

**Retail****Shoplifting - S.1(1) & 7 Theft Act 1968**

Where value of item stolen is under £100 a PND may be issued provided that one has not been issued before & offender is not a substance mis-user. PND should be entered onto PNC within 24 hrs (ACPO Guidelines)

**Civil Banning Orders**

Where regular offenders are identified for shoplifting within shopping centres, they can be informed in writing by the centre manager that they are banned from entering for any reasonable period. Should they then enter the centre and shoplift, they can be prosecuted for the more serious offence of Burglary due to being trespassing at the time. Similar schemes have also been used in town centres where alcohol related violent crime is occurring. Monthly liaison between police and licensed premises take place and individuals who have been involved in alcohol related assaults are banned from all pubs within an area with photos shared with participating premises. CSEP can advise further.

**CCTV**

**CCTV should be requested at the earliest opportunity to ensure evidence is not lost.**

**Trains** - Request via Station Supervisors or control room staff on London Underground.

**Buses** - Requests can be made direct from the Bus Operators. Safer Transport Command Officers are to follow the Transport Data Retrieval Team process. (As from January 2010 this will apply to all police services)

The individual on-bus CCTV recording equipment will determine the data retention time limit. At this time, London Buses typically record and hold data for a **MAXIMUM** of 10 days before being overwritten, although it is important to note that some systems will retain data for a significantly shorter period of time before being over written.

**ALWAYS OBTAIN THE VEHICLE REGISTRATION NUMBER AS WELL AS THE FLEET NUMBER FOR ANY REQUESTS**

Criminal Damage incidents where no suspect is on scene should be passed to the BUSTAG unit for investigation.

Any CCTV queries can be forwarded to the Crime & Disorder manager whose details are contained on this leaflet.

**For further advice:****John Strutton**

Crime & Disorder Partnership Manager—TfL

For crime prevention advice in relation to public transport, problem solving, crime reduction & ASBO's

Also for Borough & Partner Engagement

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# A Quick Guide To Policing Public Transport

A useful legislative Aide Memoire produced by the TfL CSEP Directorate for those Working in transport hub locations



## Transport Specific Legislation

### **RAILWAYS**

Fare Evasion - S.5.3(a) Regulation of Railways Act

(A Recordable Offence)

Trespass on the Railway - Regulation of Railways Act

Endangering Safety on the Railway - Worth noting that if proven there was an intent to endanger safety this offence can carry a Life Sentence.

### **LONDON UNDERGROUND (Stations & property)**

As above plus;

• Unacceptable Behaviour - TfL Bylaws

• Intoxicated on the Railway - TfL Bylaws

• Touting for Reward - TfL Bylaws

• Unfit to be on the Railway - TfL Bylaws

### **BUSES**

**Road Transport Premises Bylaws** - Currently awaiting final approval expected to come into force early 2010. They are only relevant to Bus Shelters & Bus Stations. very similar to the London Underground Bylaws with offences such as the following for example;

• Queuing

• Smoking

• Alcohol & Controlled Drugs

• Unfit Condition

• Unacceptable Behaviour

• Unauthorised Access & Loitering

• Control of Animals

***To prosecute for Bylaw offences you will require a certified copy which can be obtained on request.***

### **TAXIS**

Only Licensed "Hackney" or Black Cabs can lawfully collect a passenger without the fare being pre booked. They must accept a fare under 6 miles, otherwise may refuse or negotiate the fee. Other mini cabs can only pick up a fare via a pre made booking.

### **Touting for Hire Car Services - Criminal Justice & Public Order Act 1994.**

The key element to this offence is to "SOLICIT" therefore evidence that the offender took active steps to encourage potential customers to use an unlicensed vehicle must be obtained. The offender does not have to be the driver of the vehicle or be referring to a particular vehicle.

## Public Service Vehicle Regulations 1990

Any passenger who contravenes any provisions of the regulations may be removed from the vehicle by the driver, inspector or conductor of the vehicle or, **by their request, a police constable.**

No passenger on a vehicle may;

• Put at risk or reasonably impede or cause discomfort to any person travelling on or entering or leaving the vehicle, or a driver, inspector, conductor or employee of the operator.

• Throw or trail any article from the vehicle.

• Smoke or carry lighted tobacco or light a match or lighter.

• Sell or offer for sale any article.

• Without reasonable cause distract the drivers attention.

• Travel on any part of the vehicle which is not provided for the carriage of passengers.

• Remain on a vehicle, when directed to leave by the **driver, Inspector or Conductor**, for one of the following grounds;

! Capacity issue

!! Causing a nuisance

!!! Passengers condition is likely to cause offence or soil vehicle fittings or others clothing.

• Play or operate any musical instrument or sound reproducing equipment to the annoyance of any person on the vehicle **or in a manner likely to cause annoyance.**

THESE REGULATIONS (ON THE REQUEST OF A DRIVER, INSPECTOR OR CONDUCTOR) ONLY EMPOWER A POLICE OFFICER TO REMOVE A PERSON FROM THE VEHICLE BY REASONABLE FORCE IF NECESSARY. THERE IS NO PROSECUTION PROCEDURE FOR ANY BREACHES. OFFICERS SHOULD USE THEIR DISCRETION AND CONSIDER OTHER APPROPRIATE OFFENCES THAT COME TO LIGHT (S.5 Public Order Act for example.)

## ASBO's & Acceptable Behaviour Agreements (ABAs or ABC's)

Due to the many pitfalls that can be encountered during ASBO applications, please contact the Crime & Disorder Partnership Manager for further advice. The Crime & Disorder team have extensive experience in this area and can advise appropriately.

## Criminal or Anti Social Behaviour

### **Begging - S.3 Vagrancy Act 1824**

**Public Order Act 1986** - Most commonly used offences are Sections 5 & 4. Causing Intentional Harassment Alarm or Distress

### **Public Nuisance - Common Law**

If the effect of the act or omission is to endanger the life, health, property, morals, or comfort of the public, or to obstruct the public in the exercise or enjoyment of rights common to everyone.

### **Cycling on the Footpath - s.72 Highways Act 1835**

Section 72 of the Highways Act 1835 provides an offence of riding or driving on the footpath.

### **Dog Fouling - S.3 Dogs (Fouling of Land) Act 1996**

If a dog defecates at any time on designated land and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence

### **Littering - S.87 Environmental Protection Act 1990**

A person is guilty of an offence if he throws down, drops or otherwise deposits any litter in any place to which this section applies and leaves it.

### **Alcohol**

### **Confiscation of alcohol - Young Persons Act 1997**

Alcohol Confiscation - Any Person in a public place or trespassing if **any under 18** have drunk or likely to drink. Dispose on the spot unless local instructions direct otherwise.

### **Direction to Leave - 27(2) Violent Crime Reduction Act**

Non resident **over 16** for up to 48 hrs if;

In public place & disorderly, or likely to be, where alcohol a factor. Notice in writing & conditions such as a defined area, which way to leave. (*Constable in Uniform*)

**A bus, bus station, train or train station are all considered public places for the purpose of the act.** (There is a separate leaflet to issue to offenders for this section of the Act.)

### **Alcohol Consumption in a Designated Public Place / CDZ S.12 Criminal Justice & Police Act - applies if a constable reasonably believes that a person is, or has been, consuming alcohol in a designated public place or intends to consume alcohol in such a place. The constable may require the person concerned -**

(a) not to consume in that place anything which is, or which the constable reasonably believes to be, alcohol;

(b) to surrender anything in his possession which is, or which the constable reasonably believes to be, alcohol or a container for alcohol.