

This leaflet has been developed by Essex Police and Epping Forest Safer Communities Department to offer guidance regarding the safest way to approach trespassers on land when engaged in shooting on that land.

It is not exhaustive but it does address the vast majority of situations a shooter might find themselves in when dealing with trespassers.



EFDC Safer Communities Team

Tel: 01992 564608

Email: saferrcommunities@eppingforestdc.gov.uk

Web: www.saferrcommunitiesepping.org.uk

Essex Police

Always dial **999** in an emergency

Non-emergency **0300 333 4444**

Web: www.essex.police.uk

Tony Ellis

Crime Reduction Officer, Epping Forest Police District

Craig Carrington

Police Inspector, Epping Forest Police District

Paul Gardener

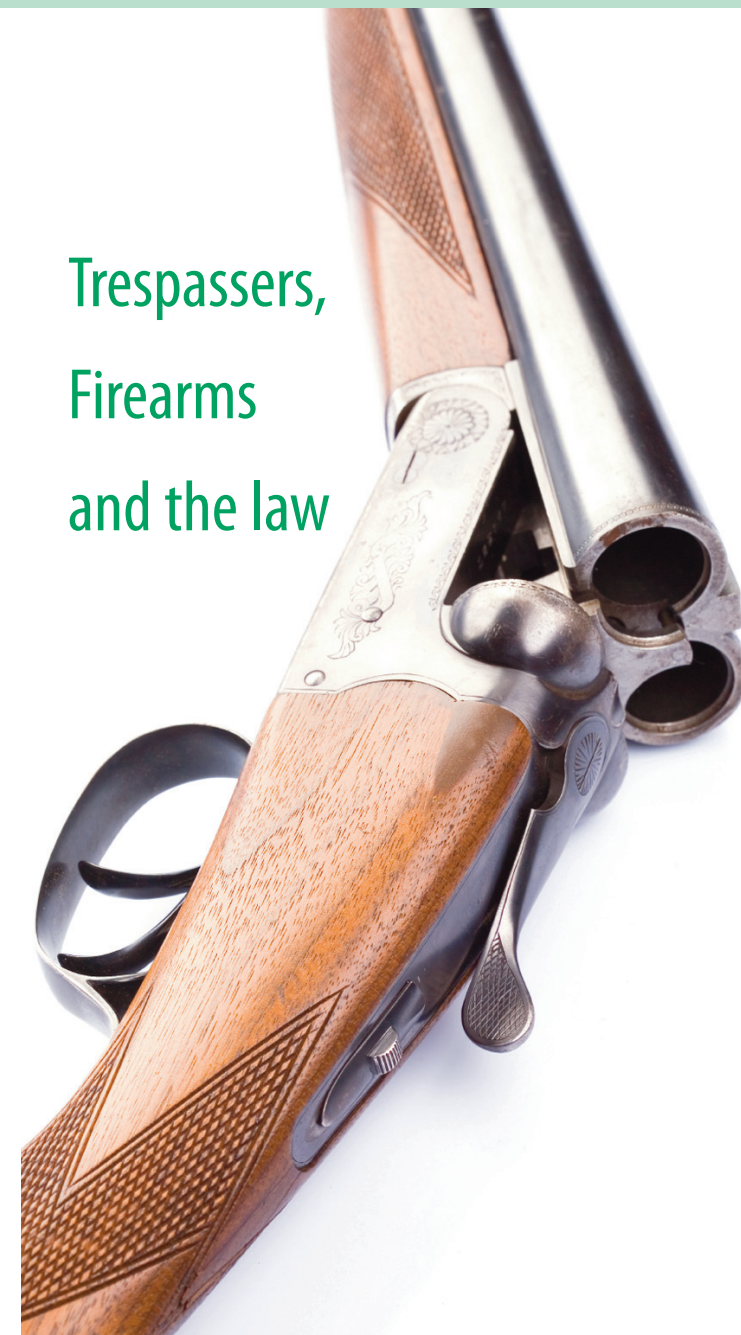
Safer Communities Officer, Epping Forest District Council

Mick Fidgeon

Firearms Officer Manager, Essex Police



Trespassers, Firearms and the law



Dealing with a trespasser when shooting on land as part of a team

Before you go out, nominate two members of your team to make any approach to a trespasser based on the team member's character (calm but firm comes to mind). One to be the spokesman and one to be the witness. When the spokesman is in a calm frame of mind, he should formulate what he is going to say if he has to approach a trespasser. If he tries to do this at the time of the incident the adrenalin rush caused by the confrontation may often cause him to say things that he didn't mean. Have a pre planned approach in mind.

