

Our Ref: 004876/15



Freedom of Information Section
Nottinghamshire Police HQ
Sherwood Lodge, Arnold
Nottingham NG5 8PP

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

18 August 2015

Request under the Freedom of Information Act 2000 (FOIA)

I write in connection with your request for information, which was received by Nottinghamshire Police on 22/07/2015.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

RESPONSE

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold some of the information you have requested.

Please find below answers to your questions:-

All planning documentation for the operation on July 2nd, including risk assessments to Police, Public, Tom Crawfords family and the Bailiffs.

Any emails/memos/transcripts of phone calls regarding the operation to evict Tom Crawford.

In relation to the information requested above, this information is not recorded in an easily retrievable format. This matter involved a number of Police Officers and Staff. To locate, retrieve and extract the requested information in relation to all emails or documents held in relation to the planning of this matter would require a manual search of all emails, electronic files and paper records held by those individual Officers and Staff who participated in any aspect of the planning or implementation of this Operation. This information is not held centrally and would entail enquiries to be made with every individual involved. This would exceed the cost threshold of 18 working hours and engages Section 12 (1) of the Act.

This letter constitutes a refusal notice under Section 17(5) of the Freedom of Information Act 2000 with Section 12(1) of the act being applied

12. – (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Should you wish for the Force to continue with your request, a more accurate figure will be provided within a fee's notice. The cost will need to be paid by you, prior to any further investigation. Please advise if you wish to proceed.

Alternatively you are invited to refine your request to bring it within the cost threshold – perhaps by reducing the number of years you require data for, and resubmitting the request.

In accordance with the Act, once one part of the request is excess cost the whole request exceeds the cost threshold. In the spirit of the Act but outside of it I can inform you that much of the requested information has already been made available on our website in response to other Freedom of Information requests made on this subject.

Under which statute/act (apart from Breach of the peace) was the Nottinghamshire Police following on July 2nd?

<http://www.nottinghamshire.police.uk/sites/default/files/documents/files/FOI%20004414%2015.pdf>

This letter constitutes a refusal notice under Section 17(1) of the Freedom of Information Act 2000 with Section 21(1) of the act being applied.

21. – (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1) –

- a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2) b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is

made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Who was the senior officer running the operation?

<http://www.nottinghamshire.police.uk/sites/default/files/documents/files/FOI%20004477%2015.pdf>

<http://www.nottinghamshire.police.uk/sites/default/files/documents/files/FOI%20004414%2015.pdf>

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21. – (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

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- c) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- d) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2) b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

A copy of all Court Documents including warrants.

No information held. On the day of the eviction the bailiffs were in possession of correct and legal documentation. This has not been retained by Nottinghamshire Police and this is not unusual.

The company employed as Bailiff to remove Tom Crawford and his family?

This information is not held by Nottinghamshire Police as our involvement extended only to assisting in preventing a breach of the peace and facilitating

lawful protest however, this information is widely reported in the public domain as being UK Assets Recovery Ltd.

The name of the Bailiff named on court documents?

Information not held. On the day of the eviction the bailiffs were in possession of correct and legal documentation. This has not been retained by Nottinghamshire Police and this is not unusual.

The names and collar numbers of ALL police officers involved, including those at or around the property and those running the operation at the Police headquarters?

This information has previously been exempted from disclosure under Section 38 of the Act and a copy of the full Public Interest Test can be found at the below link:

<http://www.nottinghamshire.police.uk/sites/default/files/documents/files/FOI%20004414%2015.pdf>

This letter constitutes a refusal notice under Section 17(1) of the Freedom of Information Act 2000 with Section 38(1)(a)(b) of the act being applied.

38. – (1) Information is exempt information if its disclosure under this Act would, or would be likely to –

- a) endanger the physical or mental health of any individual, or
- b) endanger the safety of any individual

The cost approximately, to the taxpayer of this operation?

<http://www.nottinghamshire.police.uk/sites/default/files/documents/files/FOI%20004426%2015.pdf>

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(2) For the purposes of subsection (1) –

- e) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- f) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection)

to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2) b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Finally, why did Nottinghamshire Police assist Bailiffs in evicting the Crawfords on July 2nd?

I believe that this information has already been provided in relation to your questions above however, I will reiterate it here for clarity. Nottinghamshire Police's involvement in this matter was to prevent a breach of the peace and facilitate lawful protest.

Complaints Rights

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

Copyright

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

Disclosure Officer

Are you dissatisfied with your response?

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

How do I appeal?

All appeals should be made in writing and sent to:-

Information Management
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Notts
NG5 8PP

or alternatively freedomofinformation@nottinghamshire.pnn.police.uk

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

What if I'm still not satisfied?

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: casework@ico.org.uk