may say something like 'All out under the Criminal Law Act' (or even the Criminal Trespass Law). If they do, ask them *which section* they are acting under.

If they say 'Section 7 — you are displacing a residential occupier', explain that there is no one living in the house (no furniture, the services aren't on, ask the neighbours).

If they say 'Section 7 — you are keeping out a protected intending occupier' demand to see the statement sworn by this person (if the house is private) or the certificate from the council or housing association saying a particular tenant has been allocated the house. Without one of these pieces of paper an eviction for a 'PIO' is illegal.

If they say 'Section 8 — what about those tools then, they're offensive weapons', say firmly that they are tools for doing repairs and that you have no intention of doing any injury to anyone with them.

If they simply say 'Get out, don't be clever, etc.' you can point out that if they evict you they may be committing an offence themselves under Section 6 because they will be entering premises where someone is opposing their entry (unless of course you've already let them in the house — so try not to).

If you are polite, firm and make it clear you know what you are talking about, they may at least go away to get advice. Individual police can be a law unto themselves and you may — quite illegally — find yourselves out on the street. Some



"IF YOU ARE POLITE, FIRM, AND MAKE IT CLEAR YOU KNOW WHAT YOU ARE TALKING ABOUT, THEY MAY AT LEAST GO AWAY TO GET ADVICE"

police have a habit of arresting squatters, holding them in the station while the owner of the house is boarding the house up, and then releasing them without charges.

It is outrageous that this happens to people whose only 'crime' is to be homeless. If you are evicted or arrested in this way, think carefully about bringing a case against the police (or owners if they have sent heavies to evict you).

If you want to do this, make notes of what has happened as soon as you can afterwards, including if possible police officer's numbers etc. (Strictly speaking, the police are supposed to give you paper and pencil if you are being held at the station). Then contact your nearest law centre, sympathetic lawyer or Release or ASS. In the first eighteen months of the Criminal Law Act being in force, some landlords — with the help of the police — have been using the new law as an excuse for illegal evictions. It's up to us to get their abuse of the law down to a minimum by prosecuting them where we can.





Removing corrugated iron

Legal Warnings

Some squatters think that putting up a legal warning on the house (in a front window or on the front door) may be helpful.

It's important to realise that under the new law you must have someone in the house all the time to back up a legal warning. Don't just put it up and then go out, thinking it will protect your home. It's not a magic spell that will stop landlords evicting you.

But if they do try to throw you out without going through the courts and you are actually inside the house shouting at them to stop breaking in, then the fact that you had a legal warning could be

useful in court if you decide to prosecute them. It may in any case make them think twice before they run the risk of prosecution.

If you are putting up a legal warning, you could also write a note explaining why you are squatting as the warnings are often read by neighbours who may be wondering who you are and why you are there. Are you homeless because you can't find anywhere to rent; have you moved because you've found a job in the area; has the house been empty a long time?

Many people prefer not to put up anything at all as they don't want to draw attention to the fact that they are squatting.

Below is an example of what the legal warning should say. You can sign it with all your names (see **EVICTION** for why this might possibly help you) but you don't need to.

After You've Moved In

When you move in, put curtains up and make the place look generally lived in. Move all your furniture in right away. If you haven't got enough, see what you can find by asking friends, looking round second-hand shops or going to auctions (listed in the local paper or look in the yellow pages of the phone directory for addresses of auctioneers).

Once you have moved in, start thinking about your gas and electricity. If they are on, and you must use them straight away, take a note of the meter reading. As soon as possible go down to the boards (with your meter reading) and sign up for an account (see **GETTING THE PLACE TOGETHER**). If you use gas or electricity without paying for it, you can be done for theft. You are also liable to pay rates (to the council) and water rates, but you can safely wait till they ask for them.

Once you've settled these initial problems, visit your neighbours and, if you haven't already done so, get in touch with other squatters in the area (see **ORGANISING**).

LEGAL WARNING (Section 6 Criminal Law Act 1977)

TAKE NOTICE

THAT we live in this house, it is our home and we intend to stay here

THAT at all times there is at least one person in this house

THAT any entry into this house without our permission is a criminal offence as any one of us who is in physical occupation is opposed to any entry without their permission

THAT if you attempt to enter by violence or by threatening violence we will PROSECUTE YOU.
You may receive a sentence of up to six months imprisonment and/or a fine of up to £1,000.

THAT if you want to get us out you will have to take out a summons for possession in the county court or in the High Court.

If the owner or someone representing them comes round, try to explain why you are squatting and offer to pay rent. They will probably refuse, but it is just possible they may give you a licence, permission to say (see **WHEN IS A SQUAT NOT A SQUAT**).

Don't try to contact them yourself, particularly if the house is council-owned. A council will never knowingly accept rent from you because they feel they are then accepting responsibility for you as tenants and therefore you will be 'jumping the queue' and they'll be 'encouraging people to squat'. Contacting them yourself may make them evict you sooner — if they don't notice you're there, they won't think of evicting you, will they?

Now You're There

Not all the hassles of squatting come from the landlord or the police. It's only fair to say that some squatters have suffered at the hands of other people, both outside and inside squats. Don't be put off by this: if you go about things positively and start as you mean to go on, it is possible to create a community that's good to live in.

If you open up a flat or house and decide not to use it yourself, don't assume no one wants it. Get in touch right away with any local squatters, ASS or the LSU in London as people are always looking for empties to squat.

Don't just help yourself to pipes or whatever you need from a house unless it clearly is totally unrepairable — otherwise you'll be depriving another homeless person of a squatable house.

Some people who move into squats think it's OK to strip lead off roofs or take pipes out completely indiscriminately. It's not all right — it's **completely anti-social**, particularly if they take stuff out of flats in the same block as you're living in. Vandalising houses in this way makes a mess of the street or block you're living in and is both demoralising and dangerous, particularly for children.

Your squat may be the target for other types of anti-social people who think that squatters are fair game for having their windows smashed: put up curtains to make it obvious you are living there and don't put beds (particularly children's beds) immediately below any windows.

Squats, particularly large or well-known ones, are sometimes attacked or ripped off by outsiders. Very occasionally squats have been attacked, or threatened with attack, by 'locals' (who wrongly blame squatters for problems they have with housing) or right-wing groups. The worst 'group', however, in London at least, is the Special Patrol Group of the Metropolitan police force, who are apt to smash down a door before they'll knock on it to get in. If that happens, keep as calm as you can, remember you don't have to say anything (see **LAW**), take a note of anything you can including police numbers and contact Release.



The fact that you're squatting, doesn't mean that you have no control over who actually lives with you, either in the same house or flat or even block of flats. Some people have exercised tight control over who squats with them, particularly in closed blocks of flats, but it's important to remember that squatting often provides a refuge for less 'together' people who might otherwise be locked up in repressive institutions like mental hospitals. Think very carefully before you exclude anyone — are they really impossible to live with, where will they go, what will happen to them? Everyone has the right to a home — that's the basic principle of the squatting movement.

There are no easy answers to these problems, but one way to start can be to form a group and work to get everyone involved in one way or another. Work doesn't always mean 'hard labour': getting together with other people to do things can be stimulating and exciting. You don't have to spend all your time hassling with the problems, there's fun as well. And what about setting up a community cafe, swap-shop or making a playground for the children? If you're prepared to put a bit of time and enthusiasm into getting the squat off the ground, you'll probably find other people joining in. Have a look at **ORGANISING** for some ideas on forming a group and some of the things other squatters have done.

ORGANISING

HISTORY

There have been squatters for as long as there's been the concept of owning land, and squatting on land or in buildings which officially belong to someone else takes place all over the world. For thousands, probably millions, of working class and poor people, particularly in third world countries, it is absolutely basic to their survival.

In England squatting can be traced back to the Middle Ages, in particular to 1381 when the first Forcible Entry Act was passed. There are records of squatters in all periods since then, down to the present day. Some of the best known squatters were the Diggers, who squatted land in various parts of England when the 'revolution' of 1648 failed to make any difference to the lives of the poor.

In this century some squatting was successfully begun by ex-soldiers returning from the First World War, who found that the 'homes fit for heroes' which they'd been promised didn't exist outside government propaganda.

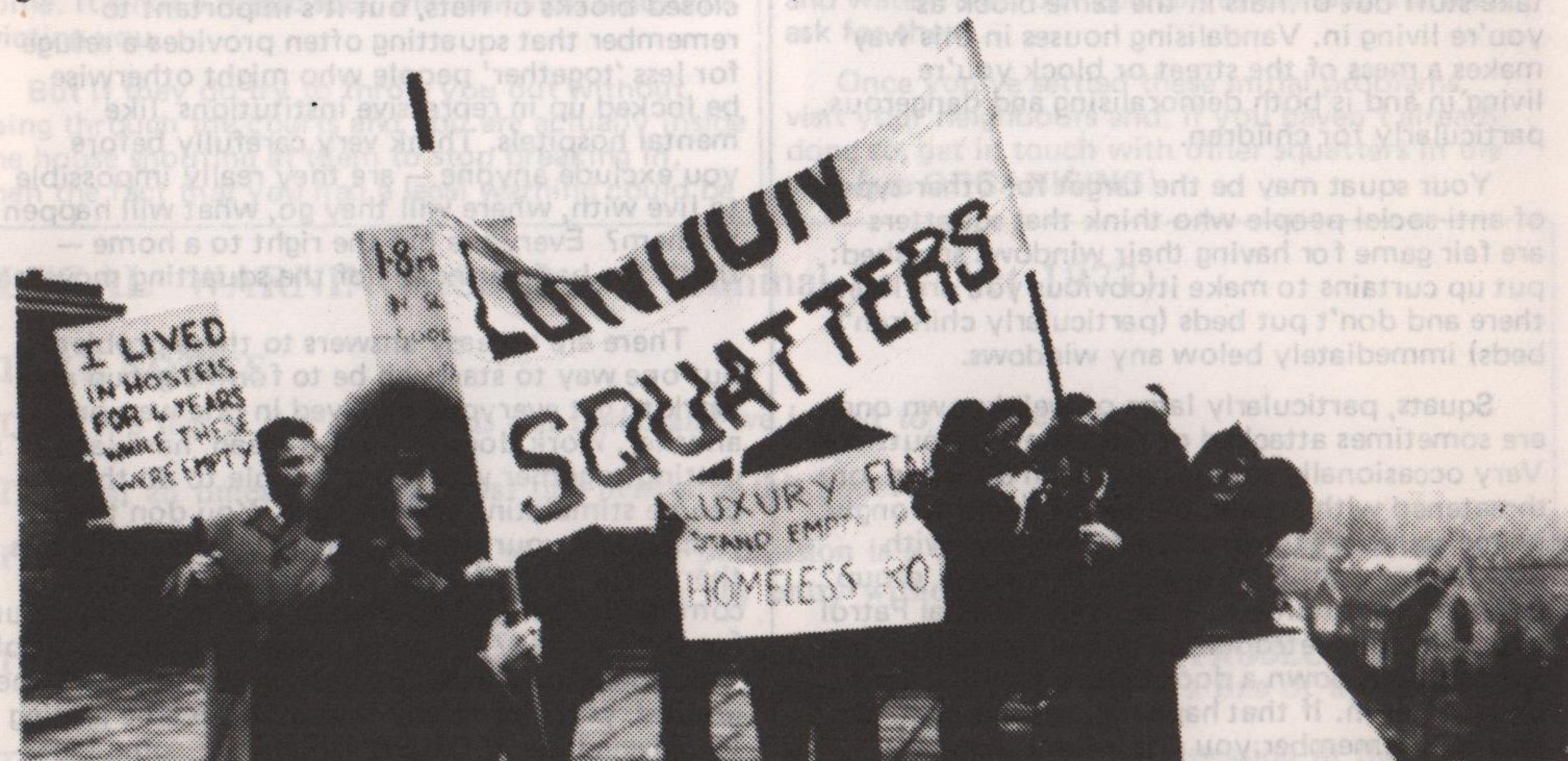
A far larger squatting movement grew up after the Second World War, again begun by service-people returning to Britain to find themselves homeless. 'Vigilante' groups, working mainly in south coast towns, helped squat families in empty hotels or second homes. The movement quickly spread to London and Birmingham. The government, already worried by widespread

disaffection in the forces, tried to stop the movement by giving local authorities wider powers to requisition homes.

This wasn't enough, though, and in the summer of 1946 people began to move into empty army camps; by the autumn there were an estimated 44,000 people squatting in England, Wales and Scotland. Soon squatters began to take over blocks of flats and hotels in London in well organised mass occupations. The government responded by ordering services not to be connected; setting police guards on all empty property within a five-mile radius of Westminster and cordoning off squats to prevent supplies getting through; a concerted political smear campaign; and finally the arrest and charging with conspiracy to incite other people to trespass of five members of the Communist Party. The movement in the big towns was smashed quite quickly, but the government was forced to let people stay in the army camps right into the 50s.

The present squatting movement has its origins in struggles in the late 60s to improve the appalling accommodation provided by councils in hostels and bed and breakfast hotels for homeless families.

The London Squatters Campaign was set up in 1969 and opened up its first squats in Redbridge for families already on council waiting lists who were living in hostels. After a prolonged struggle, in the course of which Redbridge council made or attempted several illegal evictions with private bailiffs, an agreement was finally reached with the council.



The London Squatters' Campaign occupation of empty luxury flats, the Hollies, December 1968

Meanwhile similar struggles in other London boroughs led to similar agreements and the setting up of a number of groups which obtained short-life licences from councils in order to house families.

The idea of squatting did not stay confined to a few groups negotiating with councils to house people who were in any case the legal responsibility of those councils — all sorts of people began to move into empty property. Big communal squats in Endell Street and 144 Piccadilly, central London, attracted sensationalist media coverage, and disclaimers from the family squatting movement, which was intent on acquiring a respectable image. This early division in the present squatting movement between 'families' and 'single people' has been a major weakness of the movement, as it plays right into the hands of the authorities, who themselves define people without children or communal groups as those 'who have no genuine housing need'.

Over the last seven years, squatters have achieved a number of things — in addition to providing housing for thousands of men, women and children. They have struggled successfully against property speculators (for example, Parfett and Myrdle Streets, Stepney, and Tolmers Village, Camden); prevented senseless destruction of good housing (St Agnes Place, Lambeth, for example); forced councils to rehouse people (for example, Elgin Avenue, Paddington); and by simply existing confronted authorities with their inadequacies and given shelter to those who suffer as a result of those inadequacies (squats all over the country too numerous to name).

There are now an estimated 30,000 squatters in London, and probably another 10,000 in other parts of England, Wales and Scotland. It is difficult to be precise, since many squatters have no contact with squatting organisations. A proportion however are organised in groups, mainly based on streets, areas or towns.

There are, and have been, various organisations all over Britain which often co-operate over various issues. Three London organisations have existed: All London Squatters (1973 to 1975); Squatters' Action Council (1975 to 1977); and the current one, the London Squatters' Union, which was formed to support and co-ordinate struggles in London, particularly against criminal trespass. It is based on individual membership, produces the *Squatters News* and has agreed a Squatters' Charter.

It's only fair to say, though, that there are fewer squatting groups and less enthusiasm than a few years ago. This makes it harder for people squatting for the first time who need help opening up and keeping squats. Helping other people get a home once you've got yours is a very important part of the squatting movement.

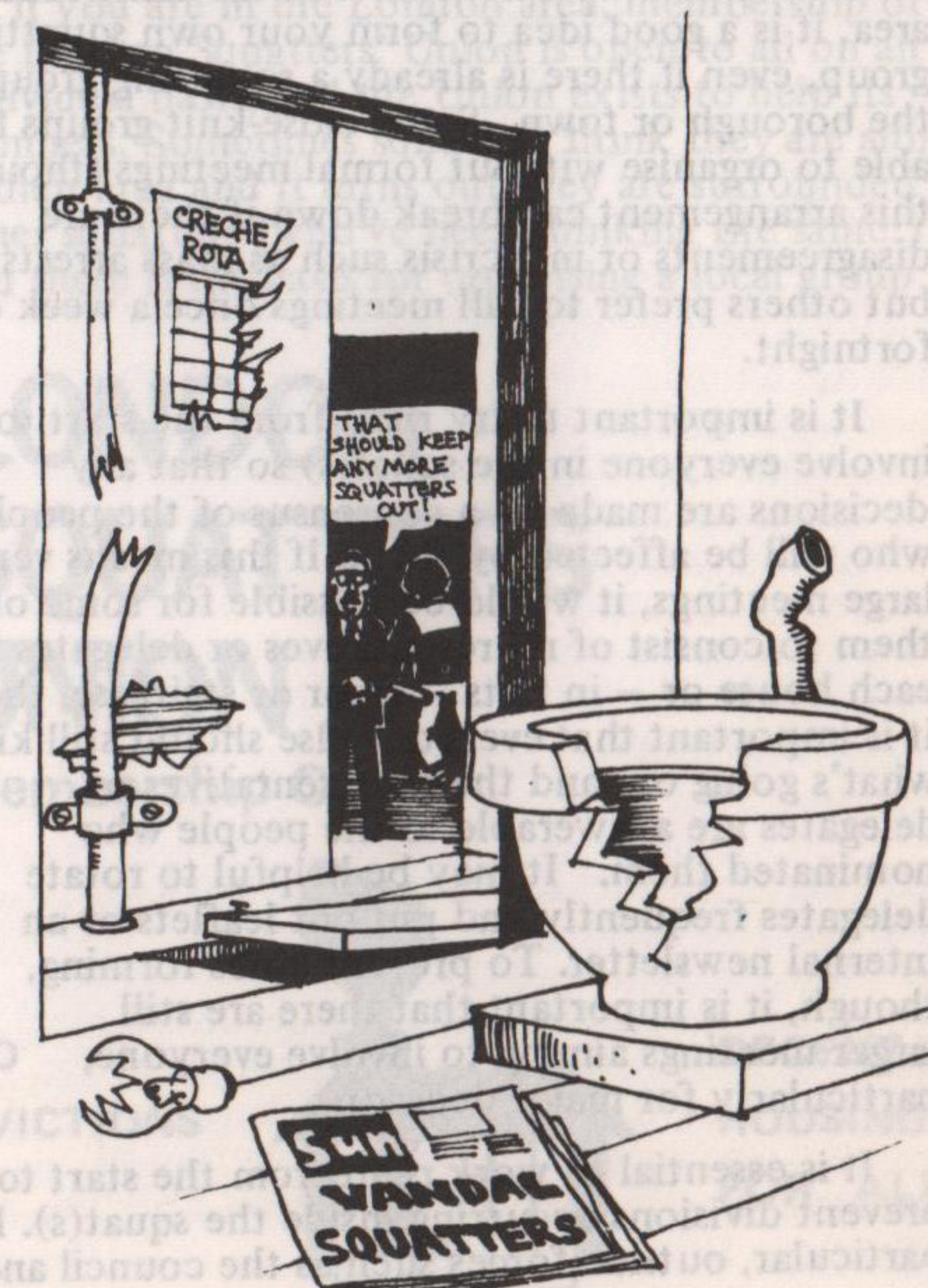
PREPARING THE GROUND

Sooner or later the owner of your squat will try to get you out, and, while some squatters are prepared to move on without resisting when this happens, others will want to fight, either to stay where they are or for rehousing.

