



**Kent
Police**



Ms Janine Wiltshire
request-662393-
ef707e43@whatdotheyknow.com

Direct Line: 01622 652610
E-mail: freedomofinformation@kent.police.uk

Date: 3rd June 2020
FOI Ref: 20/05/0587

Dear Ms Wiltshire

Freedom of Information Request 20/05/0587

I write in response to your request for information under the Freedom of Information Act 2000 (FOIA) received on 6 May 2020.

- 1. I'm requesting information on the seizure of 20 dogs on the 5th of February 2020. The dogs were imported by Second Chance Retriever Rescue, consigned to Tonew Kennels in Wales. As the circumstances of each animal imported amounts to a summary charge under Order 1974, I trust a prosecution would follow. Please can you confirm whether a prosecution will be sought in this case.*
- 2. If data can not be provided on this particular case, please provide information on the number of canines seized on entry to the UK from Coquelles, on the 5th of February 2020.*
- 3. Please also provide the number of these cases which have resulted in a prosecution.*

With regards to question 2 and 3; Checks have been made with the Dog Section Unit and I can advise that no Kent Police Dog Legislation Officer was involved in the seizure of any dog arriving at a Kent Port on 5 February 2020. However, that is not to say such a seizure did not take place as partner agencies such as Defra, Border Force and the RSPCA may have relevant powers of seizure.

With regards to question 1; Kent Police neither confirms nor denies whether the organisation specified in the request is subject to any Kent Police investigations, by the virtue of

Section 30 (3) Investigations and Proceedings conducted by Public Authorities

Section 40(5B) Personal information

Information of the nature requested, were it held by Kent Police, would be for the purpose of conducting an investigation with a view to ascertaining whether a person ought to be charged with an offence, and would be exempt from release by virtue of the exemption at Section 30(1)(a)(i) FOIA. In accordance with Section 30(3) there is no duty to confirm or deny if such information were held, subject to a public interest test.

Whilst it could be considered that to confirm or deny whether such information were held would contribute to openness and transparency, to confirm or deny the existence of such information under FOIA would risk prejudice to past, present or future investigations by disclosing whether Kent Police is or is not conducting investigations into specified organisations, and it would not be in the public interest to do so.

Personal information is information that relates to a living individual who can be identified from that information alone or from that information together with other information in the possession of, or likely to come into the possession of, the Chief Constable.

In the circumstances the effect of even confirming or denying under FOIA whether information were held would inform the public of whether Kent Police holds information about third parties, in this case those employed by the specified organisations, and would constitute the processing of personal information contrary to Data Protection legislation.

I thank you for your interest in Kent Police. If you have any queries about your request or the application of the Freedom of Information Act generally, please contact this office quoting the reference number above.

Yours sincerely,

Sandra Maurer

Public Disclosure Officer

Your right to appeal

We take our responsibilities under the Freedom of Information Act seriously but if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have 40 working days from the date the response is issued to request that Kent Police carry out an internal review.

If your request for a review concerns the decision to apply an exemption, it would assist if you would outline why you believe the exemption does not apply.

Kent Police will acknowledge receipt of any request for a review and aim to respond as soon as practicable, in most cases within 20 working days of receipt. If the review will not be completed in this timescale, you will be informed.

You may lodge your request for a review in writing:

Our email address is: freedomofinformation@kent.police.uk

Our postal address is:

Freedom of Information
Coldharbour,
London Road,
Aylesford,
Kent,
ME20 7SL

If you are still dissatisfied following our internal review, you have the right under section 50 of the Act to appeal directly to the Information Commissioner who would normally expect you to have exhausted the internal review procedure provided by Kent Police.

For information on how to appeal to the Information Commissioner please visit the website at www.ico.org.uk. Alternatively, phone or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113