



LEAGUE
AGAINST CRUEL SPORTS

**PRIVATE
KEEP OUT**

**NO PUBLIC
RIGHT OF WAY.**

HUNT TRESPASS

What can I do?

The guidance provided in this leaflet is intended **for educational purposes only and does not constitute legal advice.**

It's recommended that specific legal advice is sought before acting on any of the information given in this leaflet.

WHY IS THE LEAGUE INTERESTED IN THIS?

The League Against Cruel Sports campaigns to end cruelty in the name of 'sport'. We receive hundreds of reports each year from members of the public about hunters trespassing on private and public land, intimidating local communities, causing chaos on roads and railway lines, chasing farm animals, and even killing pets.

It's distressing enough to see animals chased and killed for sport without having to deal with trespass, which is so often accompanied by threats and intimidation.

We are regularly asked to advise the public on what they can do to keep hunters off their land. This leaflet provides an overview of the steps you can take and is designed to help you understand the options open to you.

The League website contains other leaflets which you may find helpful **www.league.org.uk/what-you-can-do/useful-information/**

Across the country, more and more private and public landowners are taking steps to end illegal hunting on their land. Everyone should be able to enjoy the countryside without marauding hunters trespassing on private property.



The League is actively campaigning to end hunting, and has a focus on land denial from the major land owners, such as the National Trust, to more community level land associated with parish councils. You can play your part in this campaign by supporting our effort and prevent hunts entering your land.

If you wish to help end hunting on public land, you can contact your council by using the **map of cruel sports**. Simply enter your postcode and it will locate your nearest hunt and link you to a **form** to contact your district council or unitary authority.



WHAT IS TRESPASS?

The fundamental principle is that all land belongs to someone, and a person who (without permission) enters land may be trespassing.

In most cases trespass is a civil (not criminal) matter and is seen to be a wrong (known as a tort in legal language). Trespass in England & Wales is different to trespass in Scotland where there is 'right to roam'

As this is a civil matter the police won't take any action unless there is a need to prevent a breach of the peace (which has to be occurring, not historical.)

There are some criminal (more serious) versions of trespass outlined within this leaflet.



Scotland

The legislation in Scotland that established trespass as an offence has been amended by the Land Reform (Scotland) Act 2003 which establishes universal access rights to most land and inland water. People only have these rights if they exercise them responsibly by respecting people's privacy, safety and livelihoods, and Scotland's environment.



WHAT'S THE LAW?

Civil Trespass

Trespass (without the criminal intent's detailed below) is a civil matter and is not something the police will investigate. It will be up to you as the landowner to take out your own legal action, which ultimately may involve you taking out an injunction in the Civil Court.

Criminal Trespass

Section 68 Criminal Justice and Public Order Act 1994 Offence of aggravated trespass.

(1) A person commits the offence of aggravated trespass if he trespasses on land and, in relation to any lawful activity which persons are engaging in or are about to engage in on that or adjoining land does there anything which is intended by him to have the effect -

- (a) of intimidating those persons or any of them so as to deter them or any of them from engaging in that activity,
- (b) of obstructing that activity, or
- (c) of disrupting that activity.

(3) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale, or both.

Section 20 Firearms Act 1968 Trespass with a firearm

(1) A person commits an offence if, while he has a firearm (or imitation firearm) with him, he enters or is in any building or part of a building as a trespasser and without reasonable excuse (the proof whereof lies on him).

(2) A person commits an offence if, while he has a firearm (or imitation firearm) with him, he enters or is on any land as a trespasser and without reasonable excuse (the proof whereof lies on him).



WHAT CAN I DO IF I SUSPECT A HUNT IS TRESPASSING WITH A FIREARM ON MY LAND?

It's widely known that authorised firearm permit holders within the hunt staff will be carrying a firearm, this includes fox, mink and stag hound hunts.



These firearms may be carried by the hunt staff member or by a terrier man on a quad bike.

DON'T PUT YOURSELF or **OTHERS** in any danger.

If it's occurring now, call 999 and report the offence to the police (ask for an incident number).

If it's already happened call the police on 101 and report it to the police (ask for an incident number).

Call or report it to the League's Animal Crimewatch Reporting Service on **0300 444 1234**.

If you are in a **SAFE** position, you need to record on video/photo any person suspected of carrying a firearm, with two key points in mind:

1. You need to be able to evidentially prove the person is trespassing on your land
2. The footage needs to be clear enough to identify the presence of a firearm
3. The footage needs to be clear enough to provide a positive identification of the person.

WHAT CAN I DO IF I SUSPECT A HUNT IS COMMITTING CRIMINAL AGGRAVATED TRESPASS ON MY LAND?

DON'T PUT YOURSELF or **OTHERS** in any danger

If it's occurring now, call 999 and report the offence to the police (ask for an incident number)

If it's already happened call the police on 101 and report it to the police (ask for an incident number)

Call or report it to the League's Animal Crimewatch Reporting Service on **0300 444 1234**

If you are in a SAFE position, you need to record on video/photo any person suspected of carrying a firearm with two key points in mind:

1. You need to be able to evidentially prove the person is trespassing on your land
2. You need to be able to evidence the intimidation / obstruction / disruption
2. The footage needs to be clear enough to provide a positive identification of the person.