Fighting possession orders is at best a delaying tactic, giving you more time to organise politically to defend your home, and in any case the owner may try to get you out without a possession order almost immediately (see **LAW** and **MOVING IN**). So it's a good idea to start meeting together as soon as you've opened up the house(s) — if you haven't done so before.

The Criminal Law Act is leading to increased harassment from police, landlords and local authorities, so it's even more important for us to organise. Political organisation isn't something we can describe in practical terms like rewiring a house, and what's appropriate will depend very much on the time, the place and the people, but most of the following suggestions have been tried and are worth thinking about. Let the London Squatters' Union and the Advisory Service for Squatters know what you do so that new ideas can be passed on to squatters elsewhere — all power to the imagination!

As soon as you move into your new home it's a good idea to try to establish friendly contact with your neighbours and people in the surrounding area. In the last few years there's been a very heavy propaganda campaign against squatters, particularly in certain papers like the *Sunday People*. Once you are in occupation and have begun work on the house, explain to neighbours what you are doing and why; this may prevent them from calling the police or alerting the owner. Houses which have been empty for any length of time are usually in obviously bad condition: if you start work on cleaning windows, clearing up the garden and so on this will help neighbours realise you want to live in the house not vandalise it (most people would rather live next to an occupied house than a 'derry').



Some objections you may meet, and some possible answers:

Squatters take other people's homes

This story was started quite deliberately in the press in 1975 and it isn't true: the person concerned, Elizabeth Harper, owned and lived in another house and the house concerned had a 'for sale' notice outside it when it was squatted. Squatters aren't in favour of occupying houses which other people are living or about to live in – we know what it means to be homeless and don't want to make others homeless. If someone *did* squat a house like that, the police have always had the power to evict or arrest immediately – and we want to be in homes not jails!

Squatters are jumping the queue

Why is there a queue when there are 850,000 empty houses in Britain? Why isn't the council already using this house? Why haven't they bought it on a compulsory purchase order to rehouse people? This house, like most that are squatted, is going to be demolished/rehabilitated some time in the future, so we aren't keeping anyone waiting now. The council refuses to take responsibility for us because we have no children – but we can't sleep in the street any more than you could.

All squatters are vandals, drop-outs, live in communes etc.

Squatters aren't a different race – we're people like you who simply don't have a home. Many councils wreck their own houses, smash toilets, pour cement down drains and rip out floors to stop people living in them – we're working hard to repair this house. An empty house deteriorates by £20 a week: just by being here we're saving the landlord money. Most squatters are ordinary families forced into squatting by the council's inadequate housing policies. Yes, some of us prefer to live communally: we want to get away from the loneliness of bedsits, we can share the housework and looking after the children, we work together.

I've worked hard all my life and always paid rent/rates/taxes. You lot are trying to get something for nothing

It's terrible that most people have to work such long hours to pay rent to others who just sit back and let it roll in. There aren't any places to rent at a price we can afford here. Some councils pay 90% of their rent income in interest to city financiers not on building more homes for people. In a more just society no one would pay rent, homes would be built for people's needs not for profit (the only fair rent is no rent at all).

NOTE: Many of the facts about who squats and why are available to counter these arguments in *Squatters: Myth and Fact* (see REFERENCES).

Forming A Group

If you are opening up a large squat like a block of flats or a number of houses in the same road or area, it is a good idea to form your own squatting group, even if there is already a squatting group in the borough or town. Some close-knit groups feel able to organise without formal meetings (though this arrangement can break down if there are disagreements or in a crisis such as mass arrests) but others prefer to call meetings once a week or fortnight.

It is important to try right from the start to involve everyone in the squat(s) so that any decisions are made by a consensus of the people who will be affected by them. If this means very large meetings, it would be possible for some of them to consist of representatives or delegates from each house or – in flats – floor or staircase, though it is important that everyone else should still know what's going on, and the representatives or delegates are answerable to the people who nominated them. It may be helpful to rotate delegates frequently and put out leaflets or an internal newsletter. To prevent elites forming, though, it is important that there are still larger meetings aiming to involve everyone, particularly for major decisions.

It is essential to work right from the start to prevent divisions occurring inside the squat(s). In particular, outside forces such as the council and

social workers will try to divide 'families' from 'single people', and it is important that this division isn't duplicated inside the squatting community.

Working class families and single or communal squatters are often wary of each other: frequent personal contact, and in particular organising a creche or babysitting so that people with children can take a full, active part in meetings and actions, can help to overcome this. Other divisions along lines of race or sex may appear as well: struggling against racism and sexism is a long, hard job which needs a lot of patience and discussion, but it can be done, provided we keep talking to each other!

Another problem which may arise is people stealing or behaving in other anti-social ways within the squats. The fact that you are squatting does *not* mean you have no control over who comes into your home. On a practical level, always keep front doors and personal flat or room doors locked, and maintain landing lights and doorbells (in flats). If you must leave cash and personal valuables at home, hide them.

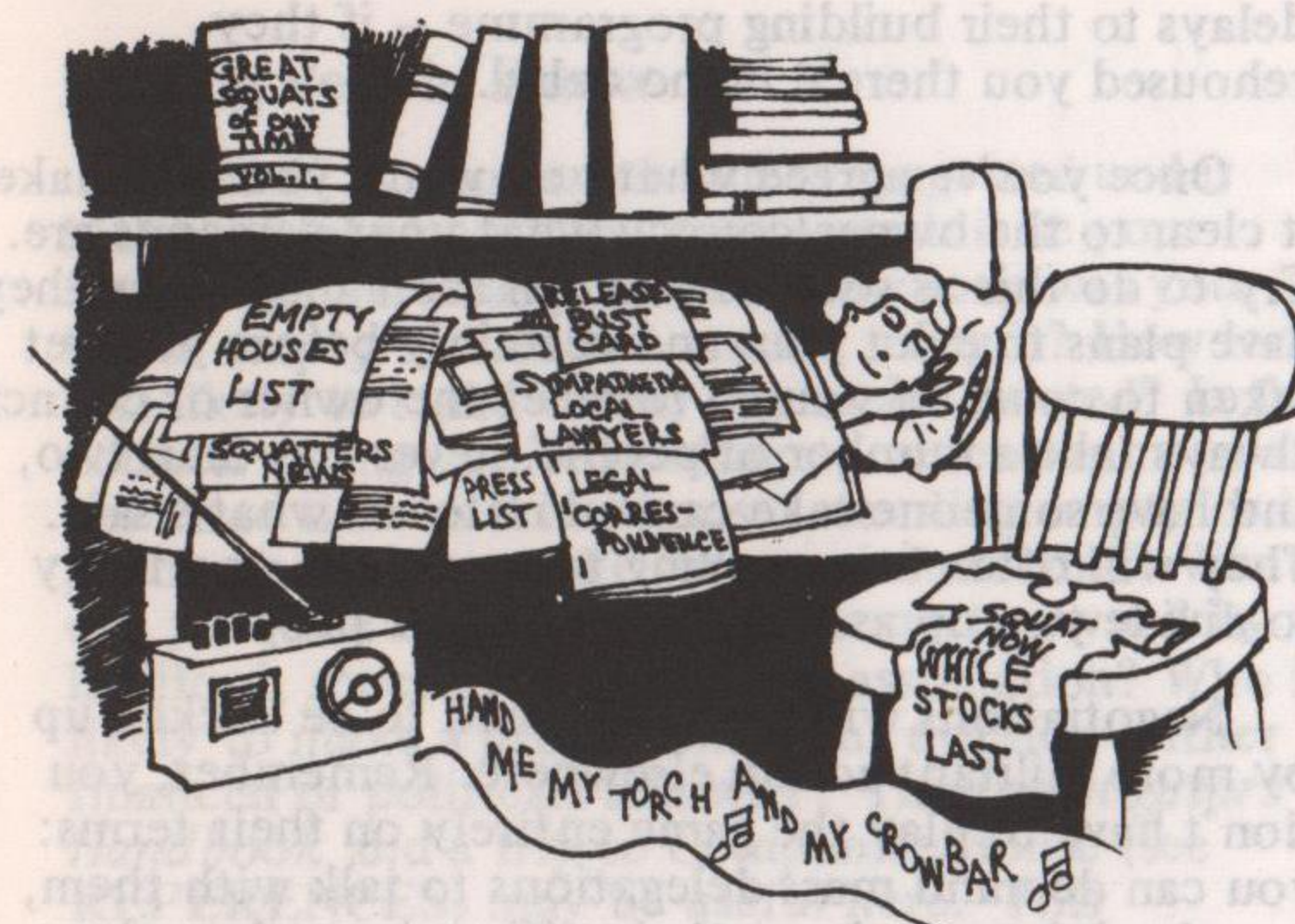
You can expect little or no protection from the police, so it is up to you to build a community of people you know and trust, and to work collectively to overcome these problems. Confronted by a delegation from a street meeting, thieves can be persuaded to stop ripping off. Where people are violent, one idea is to provide each house/flat/person with a whistle to be blown by anyone being attacked;

the arrival on the scene of large numbers can usually defuse the situation without any further violence. If someone is persistently violent (such as a man beating up the woman he lives with) you might decide to get him or her to leave – but make sure s/he has somewhere else to go.

The Early Stages

In the early stages the squatting group is likely to be involved in helping people open up new squats, giving advice or help with repairs and connecting services and, if there is difficulty getting the various boards to connect or open up accounts for services, negotiating with them. If the owners are thinking of early eviction, it may make them think twice if they see you are well organised.

You may well decide as a group that you want to try and negotiate a short-life licence on your squat or even to form a housing association or co-operative. (See **WHEN IS A SQUAT NOT A SQUAT**). Councils will only negotiate with an organised group. You will of course end up paying 'rent' – either a licence fee or mortgage repayment – whilst at the same time probably having the responsibility for repairs which you'd have as squatters, but the advantages are much greater security of tenure and increased freedom from harassment by the police under the Criminal Law Act.



It might be a good idea to set aside a room, shop-front or flat as a centre, a place where people in the squats can meet each other informally outside meetings and also a place where people outside the squats can make contact. Some groups have set up community cafes which fulfill this function as well as being somewhere to eat cheaply. If there's space, such a centre could also function as a furniture store, perhaps with a workshop and a communal tool and spare parts store.

It is useful to keep lists of empty houses, copies of this *Handbook*, the *LSU Squatters' News* and information from CACTL at hand. As squatting attracts increasing harassment from the police, it might also be sensible to keep at hand information on what to do if people are arrested (such as the *NCCL Know Your Rights* wallet – see REFERENCES), names of sympathetic local lawyers and people who would be willing to stand surety for bail.

If the squats come under threat of eviction, you will want to keep correspondence (if any!) with the owner or authority, details of legal proceedings and a press list. If at all possible, get a telephone installed (a pay-phone is best so you don't get landed with huge bills). Don't forget to give the LSU and ASS the number!

For many of us, squatting is not simply a way of getting a home, but also provides a base for other projects. All of the following have been set up in squats: creches and playgroups for children; food co-ops; bakeries; claimants' unions; women's centres and battered women's refuges; offset litho presses; silkscreen workshops; community papers; street farms. These kind of projects can serve a double function: they are good in themselves and they can help create links with people in the area who are not squatting. (For instance a printing press can be used by tenants' groups for their papers or a playgroup by women and children from neighbouring estates). It may be hard to break down the walls between squatters and other residents in the area, and obviously one way is if the squatters make a positive contribution to the life of the community.

Obviously much of this would be difficult for people in isolated squats, and many people who find themselves living in the only squat in the street or on an estate prefer not to advertise the fact. Sooner or later, though, you're likely to need some support, and it's a good idea to be in touch with other squatters before (rather than during) an emergency. ASS tries to keep an up-to-date list of local groups and active contacts in order to put squatters in touch with each other. Obviously it needs to hear from squatters frequently if this information is to be accurate.

If you are in the London area, membership of the London Squatters' Union is open to all on an individual basis, and the Union exists to help its members. Sometimes squatters think they are alone in their area and it turns out they are surrounded by other squatters (who've been thinking the same!) and there is the basis for organising a local group.

LONDON SQUATTERS UNION

Membership Card

NO
EVICTIONS



DECENT
HOUSING
FOR ALL

Making Links

Of increasing importance to squatting struggles are close links with and support from working class organisations in the area. Establishing such links may be slow work and you can't begin too soon if they are to have any effect in the struggle.

Get in touch with local tenants' or residents' associations and neighbourhood centres in the surrounding areas, and also with the borough federation of associations if there is one. Tenants may be suspicious of squatters, partly because councils often accuse squatters of holding up redevelopment programmes. Delays in redevelopment are more likely to be caused by the cuts in government spending on housing: we must make it clear that it is in all our interests – tenants and squatters – to work together against the cuts and for good housing for everyone. Squatters should support tenants in *their* struggles, for repairs and against rent increases, as well as the other way round.

Links with local trade union branches could also be important: if local branches of the EEP TU (electricity) and GMWU (gas) or other relevant union can be persuaded to black cut-offs from squats this could prevent owners from effecting 'back-door' evictions as they are doing at the moment. Many trade unionists may also be suspicious of squatters, and it may help if initial approaches are made by squatters who are trade union members. Again, links with UCATT, the building workers' union, particularly on a basis of opposition to local authority cuts in building programmes, could lead to united action. (In Australia, the Building Labourers' Federation and residents together successfully resisted the destruction of working-class communities for office and motorway development).

Many council workers, particularly in the social services department, will be members of NALGO. Social workers in particular often make use of squatters (by sending homeless people to squats when the Housing Department has refused to do anything for them) and it should be pointed out that such help can be mutual, particularly when it comes to opposing evictions. Ask them to make public statements supporting squatting and admitting they have no choice but to refer people to squatting groups.

Contact with the local Trades Council can produce information, more active support and the kind of united action as occurred in Lambeth in 1976 when the Trades Council sponsored a local enquiry into the housing needs of people in the Villa Road area. Local hospital workers and tenants' associations opposed the eviction of squatters from Huntley Street, central London, by the Area Health Authority.

DEFENDING YOUR HOME

If you've managed to get well organised before there's a threat of eviction, you should be in a good position to defend your home(s).

The first thing to decide – if you haven't already – is what you want. Do you want to stay where you are? Do you want to be rehoused, and if so under what conditions? In particular, because people with children will get some kind of accommodation if there's an eviction while people without will get none, it's important not to let this artificial division cut across your struggle.

So for most groups, the *minimum* demands will be *no evictions* and *housing for all*. If you are in an isolated house you might find it hard to fight an eviction, and anyway you may not want to if, for instance, the council really *are* going to rehabilitate it as soon as you leave. Even if they do have plans and you agree with them, why should you be made homeless simply to rehouse someone else? It's worth considering, too, what other people in the area want: you're not likely to get much support from local tenants if you're fighting to stay in a slum they've been trying to have pulled down for years – rehousing would be a more realistic demand. Don't let councils blame you for causing delays to their building programme – if they rehoused you there'd be no delay.

Once you've agreed what you want, you can make it clear to the owner/council what your demands are. Try to do this as soon as you can after they show they have plans to evict you, and certainly before you get taken to court. If you go to meet the owner or council always take a number of people, never less than two, and have someone take careful notes of what's said. They will often be unwilling to negotiate, or will try to divide you up as families and single people.

Negotiations will probably need to be backed up by more militant action elsewhere. Remember, you don't have to play the game entirely on their terms: you can demand mass delegations to talk with them, you don't have to leave their offices just when *they*



MINIMUM DEMANDS



Battersea Squatters Association negotiating with Wandsworth councillors, February 1978

want, and don't necessarily believe them if they say they'll do what you want *on condition* you are quiet and reasonable. Many councils will do deals (such as agreeing not to evict till a certain date) outside the court once they've got their possession order.

Letting People Know

As well as some of the ideas suggested under **Making Links** now's the time to publicise your struggle as much as possible. How long was your house empty before you started using it? How long is it likely to stand empty if you are evicted? Is the council saying you're holding up redevelopment at the same time as it has houses standing empty or is gutting houses to make them uninhabitable? What can you find out about other property owned by the landlord, speculator or housing association? Who is likely to make a profit from your eviction (either financial or political) and why? The *Investigators' Handbook* and a trip to Companies House (see **REFERENCES**) may be useful here. This information, together with details of who *you* are, what you are doing and what you want, can be made known mainly in three different ways.

Within the Squatting Movement

It is vital that other squatters know what is going on, particularly if you need support from other areas for pickets and demonstrations. Send leaflets to other squatters you know, ask ASS and the LSU for contacts. Write about your struggle for *Squatters News*, for your local community paper and for People's News Service (see below), the alternative news agency.

On the Streets

Keep your neighbourhood (squatters, tenants and other residents) informed. Door-to-door leafletting, noticeboards outside houses under attack and flyposting are all ways of making sure up-to-date information is reaching the surrounding streets.

A petition, either out on the street (e.g. in an open-air market) or taken door-to-door, is hard work, but it is one of the best ways to open up conversations: as well as getting the chance to discuss your situation with people who may start out uninterested or even hostile, you can also end up with visible evidence of support to present to the council or tell the press about.

