

FOI ref no: SCO/FOI/023/2022

Freedom of Information request: reference SCO/FOI/023/2022 first notified to us by email on 21 August 2022.

Staffordshire Commissioner's Office response to your enquiry is as follows:

You will of course be aware that the Police, Crime, Sentencing and Courts Act 2022 came into force from 28th June 2022. The provisions of this legislation in the form of criminal law gives the police the powers to remove unauthorised encampments. The information produced by GOV/UK website makes it abundantly clear under the heading "New Police powers to crack down on unauthorised encampments come into force." The statement says "Cracking down on anti-social people causing misery by setting up illegal camps and refusing to remove their vehicles, delivers on a key government manifesto. There is also a statement by Priti Patel.

The illegal encampments at Henderson Close and Netherstowe did not involve operational decisions to be made by the Chief Constable. It would appear that the Chief Constable has a problem with implementing the provisions of the 2022 legislation. The Chief Constable appears to be relying on the provisions of the Criminal Justice and Public Order Act 1994 (civil legislation) which requires Lichfield District Council to make an application to the Magistrates Court to remove the illegal encampments.

Furthermore, I understand that both Councillor Doug Pullen and Councillor Andy Smith have been in contact with both you and Chris Noble. In your role as Police and Crime Commissioner you have not made any public pronouncements on both of these matters. The affected residents of Lichfield have been left totally in the dark about what has transpired. This is the reason for my request under the Freedom of Information Act 2000 for you to provide details of all discussions, both oral and in writing between the Chief Constable, the Police and Crime Commissioner and Councillors Pullen and Smith

I can confirm that the Police, Fire and Crime Commissioner (PFCC) does not hold the information that you have requested.

However, I can confirm a group has been formed of representatives from Staffordshire Police and local councils to design and implement a Staffordshire-wide **Illegal Trespass Protocol**. At its first meeting, the group received a presentation on the impact of the Police, Crime, Sentencing and Courts Act 2022 on procedures for managing unauthorised encampments and agreed the importance of a collective and consistent approach.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this email and should be addressed to:

Compliance Manager
Staffordshire Commissioner's Office
Block 9, Staffordshire Police HQ
Stafford
ST18 0YY

Or emailed to: FOI.PFCC@staffordshire-pfcc.pnn.gov.uk.

Please remember to quote the reference number in any future communications.

Yours sincerely

Freedom of Information Decision Maker