2. Criminal Offences

This is a list of some offences which are specific to protest on private property.

Aggravated Trespass

You must be doing two things to commit aggravated trespass:

1. **Trespassing**
2. **Intentionally obstructing, disrupting, or intimidating others from carrying out 'lawful activities'.**

Further to this, a senior police officer has the power to order any person believed to be involved in aggravated trespass to leave the land; if they refuse to leave after being ordered to by police officer, or if they return to the land in question within a period of three months, this is an additional offence.

Maximum penalty is 3 months imprisonment, or a fine of £2500, or both. First time offenders would likely get a fine of between £200 – £300.

Criminal Trespass onto Protected Sites

A protected site means either a licensed nuclear site or a designated site.

Penalties for a successful conviction include imprisonment of up to six months, a fine of up to £5000 or both. However, a person charged can use as a defence the fact that she did not know, and had no reasonable cause to suspect, that the site was a protected site.

Trespassory Assembly

A trespassory assembly is a static gathering involving more than 20 people in the open air on land to which the public has no right, or a limited right, of access.

A chief police officer can apply for an order to prohibit all trespassory assemblies in a district.

It is an offence to organise, takes part in or incite others to participate in an assembly prohibited by an order.

A police constable in uniform who reasonably believes someone is on the way to a prohibited assembly may stop and direct the person not to proceed in the direction of the assembly. Officers can only exercise this power within the area where the order applies. It is an offence to fail to comply with the constable's direction.

Trespass inside Residential Buildings

In 2012, Section 144 of the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) made it a criminal offence to trespass in residential properties with the intention of living there. It does not apply if:

- **the property is not residential,**
- **people are or were tenants (including sub-tenants) of the property**
- **people have (or had) an agreement with someone with a right to the property**
- **people in the property are not intending to live there**