

**Our Ref:** FOI 22820  
**Your Ref:** FOI 22732  
**Date:** 07 May 2026

### **Internal Review**

**Re: Request for internal review of response to application for information under the provisions of the Freedom of Information Act 2000, original request first notified to Staffordshire Police on 02/04/2026.**

**SP refer to the above request which was expressed in the following terms:**

I am writing on behalf of a Gypsy, Roma and Traveller (GRT) voluntary organisation whose remit includes empowering our communities and monitoring the impact of legislation and policing practices. The pursuit of a nomadic way of life is lawful and is recognised and protected under both UK and European legislation. Romany Gypsies and Irish Travellers are protected groups under the Equality Acts 2010. The Public Sector Equality Duty (PSED) places a statutory obligation on police forces to have due regard to the need to eliminate unlawful racial discrimination, advance equality of opportunity, and foster good relations between people of different racial groups. Article 8 of the European Convention on Human Rights protects private and family life, and Article 23 protects the right of communities to maintain and follow their culture.

Under Section 1 of the Freedom of Information Act 2000, I am requesting the following information regarding your force's approach to Section 4 of the Police, Crime, Sentencing and Courts (PCSC) Act 2022, which introduced new criminal offences relating to Unauthorised Encampments. Please provide data from the date the legislation came into force to the present.

#### **Question 1: Equality Impact and Compliance**

Given the PSED obligations and the recognised protected status of Romany Gypsies and Irish Travellers, please provide:

- 1) Recorded evidence of how any Equality Impact Assessments (EIAs), Equality Analyses, or internal reviews carried out in relation to the introduction or use of Section 4 powers
- 2) Recorded evidence of how any internal guidance, training materials, or briefings provided to officers regarding the cultural rights of GRT communities and the need to avoid discriminatory or disproportionate enforcement
- 3) Recorded evidence of how any monitoring data your force holds relating to the protected characteristics of individuals affected by Section 4 enforcement.

If no such recorded assessments, guidance, or monitoring exist, please confirm this explicitly.

## Question 2: Policies and Strategies

In light of Section 4 of the PCSC Act, has your force drafted or adopted any new strategies, operational guidance, or policies relating specifically to Unauthorised Encampments?

If so, please confirm whether these documents are publicly accessible and provide copies or links where available.

## Question 3: Implementation of Section 4

Has your force implemented Section 4 of the PCSC Act?

If yes, please provide details of how it has been used, including:

- 1) Directions to leave
- 2) Seizure or confiscation of vehicles
- 3) Arrests made under this provision

## Question 4: Prosecutions

Have there been any prosecutions within your force area under Section 4 of the PCSC Act?

If so, please provide:

- 1) The number of prosecutions - including dates, reference numbers and/or case numbers
- 2) The decision outcomes of those prosecutions (e.g., charges, convictions, discontinued cases) - including dates, reference numbers and/or case numbers

Please also include details of any current pending enforcement.

Please provide the information in electronic format where possible. Where information is not held, please confirm this.

If you consider that the cost of compliance would exceed the appropriate limit under section 12 of the Freedom of Information Act, I would welcome advice on how the request might be refined in order to remain within the statutory cost threshold.

I note that under Section 10, you are required to respond within 20 working days

**Further to the above, SP also note the following comments made within your request for Internal Review.**

Thank you for your reply. However, I do not consider that the response adequately addresses the request, and I would be grateful if the following points could be reconsidered.

### 1. Application of Section 40 (personal data)

The request did not seek any personal or third-party data, but rather information relating to policies, equality impact assessments, guidance, and monitoring practices. It is therefore unclear why Section 40 has been engaged.

If any of the requested material contains personal data, I would expect that information to be redacted, rather than used as a basis to withhold material more broadly. I would be grateful if the review could clarify:

- what specific personal data is considered to be in scope, and

- why redaction would not be sufficient to allow disclosure of the remaining information.

## 2. Application of Section 31 (law enforcement)

The reasoning provided for withholding information under Section 31 appears to be general in nature and does not clearly demonstrate how disclosure of the requested information would prejudice law enforcement.