Consider: Do you have a woman in your team who would be comfortable acting as spokesperson or witness? Reasonable people are more reluctant to be aggressive towards a woman and they often display a much more calming demeanour than men.

Under these circumstances there is no need to approach the trespasser with your shotgun. You should leave them in the care of another member of your team before you make your approach (covered under the 72 hour rule).

Make sure your initial words are polite and reasonable. If you go in hard and threatening at the start it is difficult to deescalate the situation if it becomes heated. However, if your approach is reasonable and the trespasser is still unreasonable, it is much more plausible for your message to become more firm at this stage.

How would this advice relate to a section 1 firearm?

You could, conceivably, be in a situation whereby you were using a rifle on land whilst in the company of a person who was not the holder of a firearms certificate. In these circumstances common sense and safety must prevail. The test should be...

- If the person who accompanies you is not a firearms certificate holder and...
- They are not covered by Section 16 of the Firearms (amendment) Act 1988 or Section 11(1) of the Firearms Act 1968 and...
- You are unable to 'sling' the rifle over your head and...
- You must confront the trespasser i.e. nobody else can do it and it must be done

It would be reasonable in those circumstances to hand the unloaded rifle over to the non-certificate holder and then confront the trespassers as outlined previously.

Dealing with a protest whilst shooting on land as part of a team

If you are shooting as part of a team and are approached by a group who wish to protest about your lawful activity on the land, you should immediately retire to your vehicles or another location where you can store your firearms. This is likely to be an aggravated trespass so detail



one of your number to dial 999 for the police to attend. Under no circumstances should you attempt to deal with the protesters while you are in possession of your weapons. Once the firearms are securely stored you should leave two of your number with the weapons before you attempt to deal with the trespassers. No member of your team should be left to take any individual action. Always approach trespassers in pairs. In this way anything you say to them can be corroborated by another team member and similarly, any spurious allegation they might make can be refuted by a colleague.

Whilst you may feel that taking physical action against such trespassers is appropriate I would recommend that you do not employ these tactics. Await the arrival of the police and be guided by their advice. Remember, these instances are rare. In the eyes of the police, violence + firearms = enquiry. Better to lose a days shooting than lose your shotgun or firearms certificate by confiscation.

Dealing with a trespasser when shooting on land as an individual

If you have to approach a trespasser when you are shooting alone the main thing to remember is, whatever happens, it will be your word against theirs. You do not have the option of leaving your weapon with anyone else in these circumstances so, quite rightly, you will have it in your possession when you speak to the trespasser. The main allegation that you are open to is that you were threatening and intimidating and the fact that you were in possession of a gun scared the person you approached. You must do everything you can to refute these allegation.

Consider the following actions ...

- When you are in a calm frame of mind, formulate what you are going to say if you have to deal with a trespasser. If you try to do this at the time of the incident the adrenalin rush caused by the confrontation may often cause you to say things that you didn't mean. Have a pre planned approach in mind.
- Never approach the person with a closed weapon. Make sure it is open and that they can clearly see that. If you are in possession of a rifle, make sure that the bolt is pulled right back or even removed to demonstrate that the chamber is empty. Take these actions before making your approach as a non shooter might construe the breaking of the gun or releasing of the bolt as a 'threatening action'
- Before you say anything to the person you are approaching, show them the open breeches of your gun or the open chamber to demonstrate that the weapon is unloaded. Explain why you are in possession of a firearm at the time and state clearly that it does not constitute any threat towards that individual

Taking these actions will not prevent someone from making a complaint but if you can demonstrate to the police that you have adopted this protocol in relation to trespassers it would be difficult to criticise your actions.