



Force Disclosure Unit
Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 17th January 2023

Ref: FOI 2022/1016

Dear,

I write in connection with your request for information dated 23rd December 2022 concerning homelessness.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am now able to respond as follows.

You wrote:

In 2020, the Rough Sleeper Support Services provided enhanced powers for local authorities and registered charities in terms of determining a rough sleeper's immigration status.

In the last two years (2021, 2022):

1a) Has your police force led, or been involved in, any operations aimed at detaining EEA nationals found rough sleeping under the new guidance mentioned above?

If so:

1b) please can you tell me the name(s) of the operation(s)?

1c) how many people in total were stopped and questioned as part of the operation(s)?

1d) how many people in total were detained as part of the operation(s)?

1e) how many people in total were issued with notices as part of the operation(s)?

1e) how many different locations were visited as part of the operation(s)? And if possible:

- where were the locations and the date of these visits?

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- how many people were detained on each visit?

- how many people were issued with a notice on each visit?

2) If possible, can you tell me how many incidents on your database for the last six months involve both the phrases 'rough sleeping' and 'immigration'?

3) Can I please have a copy of any information given/sent/shown to police officers to explain to them the new changes to the guidance about rough sleeping EEA nationals?

Our response:

1. No information held.

According to [this document](#), the Rough Sleeper Support Services (RSSS) is primarily a safeguarding function. It works by use of a referral mechanism in relation to rough sleepers, whose immigration status is unknown or cannot be adequately evidenced in order to access potentially eligible support.

Where the immigration status of a rough sleeper is unknown, the RSSS speeds up the relevant checks to determine the individual's status, and thus the access to any support. Importantly, a referral in relation to RSSS can only be made with the consent of the individual concerned. The aforementioned document also states that the RSSS application decision does not alter the outcome of an individual's immigration status.

The RSSS does not appear to grant any powers to ascertain a rough sleepers immigration status. However, also in 2020, there was a change to the immigration rules that would mean someone could have their permission to stay in the UK refused or cancelled, if they've been sleeping rough. Further reading can be found via [Rough sleeping immigration rule: Who does it affect and how? \(parliament.uk\)](#).

But this change in the rules does not appear to have any direct connection to the RSSS. The question is framed with the inclusion that RSSS provides a power of detention, which seems not to be the case. As a result, there is no information held in relation to this part of your request and therefore, the follow-on questions would be not applicable.

2. Zero.

3. As per question 1, there is no information held.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Force Disclosure Decision Maker

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Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

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4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review, they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk