

WILTSHIRE POLICE



XXXXXXXX

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

Date 20th August 2025

Our Ref FOI 2025-763

Dear XXXXX,

I write in connection with your request for information dated 3rd August 2025, received by the FDU on 6th August 2025, concerning utility warrant enforcement / Right of Entry (ROE).

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.

Following receipt of your request, research was conducted by the Force Policy Officer, Student Officer Training & Assessment Team, Business Intelligence and Professional Standards Departments at Wiltshire Police. Your request for information has now been considered and I am **not** obliged to supply the information you have requested.

You wrote:

Under the Freedom of Information Act 2000, I am requesting the following information regarding police involvement in utility warrant enforcements (commonly referred to as Rights of Entry (ROE)):

1. Training & Guidelines

- a. What formal training do officers receive regarding utility warrant enforcements?
- b. What specific guidance, internal policies, or procedural manuals exist regarding police attendance at ROE applications and enforcement actions?
- c. How do officers verify the legitimacy of ROE applications before providing assistance?
- d. Are there mandatory checks on the validity of the warrant before officers enforce or assist an entry?

2. Operational Involvement

- a. How many times have officers from your force attended and assisted with Rights of Entry executions in the last five years? (Please provide a breakdown per year).
- b. In how many cases has force (e.g. physical removal, restraint, forced entry via locksmiths) been used while assisting ROE-related enforcement?

Keeping Wiltshire Safe

- c. What is the procedure officers are instructed to follow when the property occupant disputes the validity of the warrant?

3. Complaints & Oversight

- a. How many complaints have been received by your force regarding police involvement in assisting utility companies in ROE cases? (Please provide statistics for the last five years, broken down annually).
- b. Have any disciplinary actions or investigations been initiated against officers involved in ROE enforcement due to complaints or procedural violations?

I request that all relevant documents, policies and records that fall within the scope of this request be included in the response.

Our response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.

Whilst I can confirm Wiltshire Police do hold the requested information, section 12(1) of the FOIA states:-

Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

The information you are requesting - namely in relation to question 2a and 2b - is not stored in a way which permits for easy retrieval. There is not an automatic way to establish whether Officers attended or assisted with Rights of Entry executions and whether force was used whilst assisting in these matters. This information would be attached to each record as a document. Officers would usually only attend these matters to prevent a breach of the peace or when a specific criminal offence has, or is likely to, occur. As there would not be an easy way to establish whether an occurrence relates to a Rights of Entry execution, to provide a response to this part of your request would require manually interrogating each record held for the last 5 years. This would require checking tens of thousands of records.

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

Please note:

If one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Forces may use different recording systems, therefore it may be possible some Forces can provide this information where others cannot.

Ordinarily under our Section 16 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. Due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved.

Although excess cost removes the Forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I can provide you with is documented below:

1. Training & Guidelines

a. What formal training do officers receive regarding utility warrant enforcements?

Student officers do not receive any formal training regarding dealing with utility Warrants specifically. This is not training specified by the College of Policing in relation specifically to Utility Warrants. Warrants in general are covered in Powers of Entry Training, that includes Section 8 Warrants. If officers are attending a utility warrant, this would be done in the Tutorship phase of their training, and this training would be delivered by their assigned tutor. Officers are usually deployed in these circumstances to prevent a Breach of the Peace, and this is covered in the officers initial Public Order legislation training.

b. What specific guidance, internal policies, or procedural manuals exist regarding police attendance at ROE applications and enforcement actions?

No information held - Wiltshire Police do not have any policy or internal guidelines covering the ROE applications and enforcement actions. As a general principal, Officers may be directed to attend private premises with a utility official in order to prevent a breach of the peace from occurring whilst a Court Order of some type is being enforced. Officer will also attend an incident when a specific criminal offence has occurred or is likely to occur (usually breach of the peace, anti-social behaviour, disorder etc. depending on the situation unfolding at the scene).

c. How do officers verify the legitimacy of ROE applications before providing assistance?

Police do not oversee or verify the applications submitted to the courts by other agencies, including utility companies. Officers are encouraged by local supervisors to fact find prior to conducting any action. This may include checking the legitimacy with the issuing court.

d. Are there mandatory checks on the validity of the warrant before officers enforce or assist an entry?

Officers would be required to see a copy of the Warrant, either physically or electronically, that has been signed by a Magistrate or High Court, stamped and dated correctly, any exclusions on the warrant, i.e. times that this can't be executed.

2. Operational Involvement

a. What is the procedure officers are instructed to follow when the property occupant disputes the validity of the warrant?

Officers would be required to see a copy of the Warrant, that has been signed by a Magistrate or High Court, stamped and dated correctly, and that the Warrant specifies it has a power of entry.

There is no policy or guidance covering this. Such a dispute would be between the property owner and the utility company and is not a police matter. A police presence would only be for the reasons stated for question 1b above.

3. Complaints & Oversight

- a. How many complaints have been received by your force regarding police involvement in assisting utility companies in ROE cases? (Please provide statistics for the last five years, broken down annually).**
- b. Have any disciplinary actions or investigations been initiated against officers involved in ROE enforcement due to complaints or procedural violations?**

A search has been conducted of the relevant system and there is nothing that specifically allows a search of the system for Right of Entry, Illegal Entry, Unlawful entry or assisting Utility Companies, BBC Gas, water etc.

Other options have been considered, such as Harassment and Incivility, and whilst they do bring up cases there is nothing that would fit within this FOI's parameters.

Section 17 of the Freedom of Information Act 2000 requires Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12 - Exemption where cost of compliance exceeds appropriate limit

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

Please contact me if you would like to discuss the withheld information.

Yours sincerely,

FDU Decision Maker

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



Keeping Wiltshire Safe

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 Fol 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.

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

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish to contact them, please visit <https://ico.org.uk/global/contact-us/>

Keeping Wiltshire Safe