If there's a community press or silkscreen workshop near you they will probably help with printing leaflets and posters. Otherwise you can duplicate leaflets: you will need the use of a typewriter and a duplicator (community centres, left bookshops etc often have these).

And there are also felt-tipped pens for hoardings and paint for walls and corrugated iron (the streets are our newspaper).

Other effective ways of communicating are through theatre or video (used as the focus of an indoors meeting). Theatre in the street is another powerful way of communicating: keep it short, simple and loud (spoken dialogue gets lost in the open with traffic noise) and leave detailed information to the leaflet you hand round after it's over. (Remember you can get bust for street theatre – generally 'obstruction' or 'breach of the peace' – so be ready to move fast if the police arrive and you don't want to get fined).

The Media

Warning: don't have any illusions about being able to 'use' the straight media to say what *you* want: control over what gets published or broadcast lies with editors, producers and above all with the people who own the papers and stations, not with you, and not even with the reporters, printers and engineers. However sympathetic a journalist seems s/he can have his/her story completely rewritten by a sub-editor, and anyway 'sympathy' is a journalist's stock-in-trade. Above all, don't fall for a line that 'any publicity is good publicity' – it isn't.

Listed below are some of the national papers which have sometimes given good coverage to squatters. The Press Association is an agency which puts out information to all the national dailies (on tapes); it is worth phoning through any press release to them; they may send at least part of it out. For addresses of other national dailies, look in a London telephone directory and *Willing's Press Guide* (your local reference library should have them).

For national and local radio and television look in the relevant phone book.

Don't neglect your local paper(s) — they will probably give you most (if not the best!) coverage. It's worth checking to see if there's a reporter who has done good articles on squatting in the past and approach him or her.

There are many more left-wing papers than we have room to list. If you don't know your local or nearest community paper already, People's News Service (or Rising Free, 182 Upper St, London N1) should be able to help.

Forming a press group: find at least three or four people who are interested in working as a press group. It may be better to rotate the job of talking to the press, mainly because anyone who does this gets cast as a 'leader', but always give a definite contact phone number and address to reporters. It's best to work out collectively the broad outline of what any of you will say.

Remember that anything reported in the media can have a tremendous effect, not only on the squatters involved in your immediate struggle but on squatters everywhere — so keep the wild talk till the reporter's gone home. Obviously a press group should be fully answerable to the whole group of squatters and must stick to the policy agreed by them.

Press releases: in general keep them shorter than 400 words. Include an address, a telephone number (giving times when you are there or messages can be left), and the names of all your press group. Don't forget to date it.

It is a good idea to prepare a background release — which could be longer than 400 words — which answers such questions as who you are

(how many adults, how many children etc.), why you are squatting, how long the houses were empty before you squatted them, what plans (or lack of them) the owners have, what your demands are and any action you have planned. Other press releases could be put out

1. For any court hearings
2. If there is any fresh information
3. To counteract anything said by the owner
4. To announce any action you are taking (unless it is illegal or dependant on surprise)

Duplicate long releases and send them by post (or bicycle to Fleet Street if you are in London) but telephone others. Ask to speak to the News Desk until you know individual reporters. Carry copies of all press releases every time you are likely to meet reporters (like court hearings) — they will invariably have lost the previous ones.

To call a press conference put out a short press release several days in advance and follow it up by a phone call to the News Desk the day before. Between 11 and 4 is the best time of day. Arrange a room where about a dozen people can sit comfortably. Have copies of all press releases, any further information you have, any photos you may have (particularly 'before and after' ones) and several people from the squat prepared to tell their individual stories.

If you are taking militant action (such as occupying the town hall) which you'd prefer the authorities not to know about in advance, don't tell the press until the action is under way. You could risk telling some left press that something is happening; but give no details on the phone — assume all phones are tapped. This means someone staying out of the action specifically to phone the press once the action is under way and talk to them when they arrive. This is every bit as important as the more 'militant' part of the action, and don't let anyone tell you otherwise. (Don't forget, either, to let people on the street outside the action know what's going on with leaflets and placards).

TV and radio stations, with the exception of local ones, will generally be prepared to pay a small fee (£20-£25) for interviews, but you'll have to ask. Newspapers won't pay anything.

Press Association	85 Fleet Street, London EC4	01-353 7440
Fleet Street News Agency	68 Exmouth Market, London EC1	01-278 5661
Guardian	119 Farringdon Road, London EC1	01-278 2332
Observer	160 Queen Victoria St, London EC4	01-236 0202
Evening Standard (London)	47 Shoe Lane, London EC4	01-353 8000
Evening News (London)	New Carmelite House, London EC4	01-353 6000
Morning Star	75 Farringdon Road, London EC1	01-405 9242
News Line	21b Old Town, London SW4	01-720 2000
Time Out (London)	Tower House, Southampton St, London WC2	01-836 4411
Socialist Challenge	328 Upper Street, London N1	01-359 8180
Socialist Worker	Corbridge Works, Corbridge Crescent, London E2	01-739 6361
Peace News	8 Elm Avenue, Nottingham	0602 53587
Community Action	Box 665, London SW1X8DZ	01-235 3465
People's News Service	Oxford House, Derbyshire St, London E2	01-739 4568
LSU Squatters' News	10 John Street, London WC1	

Report, 411 Oxford St, London W1 (01-493 7737) are a photographic agency who sell to Fleet Street papers for profit, to left press at cost. Invite them to demonstrations; can be trusted.

Action

Even though you are going through 'all the normal channels', asking for negotiations and so on, remember that most successful struggles to defend squats or get rehousing have been backed up by actions which the owner will consider 'unreasonable', or in other words political.

You can call public meetings (jointly with other local organisations, such as tenants' associations or the trades council, if you've been able to make good links with them). You'll need to book a local hall well in advance. Posters advertising the meeting are a good idea, and door to door distribution of leaflets in the area a couple of days before will help spread the word locally.

If you all go to meet the landlord or to sign on at the council's housing department, you can go as a march, with banners and leaflets to give to people on the street. Picket any court hearings with placards and leaflets explaining what's going on inside. You can even have regular pickets or marches to the landlord's house or office, or to the Town Hall — they may hope you'll go away quietly, so show them you won't.

Another successful kind of action has been occupation (of the housing department, town hall, landlord's office and so on). It's important to plan this sort of militant action carefully: it is possible that some of you may get arrested (probably not under the Criminal Law Act more likely for 'obstruction' or 'breach of the peace') so make sure the action is worth the risk. Decide beforehand precisely what your demands are (don't occupy to get something say an interview — you could get a safer way), who you are prepared to talk to (they'll try to fob you off with a minor bureaucrat) and how long you are prepared to sit there. It's important that everyone has agreed the strategy *before* the police arrive or you may end up getting chucked out or arrested piecemeal without achieving anything.

Barricading houses, or indeed whole streets, has often been an effective part of squatting struggles, but it's only a part. Don't put up barricades without thinking through the reason for them and the effect they will have in your particular case. Barricades have been used for publicity, as a threat to back up negotiations, to delay bailiffs evicting or (light barricading) to give some warning of the bailiffs' entry (which is often first thing in the morning and heavy).

It is possible, under Section 10 of the Criminal Law Act, that *any* resistance to bailiffs and sheriffs could be illegal, and this might possibly include barricades even if you don't actively defend them. This hasn't happened (see **LAW**). Some squatters will be prepared to risk arrest anyway, but it will become increasingly important to win our struggles before eviction day comes.

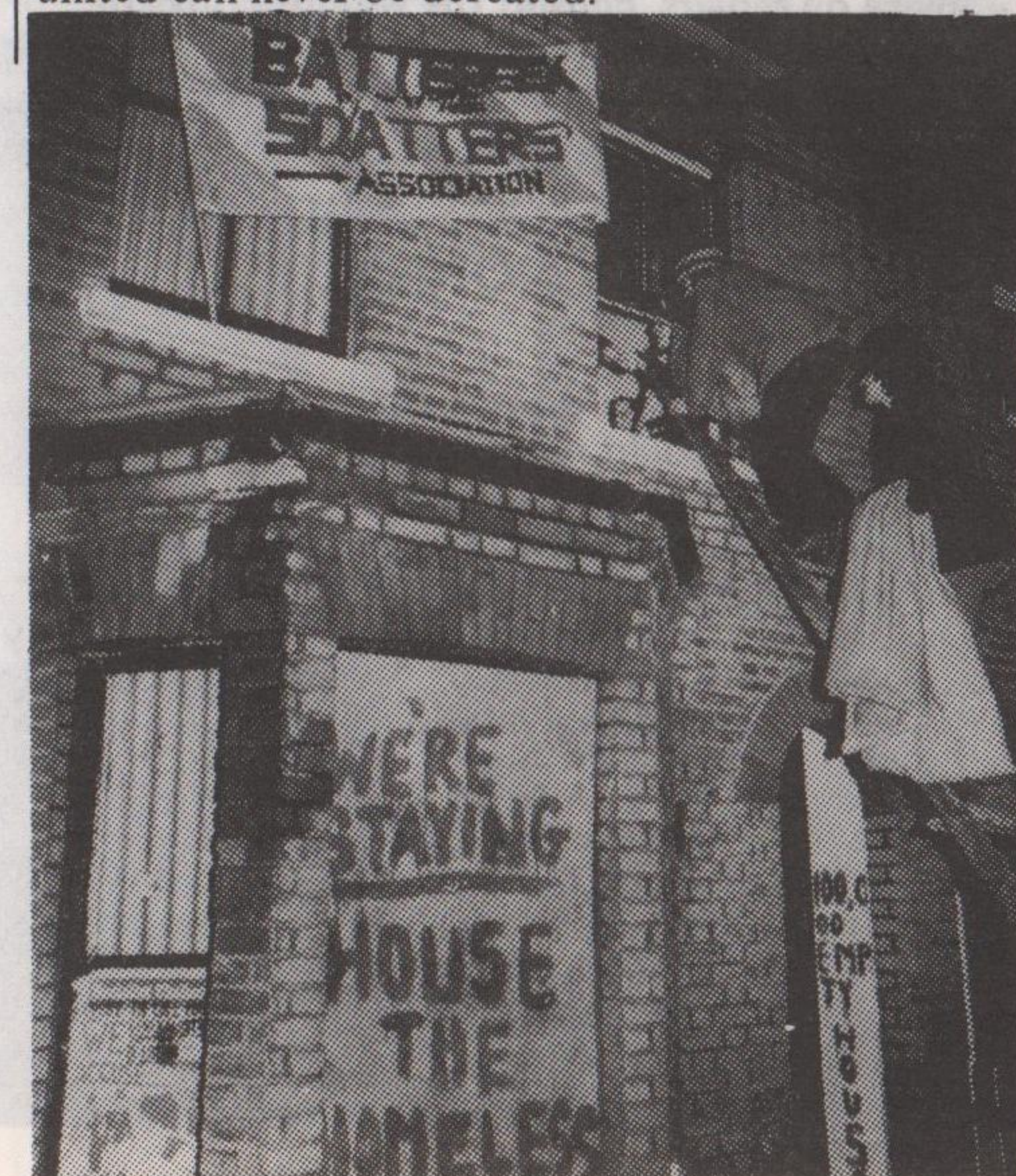
It would certainly be a mistake to think that you have only to build your barricades big enough

to hold the bailiffs off forever. Barricades can give you more time for your political struggle, but if the bailiffs want in, sooner or later they'll get in. It's important too to think about *how* you will live for any length of time behind barricades: some buildings are easy to keep well-guarded with just one or two 'gates' for everyone to use, while others would be misery to be bolted up in, particularly if services have been cut off.

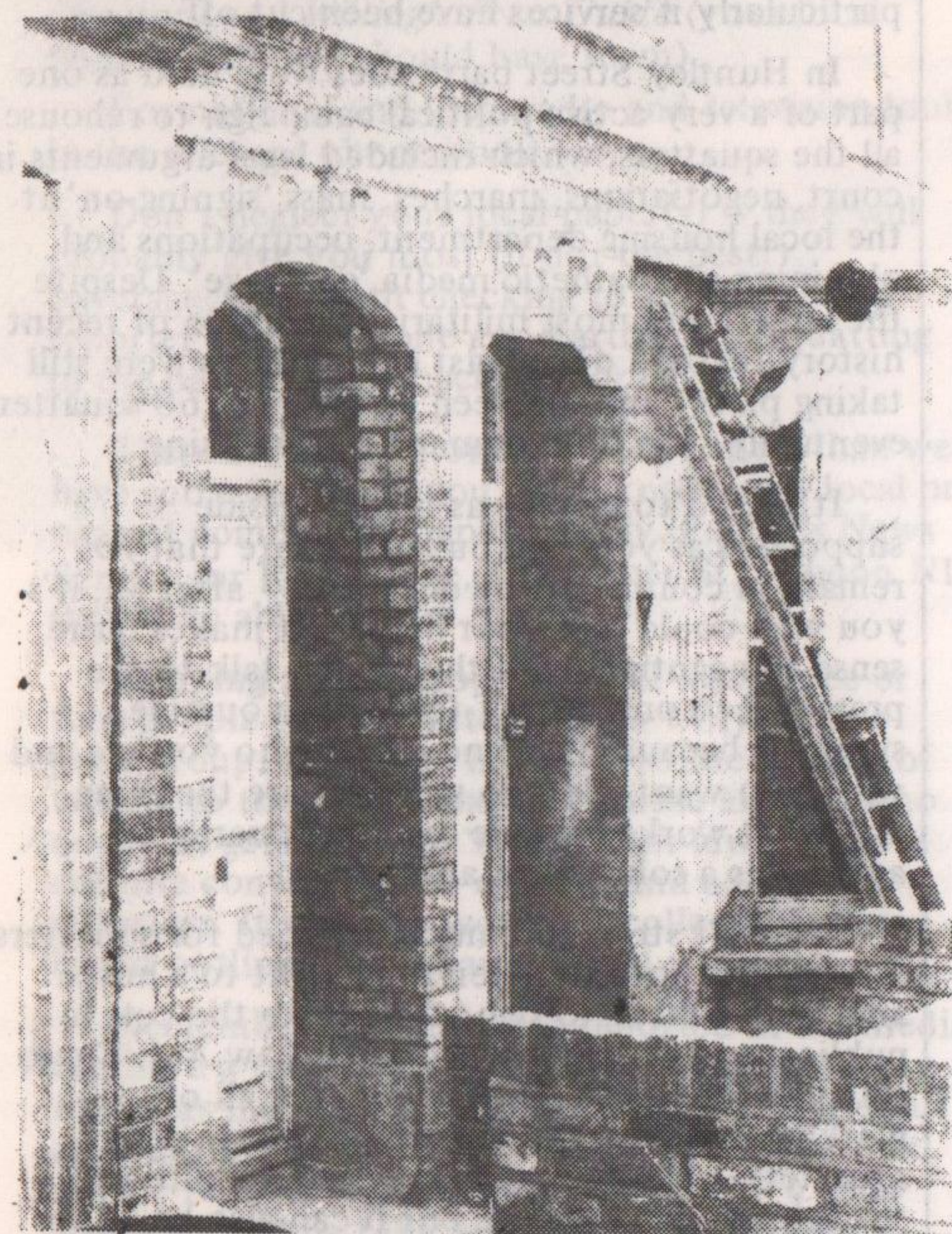
In Huntley Street barricades were used as one part of a very active political campaign to rehouse all the squatters, which included legal arguments in court, negotiations, marches, mass 'signing-on' at the local housing department, occupations and obtaining sympathetic media 'coverage'. Despite the largest and most militaristic eviction of recent history (carried out whilst negotiations were still taking place) and fourteen arrests, all 160 squatters eventually won their demand of rehousing.

It's good to involve as many outside supporters as you can, but make sure that *you* remain in control of the decisions — after all, it's you who could lose your homes. It makes more sense to negotiate with the owner, talk to the press and so on yourself (even with outside support) because you know best who you are and what you want. No two struggles are the same, and what worked in one can't necessarily be applied as a solution to another.

We can't stress too much the need for squatters to organise, both to defend our right to a home and, with others, to fight things like the cuts in public spending and the Criminal Law Act. These things make life so much harder for all of us — working people and unemployed, tenants and squatters — but they can be resisted. Political struggle can be difficult, but it can also be exciting and joyful as people realise the strength they have when they work together. The people united can never be defeated.



GETTING THE PLACE TOGETHER



This section only covers basic 'first-aid' repairs to make your home habitable. For more advice on repairs, consult the various books on do-it-yourself house repairs, in particular *Housing Self Help Repair Manual* (see REFERENCES).

GETTING THE GAS AND ELECTRICITY CONNECTED

This is a problem that needs very careful handling, as it could ruin your squat before you have begun. The legal situation is ambiguous because the Gas Act 1972 (Schedule 4 para 2 (1)) and the Electric Lighting Act 1899 (Sections 27 and 30) state that the boards have a duty to supply all occupiers. Unfortunately, as we can see below, the courts have contradicted this.

The most damaging case for squatters was that of *Woodcock & Another v. South West Electricity Board*, on 27 January 1975. The judge decided that the law's definition of an 'occupier' did *not* include a squatter, so the authorities were under no obligation to supply electricity to squatters and had every right to disconnect them.

Then Tony Benn, the Energy Minister, said in Parliament 'the procedures of the Electricity Boards and Gas Regions for obtaining payment do not differentiate between squatters and the general body of consumers' (24 November 1975). William Eadie, a junior minister in the Department of Energy, said the Boards 'didn't have the necessary information to establish the status of occupiers of premises nor is it part of their duty to do so before complying with a request to provide a supply when required' (28 November 1975).

So the law on this point is extremely uncertain, but it is the present policy of most gas and electricity boards to supply to squatters unless the owners have given them specific instructions to the contrary. Some local authorities and private landlords have issued these instructions, particularly with regard to electricity supplies, to cover all of their empty properties. Also, in agreeing to supply squatters, some boards have a policy of asking for very large deposits. It is vital to get to the Board before the owner does because once you've got a supply they're much less likely to disconnect you.

Getting A Supply

1. If electricity to the house has been disconnected in the street (see **Electricity**), it is best to try and find another as it costs about £100 to get reconnected, and probably the board will refuse to connect squatters anyway. If you are near or next to a friendly house, you can lay your own cable from it (see **Electricity** again) and it is perfectly legal as long as you pay for it.

If services (gas or electricity) are not disconnected in the street but are disconnected where they come into the house, when you've signed up for a supply (see below) you will be visited by a representative from the respective board who may check the condition of the wiring/piping and you will almost certainly be asked for a deposit. Make sure the wiring/piping are all right (see relevant sections) before they call or they may use it as an excuse not to connect.

2. Again, before moving in, try to find out who the owner is (see **FINDING A PLACE**) and whether he or she has issued any instructions to the gas and electricity boards. This is not an easy task, but local community centres, squatting groups (if you are lucky), friendly neighbours etc. may have information. Also ask whether particular showrooms have a bad reputation.

3. Once you are in, go straight away to the showrooms and sign on for both supplies —

before the landlord has time to contact them. Try to avoid telling them you are squatting — this is most possible if you are in a privately owned house (rent books can be bought from most stationers. . .)

4. Do not volunteer to tell them whether the house is owned privately or by the council. If they do ask, you had better tell the truth — they may well know the answer anyway. The snag here is that many councils give their tenants letters accepting responsibility for the account, so they may now realise that you are squatting.

5. Don't panic if they do work out you're squatting — all is not yet lost. Ask them why they are refusing to connect you. If it is because you are squatting, try quoting the Gas or Electric Lighting Acts at them, as well as Benn's and Eadie's statements. If you have children, they are often more sympathetic and it is worth taking them down to the showroom with you. Tell them you know that their board's official policy is to connect squatters unless there are instructions from the landlord to the contrary, and offer them a deposit (about £20-£40 should do it — object if they want more than £50!) It is easier to get accepted if you have had a previous account (provided you paid the bill) and a banker's reference stands you in good stead.

6. If they refuse all this, you can connect it up yourselves and deposit some money, together with the original meter reading, with the nearest law centre or a sympathetic local solicitor — specifying that the money is for payment of gas or electricity bills. If you are accused of theft,

you can then produce the money as evidence that you had no intention *not* to pay, which should be enough to prevent a charge of theft. If you are trying this, you must have a meter to show how much you have used; electricity meters can be bought from many electrical shops.

7. It is an offence to steal gas or electricity, and if you do this you are laying yourself open to a charge of theft (even if there is already a meter installed). Some owners may actually call in the police to ensure you get bust. Using the lights at the back of the house may attract less attention, but it is more advisable to try and get an account.

8. If the board discovers that you are using electricity or gas without having an account they will probably try to cut you off. If they try to disconnect you in the house it is possible to refuse them entry if they don't have a magistrate's warrant. But it is not usually wise to do this because it may push them into cutting you off in the road.

9. Even some attempts to cut off supplies in the road have been foiled. If you think there's a danger of them doing this, one tactic is to contact a social worker, a local advice or law centre, or Release to try and negotiate with the authorities. They can point out the misery that would be caused, the principal argument being that if the owners want to evict you they can do so quite speedily through the courts and have no need to resort to such back-door evictions. This argument will be more effective if there are children in the house and particularly if the landlord is the council (which would have to rehouse people



Extension built onto squatted house



What can be done (South London)

with children if they became homeless).

If they do cut you off, and you have children, the Social Security will sometimes provide alternative heating facilities — paraffin stoves etc. Or they can give you an Exceptional Needs Payment (see **BENEFITS**) to cover the cost of the stove. Social Services Departments of the council have the power to make payments which would prevent children being taken into care.

10. Another good move is to get together with other squatters and contact the local EPTU (electrical workers' union) or the GMWU (gas workers) or other relevant union asking them to agree not to disconnect services to squats. You can even picket the hole that they dig, or fill it up with earth or water, but this will probably only delay your fate. If you do see anyone digging to disconnect, make yourself known to them and phone the relevant board. Workers are often told that houses are empty and when they find out people are living there they may go away. The boards may then send round a special cut-off squad who actually manage to do everything; digging the hole, cutting the cable and filling it in again in one operation.

You can also try organising an occupation of your local showroom to demand that they connect or reconnect you. Direct action can be more successful and less expensive than using the courts, but like any occupation there's a risk someone may

get arrested (see **ORGANISING** and **LAW**).

Anyone thinking of fighting a legal battle should consult ASS, Release, LSU and as many squatting organisations as possible because unfavourable court decisions (like Woodcock) can change things for the worse for all other squatters.

Alternatives to Mains Gas & Electricity

As the owners of squatted houses make it increasingly hard to get gas and electricity supplies, squatters could start thinking of alternatives.

Calor Gas

This is an economic form of gas, about the same cost as mains gas, which can be used for cooking or heating, though fires would have to be bought specially. Some ordinary cookers can be converted (check with Calor Gas Ltd, Calor House, Windsor Road, Slough, Bucks. Tel: Slough 23824). The main hassle is that the bottles it is supplied in are large and have to be transported, though you might be able to arrange deliveries. A standard domestic bottle costs about £4 for the gas with a deposit of £12. The advantage is, once you're converted, you are independent and can move your equipment from house to house without having to worry about getting connected by the board.

Generators

These are expensive to hire and don't have sufficient output for anything more than lights, record players and refrigerators. You can't run things that use a lot of electricity like fires, cookers, fan heaters or immersion heaters. They are also noisy and use quite a lot of fuel. But they have been used in squats whose electricity has been cut off.

Paraffin Stoves

Paraffin heaters are a cheap form of heating, but make sure you have the more recent models which have safety mechanisms. In particular, if there are children in the house, make sure that heaters are inaccessible to them and have fireguards (the Social Services Department of the council should loan these free if you have children under a certain age).

Oil Lamps

Oil lamps give better light and are cheaper in the long run than candles (they can also be hung out of reach of children). A hurricane lamp costs about £2 and a Tilley lamp, which will give a much better working or reading light, costs up to £20. Ask Tilley Lamp Service, 160a Arnold Road, London N 15 (Tel: 01-808 8642) who your nearest stockist is.

Water Supply

The Water Board rarely creates any problems for squatters. If they want you to pay water rates they will usually tell you, or you can approach them and offer the money, which won't be more than £20 a year.

REPAIRS

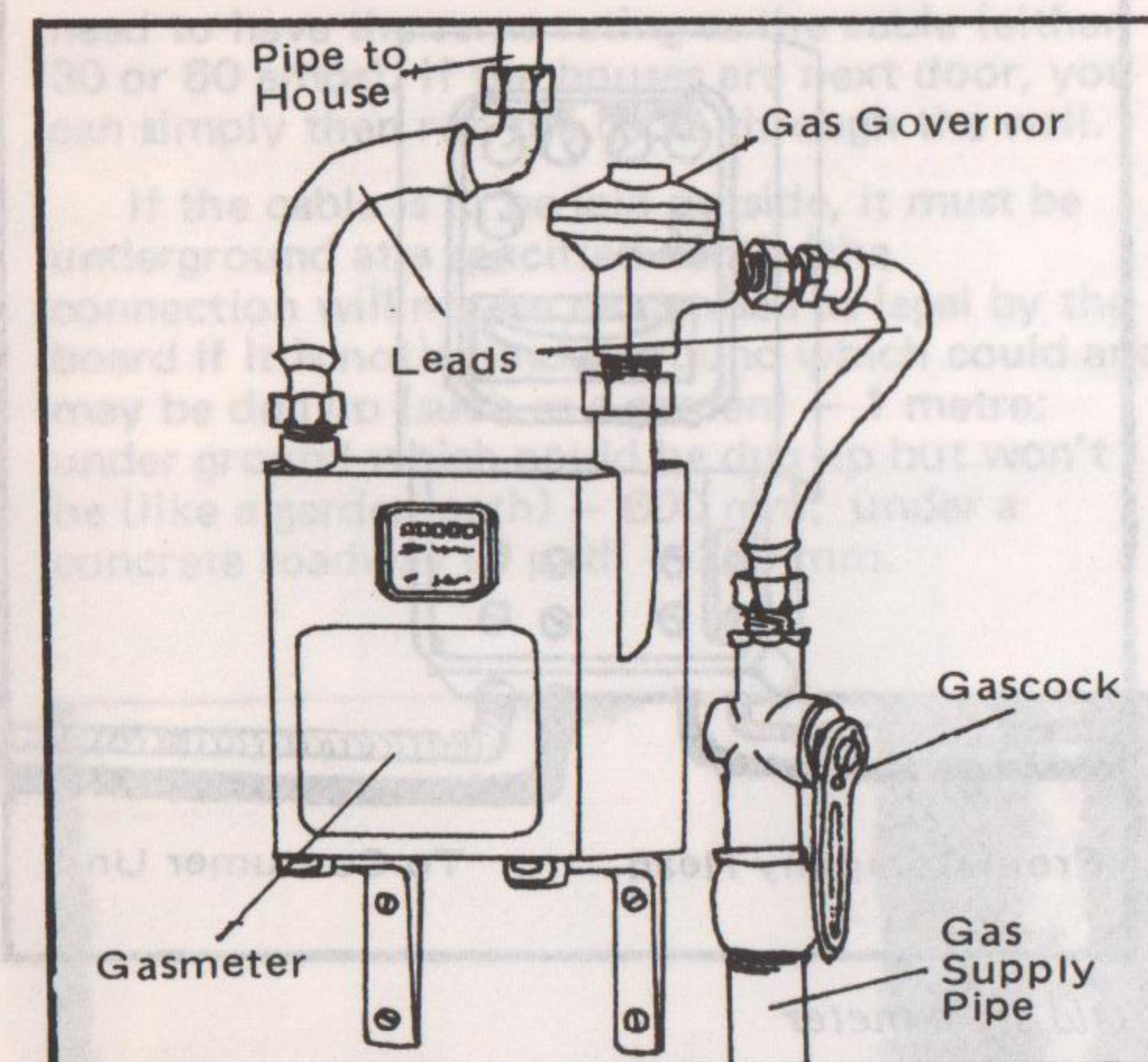
There's usually plenty of work to do when you move into a house, and if you can repair your own place you will save yourself a lot of money. Other squatters can often help out with advice and sometimes tools.

Another valuable asset is *Self-Help Repair Manual* by Andy Ingham (see **REFERENCES**). (If you have an old edition, pre-1978, ignore the bit on law at the back which is inaccurate). There will also be other handyman books at the library.

GAS

Gas can be dangerous, so don't try and do anything if you don't understand it.

The first thing you need to do is to see whether the gas is on. On the ground floor (or basement if there is one) you will find a meter — or a gap where one was — and a gas cock.



Gas meter

Gas piping is usually not vandalised because of its low scrap value, but before you turn on check for open ends. You might find them by fire-places or bathroom, kitchen etc. You can buy caps — either 3/4" or 1/2".

Tools

If you are going to put in some new piping, you will need:

1. Stillson wrench
2. Boss white or PTFE tape to seal threaded joints
3. Washing-up liquid to test if joints are leaking.

New piping can be iron or copper; adaptors can be obtained. Do not use polythene, only copper or iron. You can then assemble as water pipe (see **Water**).

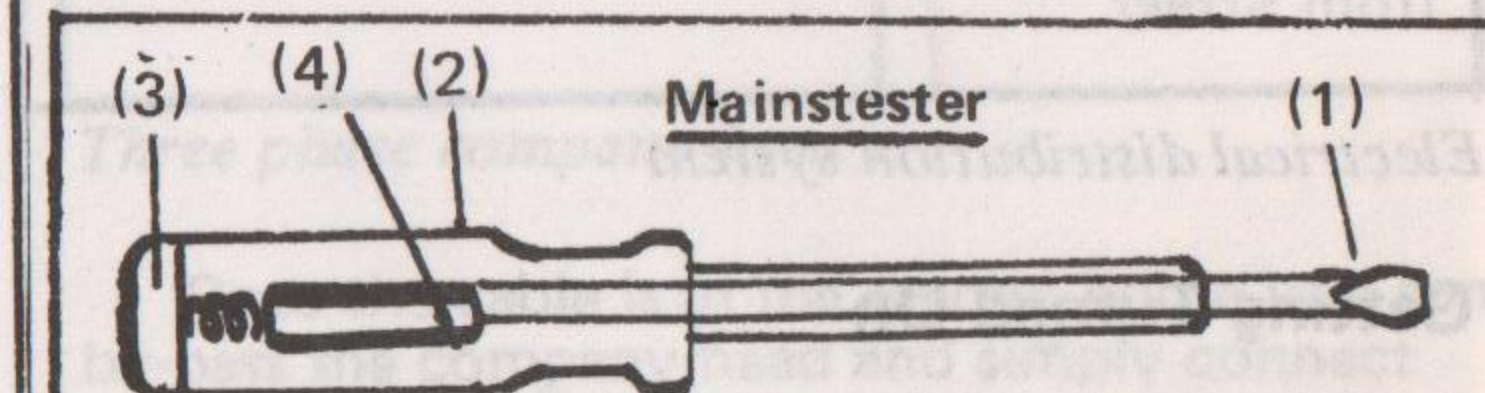
To Connect A Cooker

You will probably find that there is an open pipe in which an old cooker was fixed. In this case all you need is a flexible rubber connecting hose (cost about £3). Always test the joints with washing-up liquid before you use. Smear each joint with slightly diluted washing-up liquid all the way round. If it bubbles, the joint is not safe.

ELECTRICITY

Disconnected Supply

One of the first things you will need is electricity. If the house has been empty for any length of time the supply will probably be disconnected. You will need a mains tester which lights up when you touch a live wire.



Touch the bare wire with the screwdriver end (1), holding the body of the mainstester (2). Tap the metal cap (3) with a finger and, if the wire is live, the bulb (4) will light up. *Never touch the wire or the screwdriver end whilst doing this.*

Be careful when working on or near company heads, especially in damp conditions. If you are not absolutely sure of what you are doing, don't do it. Company heads have more power than ordinary sockets of plugs — they can kill you.

Fuse Removed from Company Head

In the head there is a 60 amp cartridge fuse (3" version of the sort in an ordinary plug). These are often removed to cut off the supply. You can buy them at electrical wholesalers.

If there are three fuses, you have a three phase supply — get advice before you work on it. At least look at the *Self-Help Repair Manual*.

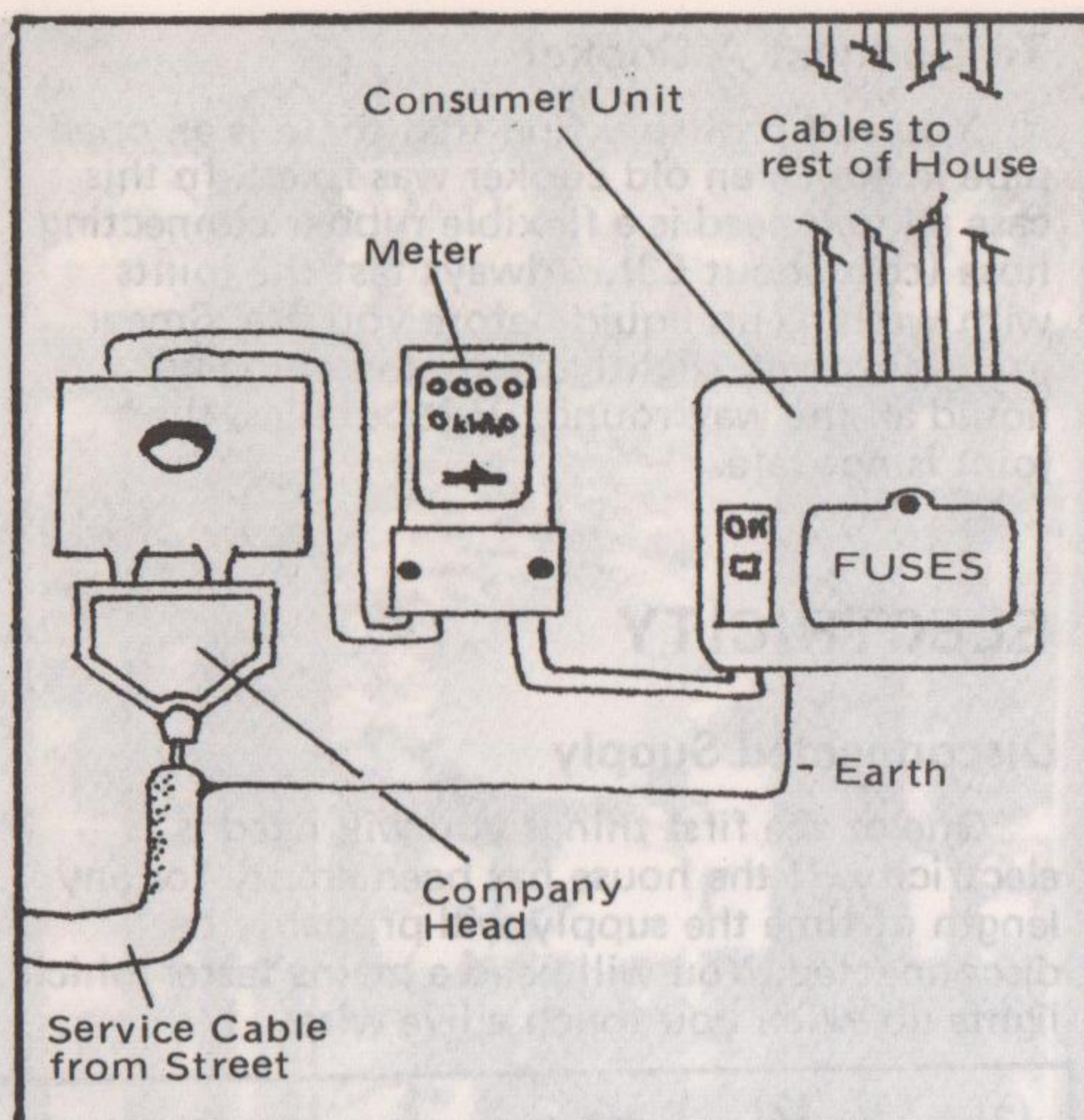
Meter Removed or Wires to Meter Removed

Again test the mains head to see if it is live.

