

request-667598-e86a9972@whatdotheyknow.com  
Michael Agboh-Davison

data.access@justice.gov.uk

01/07/2020

Dear Mr Agboh-Davison

**Freedom of Information Act (FOIA) Request – 200625027**

Thank you for your request dated 25/06/2020 for an Internal Review of FOI 200528012 in which you asked for the following information from the Ministry of Justice (MoJ):

**“Please pass this on to the person who conducts Freedom of Information reviews. I am writing to request an internal review of Her Majesty's Courts and Tribunals Service's handling of my FOI request 'Use of forced initial entry by enforcement agents recovering criminal fines'. In regard to my questions 1 and 3, the Ministry of Justice supplied this data in my previous request of 10 February 2016 (your reference FOI 102586 – see:**

**<https://www.whatdotheyknow.com/request/310522/response/766743/attach/4/FOI%20102586%20Agboh%20Davison.pdf>).**

The data I requested in my current application started 1 April 2014 and is therefore included in the data you released to me in my previous request which covered 1 January 2010 to 31 December 2015. I do not understand how you can claim that you are not the holder of information you have previously released. I would also challenge the claim that HMCTS does not hold this data.

If enforcement agents acting under contract to HMCTS use or plan to use forced entry and require the prior consent of court staff to do so, it seems odd that HMCTS would not keep a record of this, or require the enforcement agencies to include these unusual cases in reporting. In regard to my second question, please could you provide a copy of the January 2019 “legal guidance document that is now in place which is the Applications in Relation to Warrants of Control, particularly Forced Entry” you refer to in your reply. Previous editions of this guidance dated December 2009 and July 2014 have been released under FOI requests, including my own. You state that this “is not a public domain document”. I am unclear on what basis you are refusing to release this document. If you will not agree to release a copy, please specify the exact grounds for refusal with reference to s17 or Part II Freedom of Information Act 2000”.

Your request is being handled under the FOIA.

A review is currently being conducted and a response will be issued to you in due course.

The MoJ aims to provide you with a response within 20 working days, in accordance with the Information Commissioner's Office's recommendation.

If you have any queries regarding this Internal Review please do not hesitate to contact the above address quoting the reference number 200625027 in all correspondence.

Yours sincerely

KILO Team  
National Compliance and Enforcement Service  
HMCTS