



## A Guide to Anti-Climb Paint and the Law

### **Introduction**

Anti Climb paint is also known as anti burglar, anti-intruder, anti vandal and anti scale paint. As the name suggests it is designed to stop intruders from gaining access to property by climbing up or over obstacles such as fences, drain pipes etc.

The product is a non drying paint with a semi-gloss finish that is available from New Venture Products in black and grey, when applied correctly it provides a long lasting barrier but care must be taken not to spread it out too thinly as that will greatly shorten its life. Once applied NVP anti-climb paint does not dry, leaving a slippery surface which is very difficult to climb and will permanently mark clothing.

NVP anti-climb paint can be used on most building materials and is commonly applied to walls, drainpipes and any other surface that an intruder might attempt to climb. Once in place it should last for at least a year however its lifespan will of course be affected by ambient conditions and the amount of use it gets.

### **Anti Climb Paint and the Law**

Under the Occupier's liability act 1984 householders have a duty of care to anyone on their property whether they are legally entitled to be there or not. This duty of the householder is to ensure that anyone on their property is protected from injury from any foreseeable hazard. Therefore if a slippery coating such as anti-climb paint has been applied to a boundary wall and an intruder then slips and injures themselves, this is an outcome that the householder could have predicted.

In addition under the Highways act care must be taken to avoid "harm or injury" to any person or animal using the highway. Therefore if anti-climb paint is used on a boundary with a highway the householder has a duty to ensure that the anti-climb paint can't accidentally affect anyone using the highway.

Therefore in order for the householder to discharge their duty of care they must put up a clear warning sign(s) (available from NVP) when using anti-climb paint. The sign or signs must be placed in the area where the paint has been applied.

In addition anti climb paint should be applied at least two metres above the height of the walkway so that members of the public cannot be accidentally covered in it.

This article is designed as a guide and should not be used for any legal purpose and we recommend that if you are in any doubt you take legal advice or consult with your local Police crime prevention officer who will be happy to advise about the legality of the application the householder or property owner intends to make.

There is also often information on the website of your local police force relating to the use of anti-climb paint. The Thames Valley Police has the following FAQ on it:

## **“Question**

*Can I use anti-climbing paint on a building or wall to prevent trespassers and anti-social behaviour?*

## **Answer**

*Yes, it is perfectly legal to use anti-climbing paint although there are a couple of factors which should be considered when applying the paint -*

- You should make sure the anti-climbing paint starts at a reasonably high level so passers by do not damage their clothing inadvertently.*
- 'Warning anti climb paint' types of signs should be clearly posted wherever the paint is in use. These should be posted to protect the company or householder from being sued in a civil court, e.g. to protect from civil action for damage to clothing.*
- The notices should be simple enough for a reasonably young person to understand as, apart from intruders, they are the ones likely to be trying to climb up.”*

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Thames Valley Police also provide the following advice on the prevention of metal theft:

*“Apply anti-climb paint to drain pipes and roof guttering. This restricts access to roofing. Do not apply the paint below a height of two metres. Display warning notices which warn people that anti-climb paint is being used.”*

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For more information on the range of paints and signs supplied by New Venture Products Ltd, please visit <http://www.anti-climb-paint.co.uk/>.

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