There are three ways disconnection may have been done:

Cut Off In The Road

Signs of this are freshly laid tarmac a few feet into the road in front of the house. If it has been cut off from the road, it'll cost a lot of money and trouble to get it turned on again. It is probably best to try another house. You can check whether electricity comes into the house by touching with a *mains tester* the bottom terminal inside the company head (see diagram).



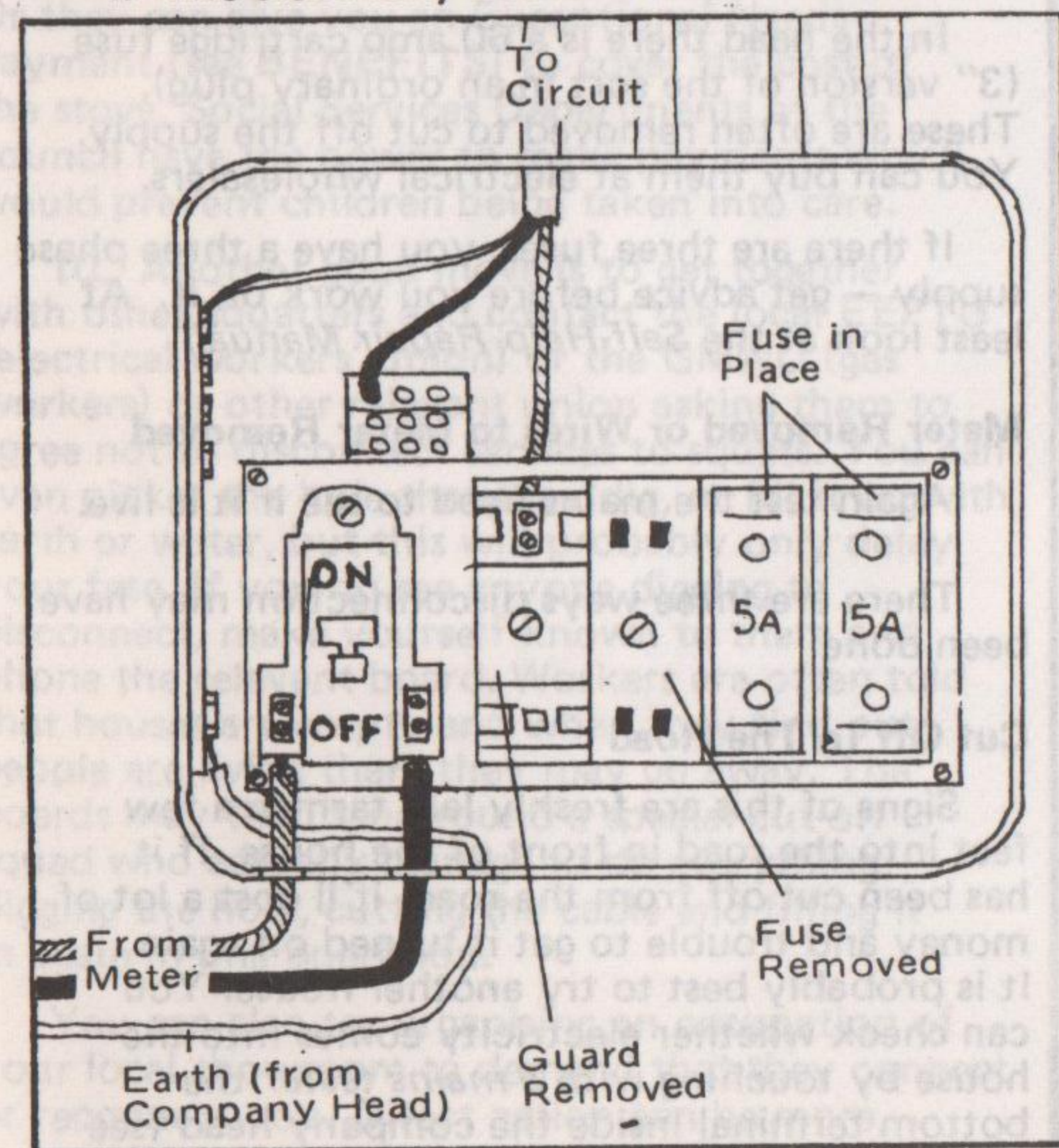
Electrical distribution system

Getting Turned On

Before you sign on, make sure that the house wiring is all right. They will use any excuse not to turn you on.

Things to check:

1. No bare wires sticking out (even with insulating tape on them)
2. Replace/remove light cords if they look old
3. If the wires from the meter to the company head or the meter to the consumer box have been removed, buy new ones. Electricity boards will not usually supply this wire.
4. The electricity board worker who comes



Consumer unit

to switch you on will usually test the circuit first. You will fail the test unless every electrical light and appliance is switched off, so check before they come.

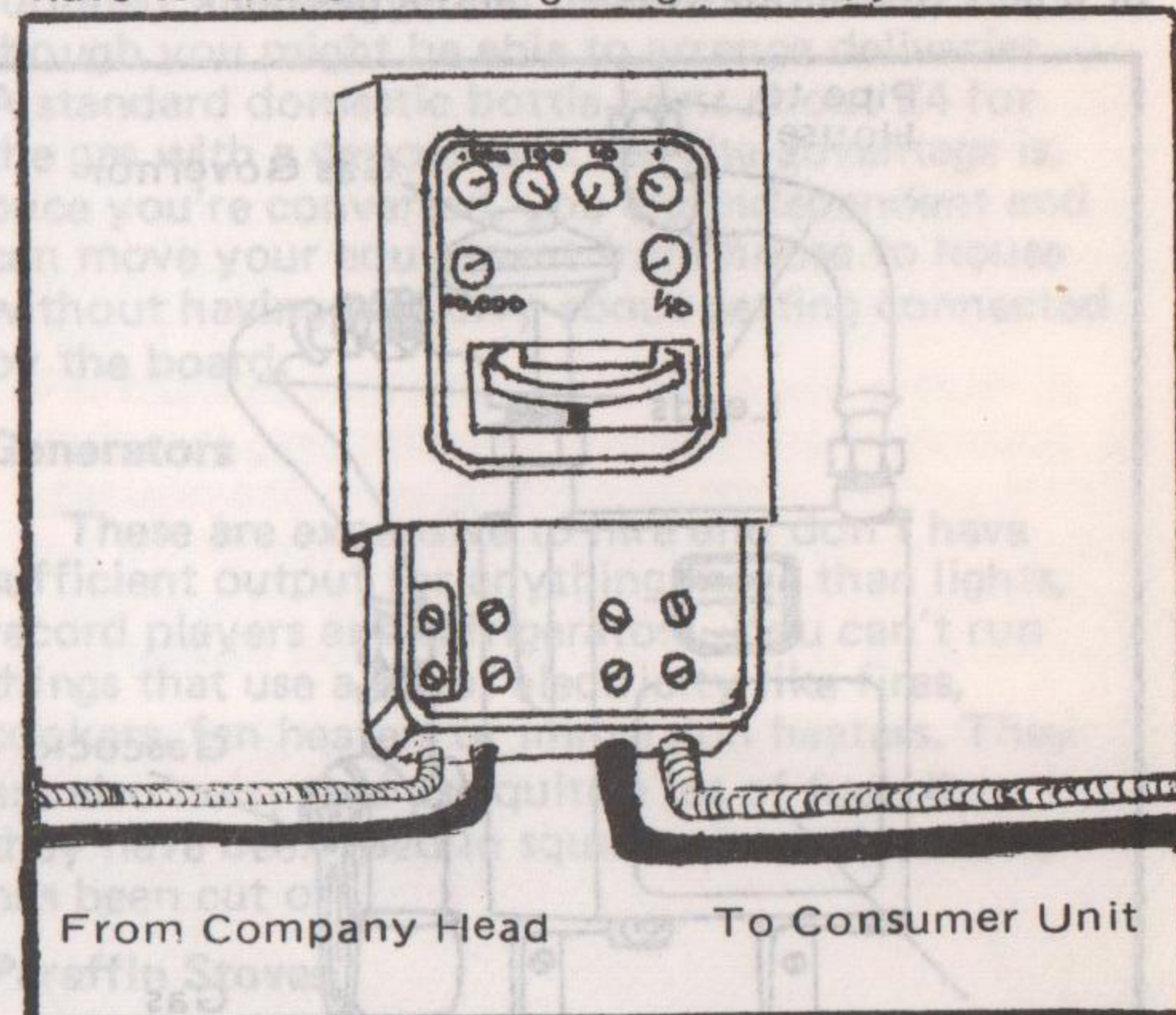
5. If you connected up the supply whilst waiting for the board to do it officially, make sure you have disconnected it (by removing the company head fuse) before they arrive.

If everything is intact when you move in, take a reading of the meter and take it down to the showroom. They will probably change the meter anyway.

Repairing the System

Whenever you are working on any part of the wiring, make sure you have turned off at either the consumer box or by pulling out the company head fuse. Check wires with your mains tester to make sure.

If you have to rewire the house, you don't have to make a new lighting circuit; just fit



Old style meter

a socket in every room and lights can be plugged in.

Fuses and Wire

1. Lights require 5 amp fuse and 1.5 mm wire.
2. Sockets require 13 amp fuse and 2.5 mm wire.
3. Ring mains sockets require 30 amp fuse and 2.5 mm wire.
4. Cooker requires 45 amp fuse and 10 mm wire.

A Short Circuit

This happens when a red (or brown) wire — positive — touches a black (or blue) wire — negative. Normally it will just cause a flash and blow a fuse.

Replacement wiring and switches etc. can often be found in derelict houses as they have little value. Or they can be picked up second-hand.

Temporary Supply

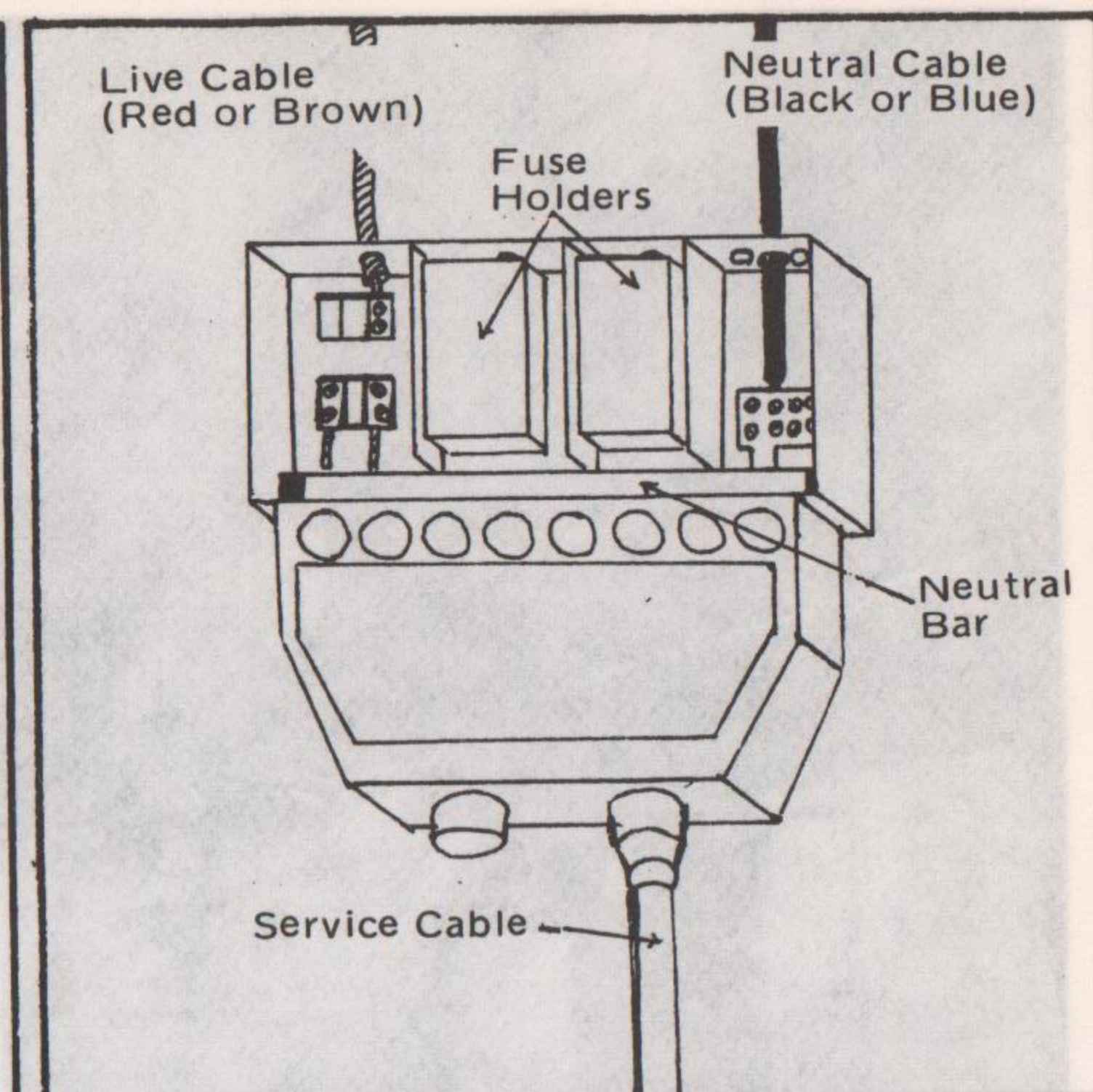
If you have electricity as far as the meter but all the wiring from there looks hopeless, or the lights don't work, you can wire several plug boards to take extension leads throughout the house.

Cable Supply

If the electricity is cut off in the road and you decide to run a cable supply from a nearby house (next door is obviously best) this is perfectly legal so long as that house has an account with the electricity board.

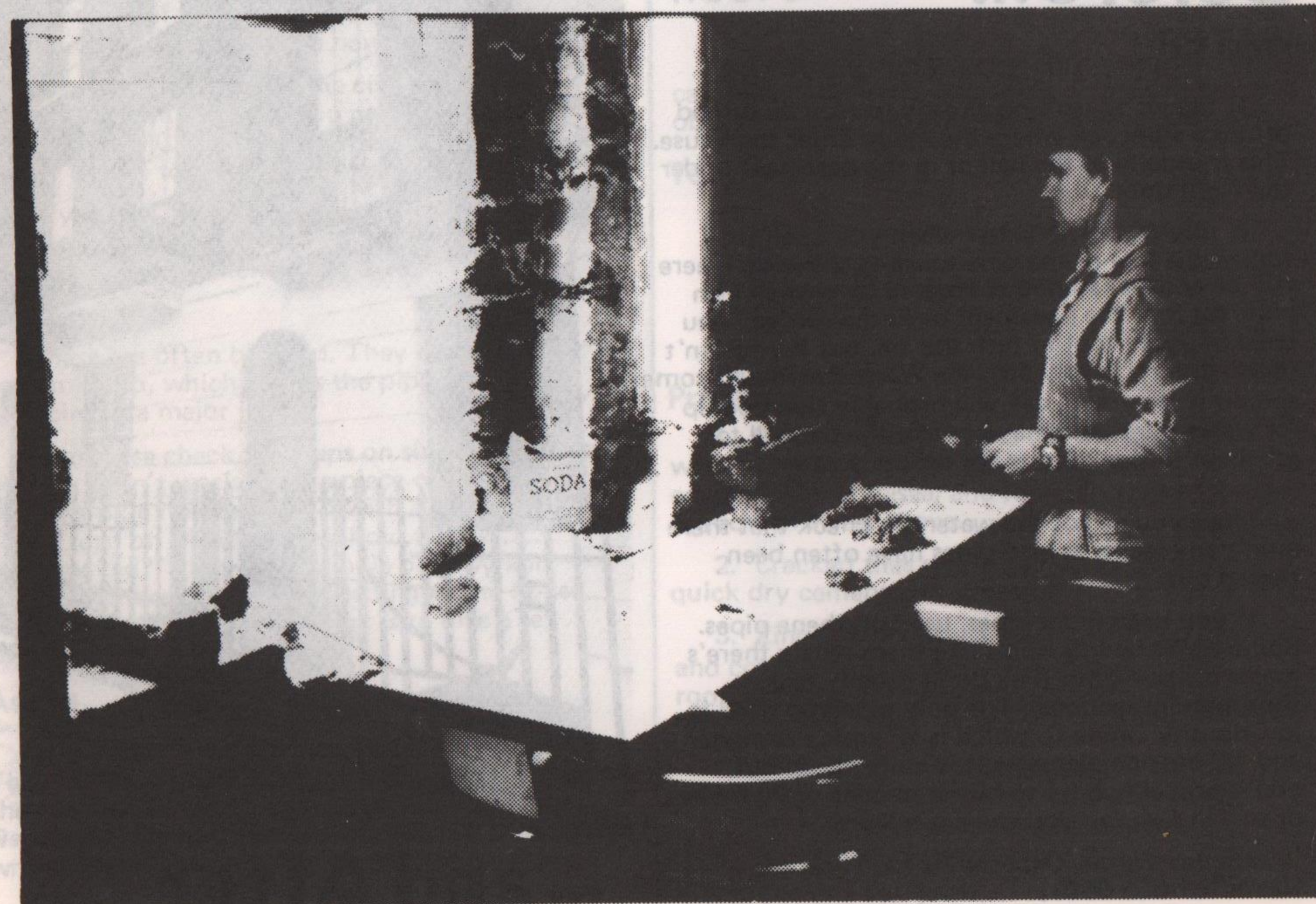
You will need armoured 16 mm cable, which costs about £1 a metre and is generally only obtainable from the manufacturers (your local supplies shop should know who your nearest manufacturer is). Take the cable from beyond the consumer unit in the first house and fit another junction box with a switch, preferably between the meter and the fuse box. The switch will need to have the same rating as the cable (either 30 or 60 amps). If the houses are next door, you can simply then run the cable through the wall.

If the cable is to be laid outside, it must be underground at a specified depth (the connection will not be recognised as legal by the board if it is not): under ground which could and may be dug up (such as a garden) — 1 metre; under ground which could be dug up but won't be (like a garden path) — 600 mm; under a concrete roadway or path — 300 mm.



