

How to Trespass – Written and Verbal

There will be many different reasons why you might want someone to leave your store. These may be because people are committing offences on your property, such as shoplifting, being disorderly or simply having no right to be there.

There is no legal requirement to give a trespass notice in writing. A written document reinforces the situation for the person given the trespass notice, so that they cannot say they did not know of the notice and requirement to leave and not return.

Verbal trespass

If you deliver a trespass notice verbally, where possible, take a picture of the person you have verbally trespassed (either with your phone or from any CCTV within the store). On that picture record the date, time, person issuing the verbal trespass along with the reason for giving a trespass notice to that person. If the trespassed person breaches the verbal notice, this photo (with recorded information) is used as evidence. If you are unable to gain a picture, note down a name (if known) or description of the person asked to leave.

If the person is known to you and you can confirm their name and age, send an email through to the Police contact for StoreWatch so the verbal trespass can be entered into the Police database.

You do not have to provide a reason to the person you are trespassing as to why you want them to leave. If they become uncooperative, call 111 and ask for Police assistance.

Written trespass

If you undertake a written notice, complete three copies of the Trespass Notice:

- One copy to the person you are serving the trespass notice on
- One copy for you to keep
- One copy to provide to the nearest Police station or attending police officer, for entering into the Police records database.

To serve a notice you simply hand it to the person. If they refuse to accept it and drop it on the floor, it is still considered served. Keep that copy and note down that the person refused to accept the notice.

You are required to give reasonable time for the trespasser to leave. If the person remains or is taking unreasonable time to comply, call 111 and ask for Police. Reasonable time in a store is the time for them to turn around and walk back out. If the person comes back after you have given them a trespass notice, they will have committed an offence. You should call 111 and ask for Police.

More crime prevention tips relating to retail can be found on the NZ Police website.

<http://www.police.govt.nz/about-us/publication/business-crime-prevention-advice>

Trespass and reporting to Police

Reporting trespass when completed in house

For all trespass incidents that your staff deal with (**where identity is known**), please send the scanned report through to the File Management Centre who will enter it into our system.

auckland.fmc@police.govt.nz

Include in the email the date, time of the incident, whether ID was produced and who served the trespass notices.

For the scanned report, please include:

- Completed service of trespass (will be your incident report)
- Trespass notice
- Copy of ID
- Any photos of the person trespassed

This can be done for verbal trespass also where the person receiving the verbal trespass is **known**. For this purpose, please attach any CCTV still images / photo of the person along with the incident report so this can be attached to the file. The staff member issuing the verbal notice must be noted on the report.

Reporting theft to Police

Crime Reporting Line (CRL) - 09 571 2800 and ask for CRL

This is a number you can phone to report non urgent calls for Police service. CRL provides the victim with a convenient, telephone-based reporting service 24 / 7. Instead of having to report in-person at a station counter, you can give reports straight over the phone.

You can also upload any CCTV stills or video obtained from your footage through the web portal (<https://forms.police.govt.nz/forms/single-non-emergency-number/31>) so they can be added to your report. You will need the reference number provided over the phone **BEFORE** you can upload any photos. This ensures they are added to the correct file so Police can provide a timely and appropriate response.

The above phone number should be given to your patrons for any reports made. If possible, request the reference number so you can upload any images you may have obtained from your CCTV system on their behalf.

When should I call Police

You should always call Police on 111 when:

- someone threatens you or your staff or refuses to leave
- someone you have confronted is in possession of stolen property
- someone has **JUST LEFT** the premises with your property

If there is a time delay it is important that you still report the incident to Police via CRL. If the event is equipped with CCTV and images are captured, make sure these are included in the report as Police can still follow up on your complaint and where possible summons the offender to Court.