

# “Squatters Rights” to be axed in the UK and new Government Guidance

Many of my followers outside the UK ask me about the rather bizarre nature of “squatter’s rights” in the UK. How can members of the public take over vacant properties (such as Saif Gaddafi’s Hampstead home, or Guy Ritchie’s London house), and live there with relatively little fear of being removed.

British newspapers are awash of stories of squatters taking over vacant properties having entered without having used force (as to use force would be tantamount to criminal damage), and the arduous (and often expensive) process to remove squatters. Once a property has been taken over a “legal notice” (a section 6 notice) is usually pasted, or taped, to the door way declaring the squatters rights. This has left the homeowners with a quandary as to what action to take. When reported to the Police the response is usually that this is a civil matter – meaning that the homeowner has to go through the civil courts to evict the squatters.

There are an estimated 20,000 squatters in the UK, and it seems that hope may be on the horizon for those plighted by squatters, as the UK Housing Minister, Grant Shapps, has today (21 March 2011) strengthened the Government’s advice to homeowners looking to protect their properties. Full details of the announcement can be found here – [www.communities.gov.uk/news/corporate/1868842](http://www.communities.gov.uk/news/corporate/1868842).

The Government will also be taking steps in the New Year to make squatting a criminal offence - but the Minister argued that now was the time to redress the balance and make sure homeowners were fully aware of their rights.

Published jointly with the Ministry of Justice, today’s strengthened guidance offers reassurance to homeowners that squatters are not above the law - and that there are steps they can take if a squatter invades their home.

The guidance also clarifies the ‘legal warning’ squatters often post on the front door. While this warning often states it would be a criminal offence to use or threaten violence to enter the property this is a distortion of the law as it stands - it does not apply to displaced residential occupiers trying to get back into their homes.

Government guidance:

<http://www.communities.gov.uk/documents/housing/pdf/1868817.pdf>

Philip Henson, Bargate Murray – [www.bargatemurray.com](http://www.bargatemurray.com)