

Our Ref: 004907/15



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

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

04 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 07/07/2015.

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

Please find below answers to your questions:-

I am deeply concerned by your force's behaviour and operational instructions at the Tom Crawford eviction. I have personally seen the Case Management File relating to his court case and it contained NO warrants and NO judgements. How then was it possible to evict? From where does the authority come?

Whilst I accept your force was present to keep the peace and in all probability in number as a precursor to a very large turnout by concerned members of the public as happened at Mr Crawford's previous ILLEGAL eviction attempt I cannot but feel deeply suspicious about the circumstances. Videos surfacing on the net are showing clearly unlawful and ultra vires acts by police which seem clear violations of S26 Criminal Justice and Courts Act 2015 and the police discipline codes.

When a Bailiff is asked for proof of identity and warrant, they are obliged to provide it. If they do not the police are obliged to remove (or arrest) the Bailiff until such time as they can lawfully prove authority to act. "The constable must check the bailiffs certificate and his Warrant and if he is unable to show both documents then the constable is required to place the person under arrest for committing an offence under section 125b of the County Courts Act 1984 or Section 78(7) of the Road Traffic Act 1991 or Section 2 of the Fraud Act 2006 as he is required to carry them in an intelligible form when attending a debtors address. Buller's



NOTTINGHAMSHIRE
POLICE
PROUD TO SERVE

Case [1587] 1 Leonard 50 or Andrews v Bolton Borough Council [2011] HHJ Holman, Bolton county court, June 2011"

So, I must ask you to provide a full set of costings for the operation, who paid for the operation and how many officers have been subject to discipline under the law and/or police discipline codes, resulting from the obvious beaches visible on multiple videos?

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.

Your letter has been passed to the Information Management Department to provide a response to those aspects of your correspondence which fall under Freedom of Information legislation as identified above – namely to provide information in respect of the Policing Operation to prevent a breach of the peace and facilitate lawful protest on 2 July 2015 at 3 Fearn Chase, Carlton, Nottingham. My response under the Act is provided below.

Nottinghamshire Police have previously responded to an almost identical request regarding costings of this Operation received under the Freedom of Information Act and our response to this is available to view on our website via the following link:

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

This information is therefore exempt from disclosure under Section 21 of the Act: Information Reasonably Accessible by other means.

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.

In respect of Officers disciplined I can advise you that as of 30/07/2015 no Officers have been disciplined under the Law or Police Codes as the matter is still sub judice at present.

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