



Ministry
of Justice

National Compliance &
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Mr Michael Agboh-Davison

By email :

request-310522-63c31ccf@whatdotheyknow.com

Our Reference: FOI 102586

10 February 2016

Freedom of Information Request

Dear Mr Agboh-Davison,

Thank you for your request of 13 January 2016, in which you asked for the following information from the Ministry of Justice (MoJ):

“1. How many times have enforcement agents acting on the instructions of HMCTS to collect criminal fines used force to make initial entry to domestic premises in the following periods:

- a) 1 January 2010 to 5 April 2014**
- b) 6 April 2014 to 31 December 2015**

This request relates to instances of forced initial entry only, not to the use of forced entry to remove goods taken into control.

2. Does the process in the HMCS Forced Entry Powers Procedure (December 2009) still apply? If this has been replaced with more recent guidance, please could you supply a copy.

3. How many of the instances of forced initial entry in the periods 1a and 1b above were carried out at the enforcement agent's own discretion without prior approval of a Nominated Officer (5.5 in the 2009 Procedure)”.

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

I can confirm that the MoJ holds the information that you have asked for, and I am pleased to provide this to you. The questions are answered in the sequence requested.

1a) 1 January 2010 to 5 April 2014 = 35

1b) 6 April 2014 to 31 December 2015 = 4

This request relates to instances of forced initial entry only, not to the use of forced entry to remove goods taken into control.

2. The protocol was reissued following the introduction of the Tribunals and Courts Enforcement Act (TCE) act in April 2014 and a copy is attached.

3. HMCTS is aware of one such case.

You can find more information by reading the full text of the FOIA, available at <http://www.legislation.gov.uk/ukpga/2000/36/contents>

You have the right to appeal our decision if you think it is incorrect. Details can be found in the 'How to Appeal' section attached at the end of this letter.

Disclosure Log]

You can also view information that the MoJ has disclosed in response to previous FOI requests. Responses are anonymised and published on our on-line disclosure log which can be found on the MoJ website:

<https://www.gov.uk/government/organisations/ministry-of-justice/series/freedom-of-information-disclosure-log>

Yours sincerely

**Knowledge and Information Liaison Officer
to
National Compliance & Enforcement Service**

How to Appeal

Internal Review

If you are not satisfied with this response, you have the right to an internal review. The handling of your request will be looked at by someone who was not responsible for the original case, and they will make a decision as to whether we answered your request correctly.

If you would like to request a review, please write or send an email to the Data Access and Compliance Unit within two months of the date of this letter, at the following address:

Data Access and Compliance Unit (10.34),
Information & Communications Directorate,
Ministry of Justice,
102 Petty France,
London
SW1H 9AJ

E-mail: data.access@justice.gsi.gov.uk

Information Commissioner's Office

If you remain dissatisfied after an internal review decision, you have the right to apply to the Information Commissioner's Office. The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if he considers that we have handled it incorrectly.

You can contact the Information Commissioner's Office at the following address:

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

Internet address: https://www.ico.gov.uk/Global/contact_us.aspx