Three phase company head

Once the cable is in the second house you can by-pass the company head and simply connect up to the consumer unit. Both houses can simply split the bills, but if you want to keep separate accounting connect up a meter before the consumer unit. The ends of the cable (like the cable leading into the company head) should be sealed off with black tar so that damp doesn't get down it.





Before...

WATER

If the water isn't on already, it may be turned off by a stopcock where the mains enter the house. This is usually in the hall or in the basement under the front door.

If there's still no water when you open that, follow the line of the pipe towards the road. There will be another stopcock covered by a small iron plate set into the pavement or in the garden. You need a special tool to turn this on, but if you can't improvise or borrow one, the Water Board will come and do it for you. They will probably sign you up for water rates, and may contact the council to get them to sign you up for ordinary rates.

Once you've got the water on, check that there aren't any leaks, as lead pipes have often been ripped out.

If you need more pipes, use polythene pipes. Some water boards don't like them where there's mains pressure, but they don't usually make thorough inspections. The poly pipe you need is low-density Grade C, which is $\frac{1}{2}$ " inside diameter and $\frac{3}{4}$ " outside diameter. It is quite cheap but you'll probably have to buy it in coils of 20 metres or so. In London you can get it from:

Stanley Works, Osborne Road, Thornton Heath (01-653 0601)

45 Ducklees Lane, Ponders End (01-804 7121)

Specify British Standard 1972 Class C as they have hundreds of different kinds.

You'll have to join the poly pipe to lead at some point. There are two ways of doing this, and for both you have to go via copper piping. If you can, the best way is to solder a piece of copper inside the lead. This means doing a 'wiped joint' with solder. It is best to get somebody experienced to do it for you, or at least to show you how. Wiped joints are the only really skilled things in plumbing — the rest is relatively easy.

Tools and Materials

A blow lamp, hacksaw, screwdriver, solder, fluxite, wire wool, wrenches, adjustable spanner and a bending spring.

This might sound like an awful lot and you probably won't need all of them. If you can borrow them off other squatters it's good to have them around as it can make life a lot easier.

Second-hand taps and compression fittings can often be got from scrap dealers and sometimes from derelict houses — *make sure that you don't strip a house that someone else could squat*. Be careful you don't get caught as it can be considered theft. Second-hand copper tube can be got, but you may have problems over matching old imperial size pipe and the new metric.



... and After

Copper Piping

You will only have to use two sizes: 22 mm ($\frac{3}{4}$ ") and 15 mm ($\frac{1}{2}$ "). You buy it in 3 or 4 metre lengths. $\frac{1}{2}$ " is O.K. to use unless you are using a roof tank. Joints are either 'compression', which you screw up, or 'Yorkshire', which you heat up. The Yorkshire system is cheaper but sometimes awkward, so you will probably need to use a mixture of the two.

Threaded Iron Pipe

This is rare and not good to use. If there is some already in, get an adaptor to copper; this is easily available.

Lead Pipe

This can be difficult to get and it is very difficult to work in.

Plastic Waste Pipe

This comes in sizes 1"-16", and metric equivalents, with simple push-in joints or adhesive ones.

Leaks

These usually occur at the joints. If they are compression and jubilee clip joints, just tighten. If a capillary (Yorkshire) joint leaks, try heating the bulge (having emptied the pipe). If that doesn't work, start again with a new fitting. Old lead pipes often develop 'pin hole leaks' — these can often be fixed by a sharp tap with a hammer.

Toilets

If the cistern has been left empty for some time the ball valve is usually stuck. Tap with a hammer to release. If it overfills bend the arm downwards; if it underfills bend it upwards. If that doesn't work, buy a new valve.

The down pipes from the cistern to the toilet are often missing. You can buy an adaptable PVC one and a rubber flush cone which fits on to the back of the bowl.

If you are fitting a new toilet, connect to the drain either by a multisize connector called Multiwick or by quick dry cement.

Drains

These are often blocked. They may be cemented up, which means the pipes need replacing — a major job.

Otherwise check the traps on sinks and baths. If that doesn't work, hold a piece of hose-pipe over the plug hole, sealing it with a piece of cloth; turn on the water and hold firmly!..... still blocked? Find the manhole or gully and direct the hose up the pipe leading to the house and turn on fully. A last resort is to hire a set of drain rods.

Ascots

These are a common form of heating water. They can be bought second-hand — ask whether they are converted to natural gas. The *Self-Help Repair Manual* has a good section on what goes wrong with them and how you can put it right.



What can be done (North London)

ROOFS

These always seem to be a problem, but can usually be fixed, providing access can be obtained, preferably on top or in attic space.

Tools and Materials

1. Hammer and galvanised roofing nails
2. Roofing felt
3. Aquaseal plastic bitumen
4. Quick dry cement

Problems

1. Slates missing. These can be replaced with wire hooks or the slates surrounding covered with aquaseal and roof felt slipped under the row of slates above.

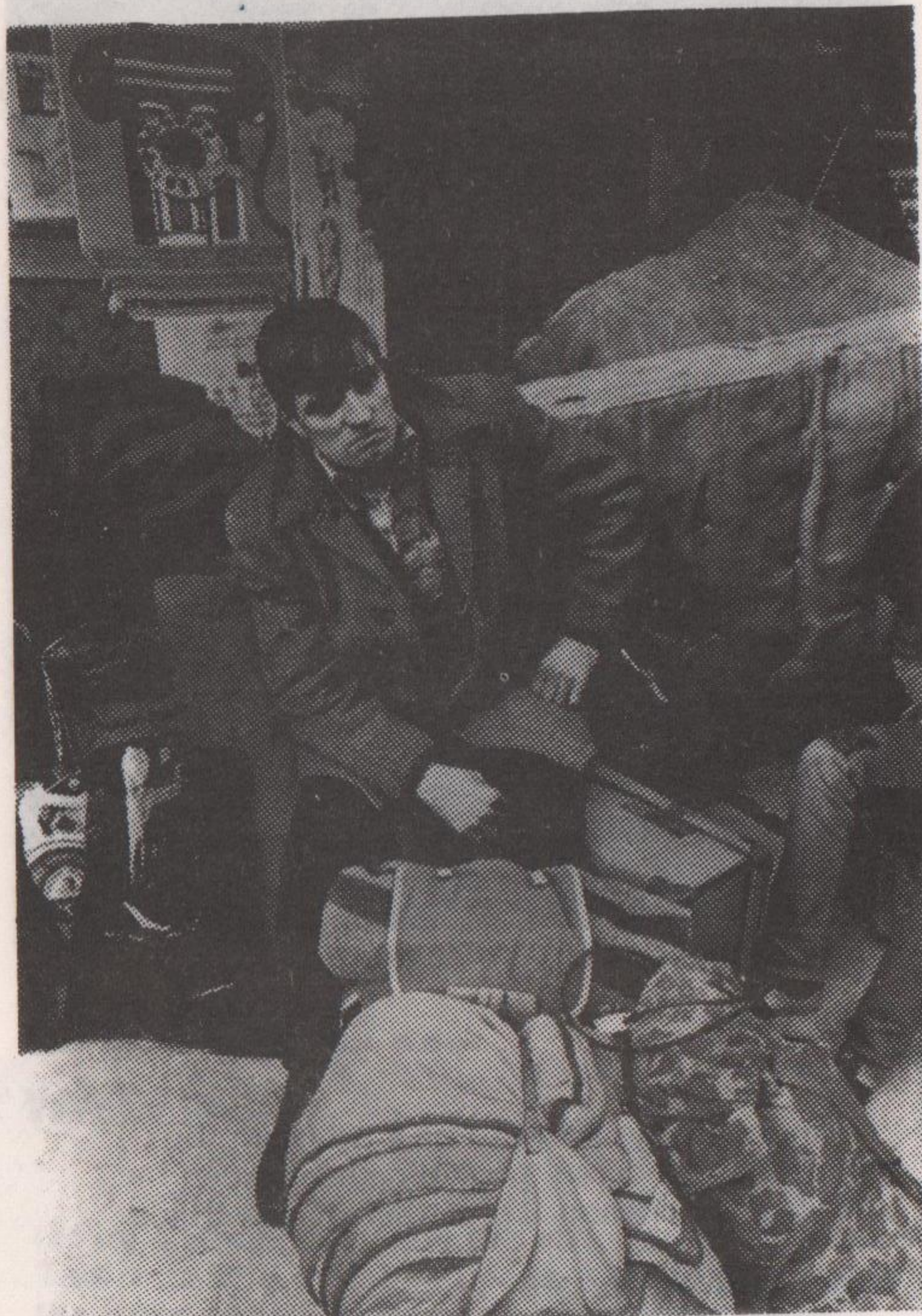
2. Cracked tiles or pieces missing. Use quick dry cement and aquaseal.

3. Zinc centre gutters leaking. Sweep down and cover with aquaseal. Stick down a roll of roofing felt and tuck ends under bottom row of slates or tiles.

4. Flashing (joint between wall or chimney and roof). Either cover with aquaseal or chip away and replace with quick dry cement.

5. Always unblock eave gutters and drainpipes and seal joints.

EVICTIION



Unless you are evicted under Sections 6 or 7 of the Criminal Law Act (see **LAW**) or illegally by the owner or police, the usual way is for the owner to apply to the courts for a possession order under the special summary 'squatters' procedure'. This is either an Order 26 in the county court or an Order 113 in the High Court (the difference is that the High Court is quicker but costs them more).

Orders 113 and 26 were brought in in 1970 to deal with the current wave of squatting, but their use has been extended since to cover ex-licensees, 'unlawful' subtenants, and student and factory occupations. It is a quick procedure with such simplified rules that even the stupidest solicitor should get it right first time. However many lawyers are even stupider than the government thinks, and the courts reinterpret the rules to cover up for landlords' mistakes. In 1977 they introduced new, even simpler, rules for the procedure.

Most cases are not worth fighting, as there are no real defences, only occasionally technical ones. You may be better occupied finding another house than putting energy into a court case which will go against you sooner or later. Technical defences may give you a little more time though.

If you do want more advice on the law, and particularly if you think you have any of the defences described below, contact ASS, Release or, if you have one, your local law centre.

THE FIRST WARNING

The first warning you may get is someone calling at the house saying they are the owner or are acting for the owner. Ask to see their identification, particularly if they say they are from the council. They will probably then say something like 'You are trespassing or you are living here without the owner's permission and you must leave.' They may say something like 'this is to give you notice that your licence or permission to stay here is over' (if you have had a licence), or they may even say something which actually gives you a licence — usually by mistake! (see **WHEN IS A SQUAT NOT A SQUAT**).

Make a note of everything that you heard or saw as soon as they leave. Sign and date the note and it may be useful evidence if you fight the court case. Several people can write a note together but each keep a copy.

They will probably ask for the names of all the people living in the house. It used to be a defence to prove that the owner hadn't taken 'reasonable steps' to find out the names of people in the house and squatters were advised to avoid giving names if they could. But in the summer of 1977 they changed the rules of the name game, and *now the owner doesn't have to prove they have taken reasonable steps to identify anyone*. This means you have nothing to gain by not giving names: in fact, if you volunteer a lot of names — particularly in a large squat — and they forget to send summonses to all those people you may have a defence in court (see below). You don't have to give your (real or full) name if there's a strong reason why you'd rather not.

They don't *have* to visit you at all before they issue the summons, so it is possible that the first warning you will get is the summons. It's important to start organising as early as possible (see **ORGANISING**). By the time the summons arrives it may be too late.

A summons is the formal notice of the court hearing, and you have a *right* to get this. If you are hoping to fight the court case do not throw it away. Precisely what documents you get and how you get them depends on whether you are named or not (see **Service**).

DO WE HAVE ANY DEFENCE?

The only possible defence comes from permission to be where you are, either as some kind of tenant or as a licensee whose licence has not been withdrawn. People who think of themselves as squatters but are actually not in law, are more likely to be licensees than tenants, but an increasing number of landlords are deciding that tenants are 'squatters' when they want to get rid of them. See **WHEN IS A SQUAT NOT A SQUAT** for what makes a licence, but if you are in any doubt about your status check with ASS or Release.

If you are not a licensee or a tenant then your only defences are 'technical'; in other words they got the procedure wrong. These days most judges say that irregularities can be ignored if everyone knows about the case. However, you can sometimes use these 'technicalities' to gain time for any political action you are taking. Certainly never think you can 'win in the courts' if you aren't winning anywhere else.

These technical defences fall into three categories: 'failing to name someone', 'service' and 'right to possession'.

The two main technical defences ('failing to name' and 'service') are now a two-part argument. In both cases the fact that the owners have failed to follow the rules isn't enough to delay the

proceedings. It is necessary to suggest that someone has suffered as a result, that they have been 'prejudiced' and 'injustice' is likely to result. So you must give evidence that someone is unaware that proceedings are going on because the owner failed to let them know and that you believe that person would have come to the court to fight the case. The court should then order the owner to re-serve the summonses (which will mean an adjournment) or possibly start all over again.

Obviously anyone who turns up at the court *isn't* 'prejudiced' in this way.

Failing to Name Someone

This will be a rare defence. They are obliged to name everyone whose name they know, but they don't have to do anything to find out names. It should say on their affidavit (see below) that they don't know any more names than they have listed. If you can prove they do, then they are lying and, by implication, trying to pull a fast one.

If the owner is a council, have signed letters been sent by anyone in the house to the housing or legal departments (the rates department would probably not count)? Did the owner visit and fail to notice names on the door-bell? Did you give names when they visited which they have failed to give on the summons?

If you are asked in court whether the person you say may be 'prejudiced' has a defence to the case, say something like 'I don't know whether or not they know about the proceedings, but I believe they don't. I don't know whether they are squatters or not — I'm not their guardian.' Since licences are often verbal promises made to individuals, it is always possible that the absent person may be a licensee even if you are not.



Service

Summonses should be served in the following way:

County Court: Named and unnamed people should receive:

1. A notice of the hearing saying who wants possession, who they want it from (names or 'persons unknown' or both), the date of the court hearing and the place it is to be heard.

2. A summons, which is a formal document which should state their 'cause for action', that they have a right to possession, that you are there 'without licence or consent' and who is to be served with it.

Named people should receive:

3. At least one affidavit (a statement sworn by an individual) stating

a) why they have a right to possession

b) why you are trespassers (either you entered as trespassers or your licence has been withdrawn)

c) if the summons is to 'persons unknown' that the person making the affidavit doesn't know the names of anyone else.

This can be split into two affidavits, usually from different people.

High Court: There may only be two documents, because the notice of hearing (1) is often incorporated into the summons (2).

In the **county court** there must be at least five full days between the day you receive the summons and the day of the hearing, except when the judge decides it is urgent. The day it arrives and the day of the hearing don't count, but Saturday and Sunday do, so if, for instance, you receive the summons on a Wednesday, the case could be heard the following Tuesday.

In the **High Court** Saturday and Sunday don't count, so if the summons arrives on a Wednesday the hearing can't be till Thursday the next week.

The documents should be put in envelopes in a place where you could be reasonably expected to

find them (for instance, they can't just dump them all on the open stairs of a block of flats or through the front door of a house which has a self-contained basement flat). Every named person should receive a summons and an affidavit, which should come in addressed envelopes. If they haven't done all this, you can argue that there are people who don't (and couldn't be expected to) know about the court case and they have therefore served the summons incorrectly. If you are successful, there'll be an adjournment while they 'serve' you again - with any luck the court won't have time to hear the case for several weeks.

Ownership or Right to Possession

If the affidavit about them having a right to possession of the house doesn't state this very clearly or you have good reason to think it isn't true, ask for an adjournment for them to prove it, or prove yourself that they haven't a right and ask for the case to be dismissed.

Owners

If they claim they own it, then they should

1. Produce evidence that they do (such as a title deed or the number of one)

2. If there was a tenancy or licence before you moved in, the owners should show that it has been ended properly before they *issued* the summons against you.

Other People with a Right to Possession

If the property you've squatted has a tenant, lessee or licensee, they should claim possession, not the owner.

If a building society or mortgage company is claiming because the mortgagee has defaulted on the mortgage, then they should already have a possession order against the mortgagee.

SO YOU WANT TO FIGHT?

Courts exist to administer law, not to dispense justice. One of the greatest injustices in this society is that thousands of houses are left standing empty, that some people own and claim to live in two, three or even four houses, that people build houses not to give people homes but to make a profit for themselves. It is just these people which the law courts exist to protect - and squatters are some of the people they protect them from.

So if you can't find some defence in *law*, don't go along hoping to win simply by saying you're homeless and need a place to live (that would be something like justice!) A few judges can be swayed when confronted by homeless people, particularly if the owner can show no plans for using the house, but the few loopholes available to them are rapidly being closed. All they can do anyway is ask the landlord to delay evicting you. They can't refuse to grant the possession order. Most judges come from the land-owning classes and will inevitably see the case from the point of view of the owner, however 'impartial' they may think they are.

If you decide it isn't worth fighting the case, it is still worth going along to find out what is happening. You can ask the owner's lawyer when the eviction will actually take place. Sometimes you can even make a deal after the case is over to have longer in the house if they have no immediate plans for it. Some landlords automatically get possession orders as soon as they know the house is squatted but don't use them immediately.

Preparation

If you think you have one of the defences above, make sure you have enough evidence to back it up.

Most of your work is preparing your evidence before the case. There are two types of evidence verbal and written.

There are three types of witness: occupants, applicants (the owner and people acting for them) and third parties.

1. If you want to give evidence yourself you should make an affidavit. Copy theirs to get the form right and type it (with two copies). You can swear it at the court office on the day of the hearing, or get it sworn at a law centre or friendly solicitors. Any documents you want to show the court should be added on the end as exhibits.

You can give verbal evidence, but it is a good idea to make political points (the owner's record, lack of plans for the house etc.) in your affidavit because the judge may stop you if you are saying them.

