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Dear Sir

Freedom of Information Act (FOIA) Request – 191018030

Thank you for your request dated 18 October 2019 in which you asked for the following information from the Ministry of Justice (MoJ):

Dear Her Majesty's Courts and Tribunals Service,

Under foi

I would like clarification of the law relating to

**Excessive levy
and wrongful distress of goods**

What is the law regarding the return of goods following proof of wrongful distress of goods and excessive levy

I am not asking for an opinion but the law regarding

If a debtor has five days to prove wrongful seizure how long does an enforcement agent have to return the goods

at whose cost?

After five days then 15 days has passed should the goods either be sold or returned?

if an agent is proved to have excessively levied at what point of proof should excessive levy be admitted and thus goods returned .

again at whose costs

What are the reasonable steps a bailiff must go to to identify the costs of a particular item ?

if it is an uncommon item should an expert by law be required?

Yours faithfully,

steve

Your request is being handled under the FOIA.

I have considered your request for information but I am unable to answer it without further clarification. Section 1(3) of the FOIA does not oblige us to answer requests where we require further clarification to identify and locate the information requested.

So that I provide you with the right information, please can you set out, as specifically as you can, what recorded information you require. You seem to be asking the MoJ for legal advice or comments about processes; your request begin with the statement "I would like clarification of the law." FOI is not a forum to discuss individual legal matters, and so may I respectfully suggest you seek appropriate legal advice from a solicitor or the Citizens Advice Bureau.

However, on receipt of a request for recorded information held by the MoJ, we will consider the request.

Yours faithfully

Communications and Information Directorate
Policy, Communication and Analysis Group