



# Criminal Law Act 1977

## 1977 CHAPTER 45

### PART II

#### OFFENCES RELATING TO ENTERING AND REMAINING ON PROPERTY

#### **6 Violence for securing entry**

- (1) Subject to the following provisions of this section, any person who, without lawful authority, uses or threatens violence for the purpose of securing entry into any premises for himself or for any other person is guilty of an offence, provided that—
  - (a) there is someone present on those premises at the time who is opposed to the entry which the violence is intended to secure ; and
  - (b) the person using or threatening the violence knows that that is the case.
- (2) The fact that a person has any interest in or right to possession or occupation of any premises shall not for the purposes of subsection (1) above constitute lawful authority for the use or threat of violence by him or anyone else for the purpose of securing his entry into those premises.
- (3) In any proceedings for an offence under this section it shall be a defence for the accused to prove—
  - (a) that at the time of the alleged offence he or any other person on whose behalf he was acting was a displaced residential occupier of the premises in question; or
  - (b) that part of the premises in question constitutes premises of which he or any other person on whose behalf he was acting was a displaced residential occupier and that the part of the premises to which he was seeking to secure entry constitutes an access of which he or, as the case may be, that other person is also a displaced residential occupier.
- (4) It is immaterial for the purposes of this section—
  - (a) whether the violence in question is directed against the person or against property ; and

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*Status: This is the original version (as it was originally enacted).*

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- (b) whether the entry which the violence is intended to secure is for the purpose of acquiring possession of the premises in question or for any other purpose.
- (5) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £1,000 or to both.
- (6) A constable in uniform may arrest without warrant anyone who is, or whom he, with reasonable cause, suspects to be, guilty of an offence under this section.
- (7) Section 12 below contains provisions which apply for determining when any person is to be regarded for the purposes of this Part of this Act as a displaced residential occupier of any premises or of any access to any premises.