2. Sometimes you need evidence from the other side, for instance do they remember your giving a name to them or did they say 'you can stay here till the spring'?

a) If a witness swore an affidavit, write to the owner's solicitor saying you require that person to attend court for cross-examination

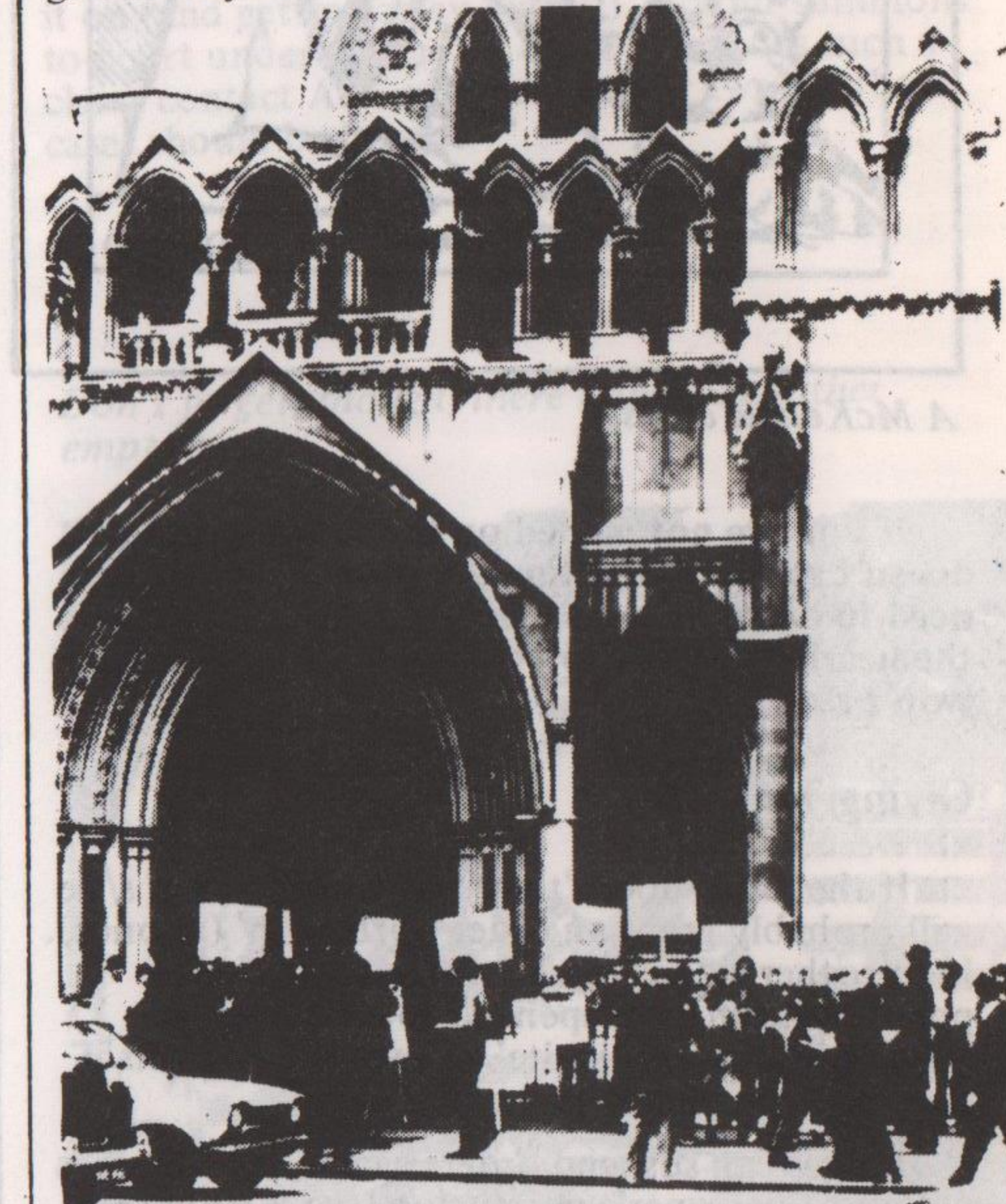
b) If they didn't, go to the court office and ask for a witness summons.

3. Sometimes important events are witnessed by an independent person.

If you want witnesses to give evidence for you and they will turn up without being forced to, you can just ask them.

If for some reason they wouldn't turn up or turning up voluntarily would make their position more difficult (e.g. a friendly councillor or neighbour) then get a witness summons for them.

If you know the owners are in possession of documents which would assist your case, you can write to them formally asking them to provide you with copies within three days (e.g. there's an internal memo saying 'don't evict these people' and you are claiming a licence). If they refuse to hand them over, make an application to the court. You must give enough reason for the court to believe the document will help your defence and the owners can then be ordered to give it to you.

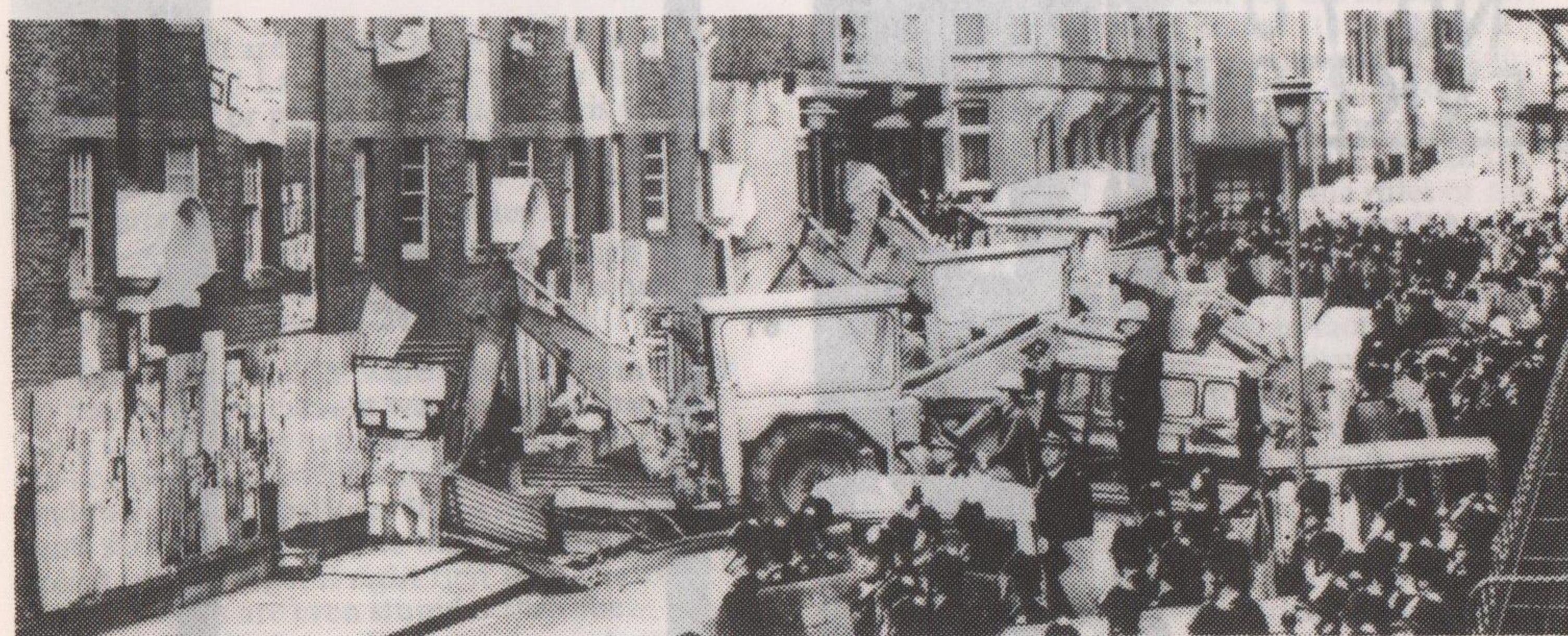


Squatters picket the High Court, London

In Court

The court is a civil not a criminal one, but even so it can feel very intimidating. If you've never been in a civil court before it's a good idea to visit one before your case so you can suss out what goes on.

Run-of-the-mill lawyers don't know much about squatting law, so you will be wasting time seeing them. Some law centres or friendly solicitors may be prepared to help for free, but you will only be able to get legal aid if you've got a very strong defence, such as a licence.



650 police, including members of the Special Patrol Group, bailiffs and bulldozers evicted Huntley Street squatters while they were in the middle of negotiations for rehousing. All the squatters were eventually rehoused.

What you can do in either the High Court or the county court is tell the judge that you want a friend beside you 'to quietly advise you but not address the court'. This can be useful either because that friend can in fact be a trained lawyer acting without pay, someone in the squatting movement who understands the law or just a friend to consult with before you open your mouth. This person is called a 'McKenzie', and if the judge questions your right to this help, mention 'McKenzie v. McKenzie, 1970' which was the case which established this right.



A McKenzie adviser

If you are not named on the summons that doesn't stop you fighting the court case. All you need to do to become a defendant is turn up at the hearing and ask to be 'joined'. The judge won't stop you.

Giving Time

If the judge doesn't accept your defence, s/he will probably grant an order 'forthwith' (at once). If the other side agrees, though, the order of possession can be suspended (occasionally a friendly judge will 'invite' an owner to do this if they have no plans for the house).

Judges can suspend orders against ex-licensees without the owner's permission (see **WHEN IS A SQUAT NOT A SQUAT**).

Notice of Execution

After the possession order has been granted, the owners have to apply for a **warrant of execution** (eviction). If the owner doesn't get this within three months of the possession order, under new rules they must apply to a judge for it. So it is worth asking the judge at the hearing of your case to order that you are informed of any such application. You should tell the judge if you know the owner doesn't plan to use the house for some time.

Costs

They will probably ask for costs against you. If they got something — like 'service' — wrong but the judge said it didn't matter, you could argue that you only defended the case because they'd made such a mistake and so no costs should be awarded against you.

Costs can only be awarded against named people. Even if costs are awarded against you, they still have to collect them. That means finding you first.

APPEALS

IF YOU APPEAL AND LOSE, THE DECISION AFFECTS ALL OTHER SQUATTERS.

Even if you think the judge got his law sufficiently wrong to have made the wrong decision *in law*, please discuss very carefully with other squatters, ASS, Release, the LSU, the *politics* of appealing. Even if you win a delay on your own eviction (and it will only be a delay since they can always start proceedings again), you may give a judge an opportunity to say something that could make the situation worse for all other squatters. This has happened before.



Bailiffs in Abercrombie St, South London, 1977

EVICTION

You can phone up (ask for the 'bailiffs' office' in the court) and ask them when they are coming. They'll probably tell you, as it saves them bother if you've moved out. If they won't tell you, a social worker may be able to find out for you.

A **possession order** lasts for twelve years, but a **warrant** only lasts for one year, unless it is renewed.

Squat Swops?

Anyone who is on the premises when the bailiffs come round can be evicted, whether they are named on the order or not. Anyone who moves in after you can be evicted on the same order. So squat swops are out — another loophole that got closed on appeal in 1975.

However if you move out and the owner can be shown to have 'repossessed' the house (e.g. boarding it up), then they *should* get another possession order against anyone squatting it afterwards. This is risky, since they may not know the law and may be more inclined to carry out an illegal eviction.

Setting Aside

If a decision is made without you being aware of it (for instance, you get no notice of the court hearing) then you can go to the court to get it set aside'. For instance, if a possession order suddenly arrives without your having had a summons — you can apply to have the order set aside for bad service and get a completely new hearing.

Or if more than three months have passed since the **order** was granted and you hear that a **warrant** has been issued without the judge's permission you can apply to the court for the warrant to be set aside.

You can in theory be evicted the day the possession order is granted, but this is rare. If the case was in the High Court, the bailiffs will usually evict you within a few days. Normally county court bailiffs (especially in London) have a waiting list, which may mean you don't get evicted for three or four weeks.

ODDITIES

Though Orders 26 and 113 are used fairly routinely against squatters, occasionally an owner (usually outside London) will try on one of the following.

'Ordinary' possession action (Order 6)

This is normally used only against tenants and licensees. It should give you at least one month's notice of the hearing and it can't be granted against unnamed people (though if it comes to

eviction, unnamed people may be evicted). The only possible defences are a current licence or a tenancy which hasn't been ended. Claims for damages can be added to this kind of action.

Injunctions

This is a court order to stop you doing something (in your case trespass) and it can only be made out to named people (and 'their agents and servants'!) If you break it, you could be jailed for contempt of court! Injunctions can be fought — contact ASS or Release immediately if you are being threatened with one.

Damages or 'mesne profits'

These are claims for money which would be the equivalent of rent and *cannot legally* be claimed under Orders 26 and 113, though some corporations outside London have been trying it on (and getting away with it). If your summons to court under Orders 26 or 113 includes such a claim contact ASS or Release right away — these cases should be fought.

Don't forget, though, there's always another empty house



WHEN IS A SQUAT NOT A SQUAT?

LICENCES

A licensee is someone who is midway between being a squatter (or trespasser) and a tenant. S/he has more protection under law than a squatter, but less than a tenant.

A licence is basically permission given by the owner (or someone entitled to act for them) to someone else to occupy premises. Sometimes it involves payment of money (licence fees) or some other recompense; sometimes not. It can be written or verbal. Obviously it's better if it's in writing.

There are at least one million licensees in Britain — mainly in flat-shares, bed-sits or bed and breakfast hotels. However the kind of licences we are concerned with here are the short-life ones granted to people who are already in occupation as squatters.

Who Can Grant a Licence

The people who are entitled to grant licences are the people who own, control or manage properties. So a private landlord, a council lettings officer, an estate manager or the chairperson of a housing association have the right. The builders who are working on the house next door who say 'you can stay there till we need to start work on your house', don't.

If local councils send someone round to a squat to see who's there (often before they start taking possession proceedings), that person generally has the power to *end* any licence. If they have that power, it follows they must have the power to *grant* licences as well — and if they are at all friendly, they often do this (sometimes they don't mean to . . .)

Unintentional Licences

A licence can be granted either intentionally or by mistake, but legally they are equally valid. For example, a visitor from the council, who is supposed to ask you to leave, says 'You'll have to leave when we want the property but you can stay till then'. This is a licence — you have been given permission to stay.

What Type of Licence

There are two main types of licence: those you give the owner something for and those that are entirely free. In either case, possession proceedings can't be begun against you until the licence has been ended. Nor can you be evicted under Sections 6 and 7 of the Criminal Law Act (see **LAW**).

The most common form of licence, often mistakenly called a 'licensed squat' is written permission from a housing association, short-life housing group or council to be in the property. There is usually a 'no rent, no repairs' condition, although some organisations charge a licence fee.

Payment for a licence does not have to be in money. If you are asked to do repairs or maintenance or merely to 'keep an eye on the house', the owner is getting something off you for the licence. For instance, if you are told you can stay for two years if you repair a wall, then you have a licence for payment in kind which lasts for two years.

If an owner just says 'You can stay there till I need the property', he is not getting anything for the licence. This distinction can be important: a licence you pay for either in kind or in money is assignable (unless the wording of the licence forbids this) — that is, you can pass the permission to stay on to other people. A totally free licence is not assignable in most cases. A non-assignable licence applies only to the people it is given or said to, not to anyone else who may move into the house afterwards. In any case, if you have doubts about the validity of your licence or about what type of licence you have, contact ASS or Release.

If negotiations have been opened up between squatters and the owners about continuing occupation of the houses, the squatters become licensees as long as negotiations continue *unless* the owner says the negotiations are 'without prejudice' to possession proceedings.

Termination

A licence can be ended only by the person with a right to do this, either in writing or verbally. Any licensee is entitled to 'reasonable notice', which is generally between one and four weeks.

A fixed term licence — granted for a specific amount of time — cannot be ended until the time has run out, unless you have broken one of the conditions of the licence.

Illegal Evictions of Licensees

Licensees cannot be legally evicted whilst the licence or 'reasonable notice' period lasts. If that happens the licensee can get an injunction in the county court to put him or her back in the house, plus damages. Also the people who carried out the eviction can be prosecuted under either Section 1 of the Protection from Eviction Act 1977 or, if the licensees were in at the time the eviction happened, under Section 6 of the Criminal Law Act.

In the Civil Courts

About the only real defence you have against Orders 26 and 113 (possession proceedings against squatters) is that you have a licence which hasn't ended.

The first problem when your case is heard is convincing the judge that you actually do have a licence. To do this you must give evidence, preferably in writing in an affidavit (see **EVICTON**) showing exactly when, where, how and by whom you were granted your licence. Each person can only give evidence of what they themselves witnessed. It is important to get as many witnesses as possible to back up your claim.

As it is often your word against the owners', both sides' witnesses may be called to give further evidence verbally and be cross-examined.

They may admit your licence but claim they have ended it, so be prepared to deny such a claim. Always remember, also, that issuing the summons does not count as ending the licence.

You *cannot* argue a licence from payment of gas and electricity bills, or even rates (you are supposed to pay all these anyway — see **GETTING THE PLACE TOGETHER**). Even if the owner is the local council, their acceptance of rates doesn't imply a licence.

While Orders 26 and 113 can be used against ex-licensees as well as squatters, the judge in fact has the power to suspend the possession order against ex-licensees, which by and large he hasn't against squatters. See the last paragraph of the speech of Lord Justice Lawton in the case of *McPhail v. Persons Unknown* (Volume 3 of the 1973 edition of the Weekly Law Reports).

It is important to think carefully before using the defence of a licence in a civil court as it may affect other squatters in your area (whether or not you win). For instance, if there is a friendly official in the housing department who is known to tell people how long they have in a house, by bringing this out in court as an argument for a licence he or she may be told to stop, and other squatters in future won't get any information.

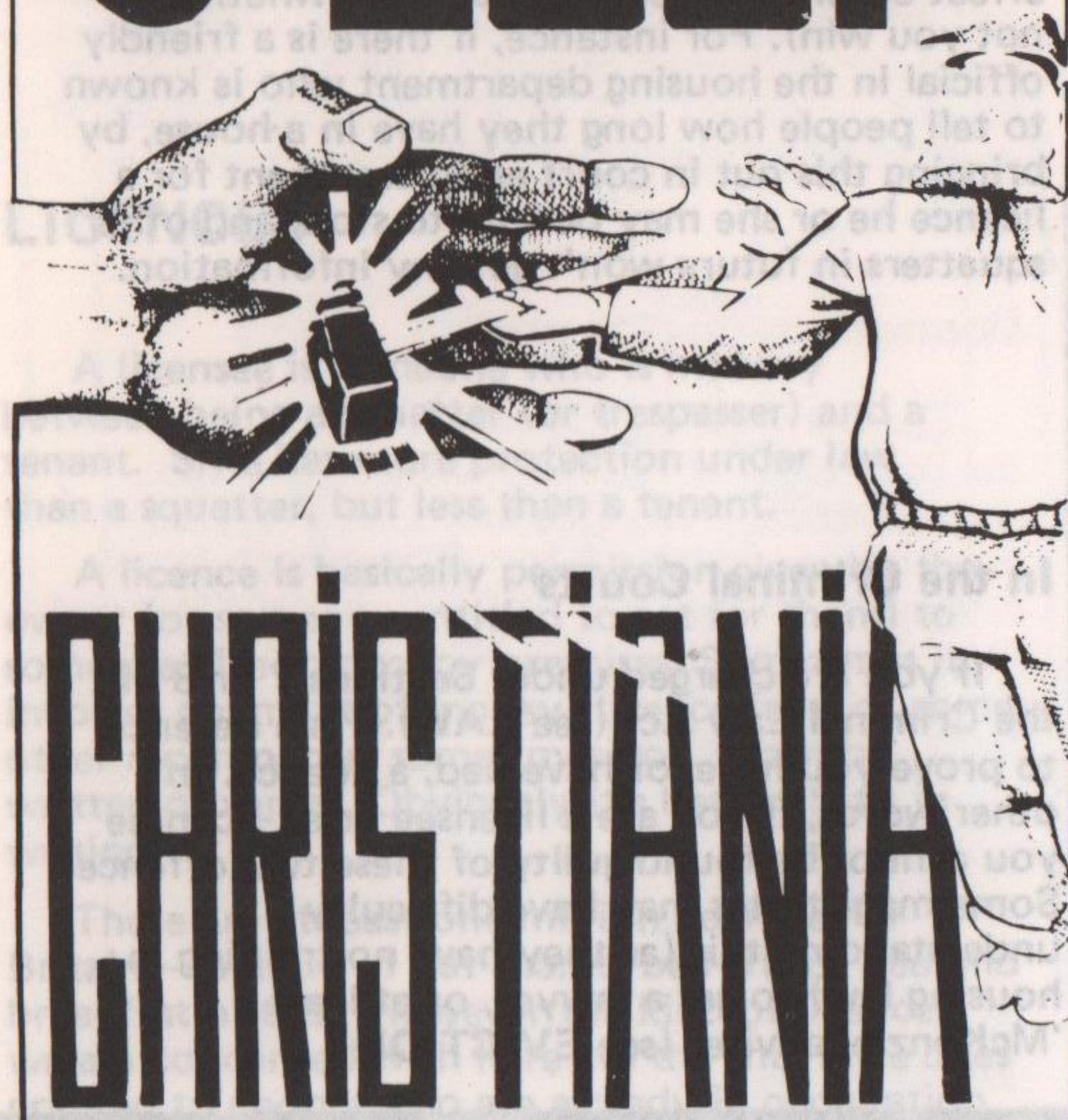
In the Criminal Courts

If you are charged under Sections 7 or 8 of the Criminal Law Act (see **LAW**) it is a defence to prove you have, or have had, a licence. In other words, if you are a licensee or ex-licensee you cannot be found guilty of these two offences. Some magistrates may have difficulty understanding this (as they have no training in housing law) so get a lawyer, or at least a 'McKenzie' adviser (see **EVICTON**).



Huntley Street squatters, Central London, argued a licence in court and delayed their eviction

STOP SLOOP



Stop the demolition of Christiania – squatters in the Copenhagen mass squat have been in occupation for over seven years

HOW YOU CAN GET A LICENCE

Short-Life Licence Groups

Various groups exist, in London and elsewhere, which obtain short-life property and then license it out. Most groups obtain their houses from councils, and most will only house people with children (sometimes only those already on the council housing list). There are a few groups which accept people without children. Almost all the groups have very long waiting lists, but if you are prepared to wait you could try contacting them (see REFERENCES).

Some short-life groups may be prepared to take on a house which has already been squatted, though it would help if the squatters were already on their waiting list.

Housing Associations

In the last few years there has been a growth in the number of housing associations which buy up property, renovate it and let it out, generally to

homeless families or those on the council waiting list. Some associations are above-board but others are a load of crooks. Their attitude to squatters is as varied: some will give short-life licences on property which is awaiting rehabilitation – others will send in heavies to smash furniture, rip off personal belongings and illegally and violently evict the squatters. Check out the reputation of the ones in your area.

It is even possible to form your own housing association (see below) to obtain short-life licences on the houses you are squatting in, but that will take a long time.

Direct Licences

Some owners are prepared to negotiate short-life licences directly with the squatters in their houses. It makes sense in their terms, even if they don't ask for any money, as occupied houses remain in better condition than empties. Most councils will probably only be willing to negotiate with a 'responsible group'.

Private landlords can sometimes be persuaded to grant direct licences: they usually want a firm undertaking that you will move out when they need the house without their having to take you to court, and it makes sense to keep to that undertaking or they're unlikely to licence any more houses to squatters.

HOUSING ASSOCIATIONS

Housing Associations are a way to get central and local government money (under the 1974 Housing Act) to pay for housing, improvements and maintenance. Any seven people can form one with an appropriate set of rules and subject to registration with the Registrar of Friendly Societies (under the Industrial and Provident Societies Acts) or Registrar of Companies. To be eligible for grants, you must also register with the Housing Corporation.

Associations which have been approved by the Housing Corporation can get money, for anything from two to thirty years, for improvements and maintenance. They can buy property or negotiate licences or leases.

The most common type is where a management committee of people who will not live in the houses get government and local government finance to control the housing on behalf of the tenants.

The same finance, however, is available to co-operative housing associations, that is associations where members are tenants and tenants are members so that tenants control their own housing.

Neither housing associations nor co-ops will solve any immediate housing problem – they can take years to set up.

HOUSING CO-OPERATIVES

Housing co-ops have tended to develop out of two separate situations.

1. A group of people already living in a street, block of flats or estate who want more control over their existing living situation.

Council tenants have taken over the management of run-down estates: they become responsible for repairs and rent collection, and can apply for grants and subsidies. The government and many local authorities are keen to promote these co-ops since it removes responsibility from them.

Co-ops have also been started by tenants of private landlords, particularly where the estate is getting very run-down. By registering as a co-op, funds can be obtained from the Housing Corporation to buy the property, or the local council may be persuaded to buy it under a compulsory purchase order and then sell or lease the property to the co-op.

Successful co-ops have also been formed by squatters. For example, Seymour Buildings, which consists of five blocks of Victorian tenement flats, was squatted in 1975. The squatters organised together to negotiate a short-life licence agreement with Westminster Council, and formed themselves into the Seymour Buildings House Co-op which acquired the Buildings.

2. Other co-ops have been formed when a group of people want to own or manage housing in a particular area or for a special needs group. For example, squatters who have moved into houses which are due for demolition may get together to form a co-op in order to acquire houses they can move into.

Any group of people can get together to form a co-op which will provide housing for its members. They need to discuss the aims and objects of the group: whether they want a particular type of property, in a particular area, who would be eligible for membership and how tenants would be selected.

How Co-ops Work

Co-ops are non-profit making organisations run by and for their members. Setting up a co-op can be a long and laborious process. The group must decide on its aims and objects, and adopt a constitution which embodies co-operative principles in order to register as a Friendly Society and become a recognised Co-operative Housing Association. The National Federation of Housing Associations has drawn up a set of model rules. The co-op will also have to register with the Housing Corporation before it can receive any mortgage loans.



Squatters in West London set up a food co-op and a vegetarian cafe which later got licences

Co-ops can get government subsidies to purchase, improve, modernise or even build the houses. The co-op then buys or leases the property or land and controls the management and maintenance of the housing.

Co-ops own homes on behalf of all their members, so no individual can sell his/her home for personal gain.

Drawbacks

Forming a co-op is no quick and easy answer to an immediate housing problem. It involves a lot of work and commitment on the part of its members, particularly in the early stages battling with bureaucratic red tape.

Where a co-op is being set up, the fact that the property is already squatted may act as a lever with a liberal council to make things permanent, but it may be a disadvantage if the council is opposed to squatters. Try to find out, if you are in council houses, what attitude the council has to this before going through the trouble and expense of forming a co-op.

Forming a co-op may turn out to be an exclusive and divisive step, particularly where some people in the houses do not want to join or are prevented from joining because the houses are overcrowded and only a certain number can be accommodated. One of the most basic principles on which the squatting movement organises is that no one should be evicted; at the least it is up to the co-op to ensure alternative

housing for such people, if necessary through squatting.

Co-ops can face difficult decisions which may take them further away from their original aim to see people housed, such as what to do if a tenant gets in arrears with rent. Housing association co-ops, as opposed to council tenant co-ops, may be forced to pay 'fair' rents much higher than council rents for similar accommodation and their rules, rents and maintenance expenditure can be interfered with by the Registrar of Friendly Societies, Rent Officer and Housing Corporation.

Squatters should balance the practical potential of co-ops with the risk in particular situations of struggle. What use can be made of co-ops, like squatting, depends on the knowledge, skills and intentions of the people involved, plus the strength of their organisation, more than the legal structures in which they operate.

Certainly the transition from squatting to 'legal' forms of occupation does not bleach all the politics from the situation. Co-ops can bring many people into forms of working class organisation with a capacity not merely to improve housing through mutual aid but, through collective action, to struggle against a system which creates homelessness and slums as a permanent feature of its housing. Co-ops can provide one limited way for people to begin to take control of their own lives.

(For addresses and books see **REFERENCES**)



Struggle against a system which creates homelessness and slums as a permanent feature of its housing

BENEFITS

SOCIAL SECURITY

What Are Supplementary Benefits?

Supplementary Benefits are a means-tested income for people who are not in employment. However, in order to claim you have to fit into one of the neat categories of the DHSS: 'pensioner', 'single parent', 'sick' or 'unemployed'. If you are sick then you have to obtain a medical certificate from your doctor. If you are unemployed then you have to get a form 'B1' from the labour exchange when you sign on. If you are a woman living with a man you are excluded from the Supplementary Benefits scheme. You also cannot claim if you are living with someone of the opposite sex who is in full time employment.

Does Being A Squatter Make Any Difference?

In theory you should be treated like any other claimant. However, in practice there are certain additional hassles which it's best to know about. All claimants get humiliated and harassed when claiming Supplementary Benefit. To counter this it is important always to take a friend along with you, especially on your first proper interview when you have to make a full statement about your circumstances.

'Where Do You Live?'

The Supplementary Benefit interviewing officer will ask for proof of your address. If you haven't got a rent book this can be difficult. Try and produce a rates demand, or a gas or electricity bill in your name. If you haven't got any of these, then post yourself a letter and show this to them.

Beware! This is a trick question. If you say that you 'live with' somebody you will get a reduced rate of benefit, or possibly no benefit at all. Unless you have a 'dependant' (such as a child) make it very clear to the interviewing officer that you don't live with anybody.

'Who Else Lives At This Address?'

If you live in a multi-occupied house this is a very difficult question to answer unless every room is called Flat A, Flat B and so on. Don't state the names of the other people living at the same address unless you have their permission and a

very good reason for doing so. Simply inform the interviewing officer that 'two people live on the ground floor' or 'one other person lives on the second floor'

'Do You Share a Bathroom or Kitchen?'

As a squatter you might be forced to share a bathroom, a toilet, a kitchen or a gas cooker. However, this does not mean you share your living arrangements with any other person. Even if you divide fuel and rate bills between you, this does not mean that you are not an independent householder. Many people in multi-occupied houses are forced to share facilities. But this does not mean that they belong to the same household. Other factors such as the size of the accommodation must be taken into account.

How Do You Define a Householder?

1. If you occupy a separate part of the accommodation: for example, if you have a room of your own.
2. If you are responsible for your own shopping, cleaning and cooking.
3. If you are responsible for your own household equipment such as bed linen, light bulbs, crockery, electric fire.
4. If you pay for the electricity and gas you use for heating and lighting etc (even if you divide the bills).
5. If you are responsible for the rates for your part of the house (even if the bill is not in your name).

How Much Money Do You Get On Supplementary Benefit?

	Till Nov '79	After Nov '79
Householder	£15.55	£18.30
Non-Householder	£12.45	£14.65
Man and Woman	£25.25	£29.70

You get extra money for children depending on their ages. You can claim extra weekly additions for a special diet (for example for T.B. or an ulcer); for extra heating (for example for damp or draughty property, if you have chronic bronchitis and so on); or lack of laundry facilities (such as no hot water). Child benefits and all national insurance benefits such as unemployment benefit are deducted from this. To see how your benefit is worked out, ask for a written explanation, Form A124.

What About the Rates?

If your name is on the rates bill you should get this on top of the basic amounts. If there are several names on the rates bill then you should get your share. If you are given the non-householder lower rate of benefit then you should also get a 'rent addition' of £1.45p instead of money for the rates.

What Is a 'Part Householder'?

Sometimes you might get part of the difference between the householder rate and the non-householder rate, that is 'part of £3.10p'. The local Supplementary Benefits office have the discretionary power to do this, especially when there is more than one claimant in the accommodation. But many people have successfully appealed against this sort of decision.

Can I Get Help With Furniture and Household Equipment?

You can claim a lump sum grant (called an Exceptional Needs Payment) for such things as lino, curtains, blankets, clothing etc. You can also claim for household equipment such as a stove. But again you might have to take this to appeal.

How Do I Appeal?

Simply write a letter to the Manager of your local Supplementary Benefits officer saying: 'I wish to appeal against your recent decision regarding my claim for . . .'. Remember to keep a copy and date your letter. If you don't hear anything, contact your regional DHSS office (see telephone book) or write to: The Supplementary Benefits Commission, New Court, Carey Street, London WC2.

For More Information

Talk to other people claiming benefit. Represent each other at the local office and at the appeal tribunal hearing. Contact your nearest Claimants Union (your local law centre, community centre or Citizens' Advice Bureau should be able to give you the address). If there isn't one, why not get some literature and set one up in your area.

Pamphlets and addresses can be obtained from East London Claimants Union, Dame Colet House, Ben Jonson Road, London E1. Don't forget to send a stamped addressed envelope and some money for literature.

Remember you are not alone. If you let the social security push you around then they'll soon be pushing everyone around. Fight every fight, and wherever possible do it collectively.



Claimants occupy a Social Security office, January 1975 – successfully

RATE REBATES

Rate rebates, paid by the local council, are available to *any* ratepayer who doesn't earn enough. How much you get depends on your income (before tax), the number of 'dependents' you have and your weekly rate bill.

The less you earn, the larger the rebate, but the most you can get is £2.50 per week (£3.00 in London) or all your rates (100%) if they are

less than the maximum rebate.

For example, a single person earning £40 whose rates are £2.00 will get a small rebate, as will a family of three children whose income is £60 and rates are £2.00. If you think you are eligible, ask at the Rates Department.

If you share your house with others, it may be worth asking to be assessed separately to get the largest rebate.

REFERENCES

PUBLICATIONS

There are very few publications specifically on squatting – many have become out of date and others like NCCL's *Squatting, Trespass and Civil Liberties*, Release's *Homes or Jails*, Squatters Action Council's *Squatting – What It's All About* and Ron Bailey's *The Squatters* (Penguin Books) are out of print.

SQUATTERS NEWS

The London Squatters Union's occasional review of squatting news, particularly about London. Available from LSU, ASS or squatting groups, price 10p. Back issues of *Squatters News* and *Squatters Action Council News* also available from the LSU office (see **CONTACTS**).

SQUATTERS – MYTH AND FACT

This analyses four surveys of squatters to show that the reality of who squats and why is very different from the image presented in the media. Available from SHHRL and ASS (see **CONTACTS**), price 10p, plus post.

HOUSING SELF HELP REPAIR MANUAL

New edition to be published by Penguin Books in summer 1979. Step by step guide, with very clear diagrams, on how to repair your home. Probable price £1.20.

BATTLE FOR TOLMERS SQUARE

By Nick Waters. Published 1976 by Routledge and Kegan Paul, price £2.95. An account of the struggle of squatters and tenants to save the Tolmers Square area, in Euston, North London, from speculation.

INVESTIGATORS' HANDBOOK (30p including postage), supplemented by issues 33 and 34 of **COMMUNITY ACTION** (price 25p each), available from Community Action, PO Box 665, London SW1. A guide on how to research companies, organisations and individuals.

EMPTY HOUSES – A GUIDE FOR LOCAL GROUPS

Published by Shelter, 157 Waterloo Rd, London SE1. Price 55p. How to conduct an empty property survey.

TROUBLE WITH THE LAW

The Release Bust Book. A useful guide to the workings of the criminal legal system, with a section on squatting. £1.25 from bookshops or from Release (see **CONTACTS**). Also from Release, the **BUST CARD**. Your rights on the street, in the police station and under arrest. Available from Release, free for a stamped addressed envelope.

FREETOWN CHRISTIANIA

The story of Christiania, the large Copenhagen squat. 50p, including post, from SHHRL (see **CONTACTS**).

SELF HELP HOUSING

Squatting and short life housing news and leaflets. £2 for a year's subscription from SHHRL (see **CONTACTS**).

KNOW YOUR RIGHTS

Wallet containing fact sheets on arrest, search and bail etc. Available from NCCL, 186 King's Cross Rd, London WC1. Price 50p.

OTHER ADDRESSES (Contacts are over the page)

Companies House, 55 City Road, London EC1. Tel: 01-253 9393

Information on companies, including any mortgages they may have made to purchase property, not full lists of property owned by company. Information is available on microfiche in London; the original records are in **Companies Registration Office**, Crown Way, Maindy, Caerdydd (Tel: 0222 388588)

Registrar of Friendly Societies, 17 North Audley Street, London W1, but phone first. Tel: 01-629 7001
Information on registered housing associations.

National Federation of Housing Associations, 30 Southampton St, London WC2. Tel: 01-240 2771.