

Policy on Use of Force and Peaceful Entry for Certificated Enforcement Agents

1. Purpose

This policy outlines the lawful boundaries, procedures, and standards for the use of force and methods of entry during enforcement actions by Certificated Enforcement Agents (CEAs) in England and Wales.

2. Legal Context

All enforcement activity must comply with:

- Tribunals, Courts and Enforcement Act 2007
- Taking Control of Goods Regulations 2013
- Human Rights Act 1998
- Criminal Law Act 1967
- Data Protection Act 2018 / UK GDPR
- Common law principles of necessity and proportionality

3. Peaceful Entry

3.1 General Principle

CEAs must make peaceful entry unless legally authorised otherwise. Peaceful entry refers to access:

- Gained with the consent of the person in control of the premises, or
- Through an unlocked door or entry point

3.2 First Visit Entry Rules

- Initial entry must be peaceful and without use of force.
- Entry cannot be made via windows or climbing over walls or fences.

3.3 Re-entry After Taking Control of Goods

If entry has previously been made peacefully and goods have been taken into control:

- The CEA may re-enter by force if necessary to recover goods.
- This includes using a locksmith, provided it is proportionate and lawful.

3.4 Commercial Premises

- CEAAs may enter commercial premises at any reasonable time.
- Forceful entry is only permitted if re-entering to recover controlled goods.

4. Use of Force

4.1 General Policy

Use of force by CEAAs is strongly restricted and must be:

- Lawful
- Necessary
- Proportionate
- Used only as a last resort

4.2 Permissible Use of Force

Force may only be used:

- To effect re-entry to recover goods already taken into control.
- In self-defence or defence of others.
- To prevent a breach of the peace, in conjunction with police support.

4.3 Prohibited Force

The following are prohibited:

- Forcible entry on first visit
- Forcible entry into dwellings (without court order)
- Use of force to enter in presence of vulnerable individuals unless safeguards are in place

5. Procedures and Safeguards

5.1 Risk Assessment

Before any action involving potential use of force:

- A dynamic risk assessment must be conducted
- Vulnerability indicators must be reviewed (e.g., minors, elderly, disabled)

5.2 Police Presence

Police should be requested to attend:

- Where a breach of the peace is likely
- When forced entry is anticipated
- To act as impartial observers

5.3 Body-Worn Video (BWV)

- CEAs should wear and activate BWV during all enforcement visits.
- Footage must be retained securely in line with data protection policies.

5.4 Reporting and Accountability

- All use of force must be reported immediately to management.
- An incident report must be completed detailing justification and outcomes.
- All forced entries must be logged and reviewed by a supervisor.

6. Training Requirements

- All CEAs must receive annual training on:
 - Use of force laws and limitations
 - Peaceful entry techniques
 - De-escalation and conflict management
 - Risk assessment and dealing with vulnerability

7. Breaches of Policy

- Any breach of this policy may lead to:
 - Internal disciplinary action
 - Suspension or revocation of certification
 - Civil or criminal liability

8. Review

This policy will be reviewed annually or when relevant legal or regulatory changes occur.

Signed: M Stanford

Position: Managing Director

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