WHAT CAN I DO IF I SUSPECT A HUNT IS TRESPASSING ON MY LAND?

Trespass is a civil matter and the police won't get involved, so don't call them.

You can call or report it to the League's Animal Crimewatch Reporting Service on **0300 444 1234**

Follow the advice in this leaflet and if necessary seek your own legal advice.



WHAT IS THE PROCESS FOR GETTING AN INJUNCTION?

The first thing to mention is that an injunction should be your last resort and the following steps should be encouraged before going to court.

It will be important for you to start a record of everything relating to the trespass and this needs to be timed, dated and retained for any later legal action.

There are several steps for consideration once you have had a hunt on your land, and these are detailed below.

The courts will want to see you have considered and followed the steps below before you apply for an injunction.



The following steps are based on the assumption you've already had a hunt trespass on your land, but could be just as useful as a pre-emptive approach.

Step 1. Keep a record

Once you are considering taking action due to a hunt trespassing on your land, we advise you record everything by keeping a permanent record of everything that happens in a detailed log and timeline. We would advise using a new hard-bound notebook. This will be essential later if you go to Civil Court.



Step 2. Trespass Signs

It's suggested you consider placing several No Trespassing signs around the access points and boundary of your land. These can be purchased via a range of online companies.

On a practical level, it would be good evidence to take photos of these signs once in place.

If you use the 'what3words' app this will identify the exact location and embed on the photo.

Make a note in your notebook of the time and date you placed the signs on your land.



Step 3. Land Registry

You'll need to be in a position to prove the land in question belongs to you.

Obtain a copy of your Title deeds with a boundary map of your land.

You will need to send a map to the hunt showing your boundaries.

The fees are minimal

www.gov.uk/search-property-information-land-registry

It's important to retain an 'exhibit' copy of all your documents in case you progress to a civil court injunction process.

Mark one copy of your Title Deeds as 'Exhibit' and mark the other 'Hunt copy'

Mark one copy of your Title Deed Map as 'Exhibit' and mark the other 'Hunt copy'

HM Land
Registry



Step 4. Identify the hunt

You'll need to identify the hunt that's trespassing on your land. Remember there are hare, deer and fox hunts that operate across the UK and some operate within each other's territory.



If you need to identify the hunt associated to a location we have created an online map for you to enter the location or postcode of where the hunt were seen. This map covers fox, hare, deer and mink hunts and includes their uniform colours as a guide.

league.org.uk/what-we-do/map-of-cruel-sports/

Step 5. Identify the hunt address

There are several website resources that can help you identify the kennel addresses for hunts. (click the links below)

Wildlife Guardian is a website that lists the majority of all hunts.

Baily's Hunting Directory

allows you to search by country or type of hunt and may provide some contact details.

Some hunts have their own website. Some of their websites list the hunt staff and contact details.

Companies House

Some hunts are limited companies and you can search the **website**.



Step 6. Write a letter to the hunt



After you have found the address of the relevant hunt, prepare a letter.

A sample letter can be found [here](#). Remember to keep one copy marked as an 'exhibit'

We would also recommend you enclose a hunt receipt acknowledgement slip. A sample can be found [here](#).

When you write the letter you'll need to also enclose:

- a. hunt copy of your letter
- b. hunt copy of your Title Deeds
- c. hunt Copy of your title deeds map (showing the boundary of your land)
- d. hunt copy of the hunt acknowledgement receipt
- e. self-addressed envelope (with a stamp)

Make a note of the date and time you sent the letter. Use a 'signed for' recorded delivery service and retain all receipts.

Step 7. Monitor activity

After you have sent the letter, it's important you monitor your land. Should you see further trespass record the details and if possible film/photograph the incident.

It would be helpful to annotate a copy of your Title Deed map with the precise location(s) of the trespass.

Step 8. (Optional) Write a second letter

If you feel it is appropriate, you could write another letter (follow step 6) and make a record of its contents.

Step 9. Seek legal advice

At this stage you will have been reasonable in your approach and you can now begin to consider an injunction. However, the final stage would be a solicitors 'letter before action' as a final warning.

The fees for this may vary, an estimate is around £500 +VAT

Step 10. Monitor activity

Having sent the 'letter before action', it will be important to monitor your land. Should you see any further trespass, record this and if possible film/ photograph the incident.

It would be helpful to annotate a copy of your Title Deed map with the precise location(s) of the trespass.



Step 11. Final option: an injunction

At this stage you will have exhausted all reasonable steps to prevent the continuing trespass on your land. At this stage you are advised to return to a solicitor in obtaining an injunction through the Civil Court.



WHAT CAN I DO?

If you suspect a hunt is trespassing with a firearm (criminal trespass) and is happening right now, we suggest you call the police using 999.



If you suspect a hunt is committing aggravated trespass (criminal trespass) and is happening right now, we suggest you call the police using 999.

Alternatively if non urgent or the incident has (historically) happened then call 101 to report a non-emergency and ask for an incident reference number.

If you suspect the hunt is committing civil trespass (not criminal) follow the advice in this leaflet and contact the League to report the matter.



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