The request relates primarily to high-level policies, equality considerations, and governance arrangements concerning the use of Section 4 powers. It is not apparent how disclosure of such material—particularly in redacted form where necessary—would undermine operational policing.

I would therefore ask that the review:

- identifies the specific information considered sensitive,
- explains how disclosure would give rise to the claimed prejudice, and
- considers whether partial disclosure could be achieved through appropriate redaction.

## 3. “No information held” – Equality and monitoring (Question 1)

The response states that no Equality Impact Assessments, guidance, training materials, or monitoring data are held in relation to Section 4 powers.

Given the Public Sector Equality Duty and the recognised protected status of Gypsy, Roma and Traveller communities, this is a significant position. I would be grateful if the review could confirm:

- whether appropriate searches were conducted across all relevant departments, and
- whether any related material exists in alternative forms (for example, force-wide policies, general equality frameworks, or regional guidance not captured in the response).

## 4. Consistency of the response

The response confirms that policies or strategies relating to unauthorised encampments do exist (Question 2), yet also indicates that no equality analysis, guidance, or monitoring information is held.

I would welcome clarification as to how these positions are consistent, particularly in the context of statutory equality obligations.

## **SP Response**

**Upon review of your request for information under the Freedom of Information provision referenced above and all corresponding communication, we are of the opinion that the response issued, alongside all clarification provided, fully answers the terms of your request.**

**We also confirm that the application of all exemptions outlined within this response are fully justified, and that the explanations and rationale for their application conveyed clearly and unequivocally.**

**However, in order to address the specific concerns raised within your request for internal review, please find below some further rationale for the approach taken.**

## 1. Application of Section 40 (personal data)

**Whilst your request did not overtly require disclosure of personal information, it did require the disclosure of ‘Recorded evidence of how any internal guidance, training materials, or briefings provided**

to officers regarding the cultural rights of GRT communities'. **The documents provided were produced for internal use and therefore contained personal data (namely the names of specific officers and police staff), these were redacted in line with the rights and privileges afforded those individuals under the Data Protection Act and in line with the specific exemption (Section 40(2)) of the Freedom of Information Act. Where such information is removed or redacted from disclosed material, the act requires us to identify and articulate the specific exemption under which such information has been removed or redacted. This was completed in compliance with the Act.**

2. Application of Section 31 (law enforcement)

**With regard to Q2 of your initial request, you asked for disclosure of 'In light of Section 4 of the PCSC Act, has your force drafted or adopted any new strategies, operational guidance, or policies relating specifically to Unauthorised Encampments. If so, please confirm whether these documents are publicly accessible and provide copies or links where available'. Whilst we have disclosed some material in relation to this question (namely a copy of the code of conduct) and have provided links to further documents in the public domain, the Freedom of Information Act requires us to review any material held, prior to its release, in order to assess the harm that may arise from its disclosure. The terminology of your requests would encompass tactical briefings or other operational updates informing internal strategies or guidance relating to operational policing and the employment of specific tactics in any given circumstance.**

**As disclosure of information under the Freedom of Information Act is a disclosure to the world at large, and not a single applicant, we must be mindful of the information being placed into the public domain and the harm that may arise from such a disclosure. Clearly the widespread broadcast of policing tactics and their employment in any given situation would be detrimental to the prevention and detection of crime and/or the apprehension or prosecution of offenders. As stated within our initial response, disclosure of such material would provide criminals or those with ill intent valuable intelligence, thus arming them with sufficient information to take steps to counteract any such tactic so identified. This would therefore allow such individuals to take steps to avoid detection or better target their offending to achieve their end goals. Any such disclosure can therefore only be deemed harmful to the public.**

3. "No information held" – Equality and monitoring (Question 1)

**SP can confirm that all appropriate searches have been conducted and relevant enquiries have been made with cultural and diversity leads across the force.**

4. Consistency of the response

The response confirms that policies or strategies relating to unauthorised encampments do exist (Question 2), yet also indicates that no equality analysis, guidance, or monitoring information is held.

I would welcome clarification as to how these positions are consistent, particularly in the context of statutory equality obligations.

**The Freedom of Information act does not require a body to create information in order to fulfil any, or all parts of a request. Where an explanations do not already exist pertaining**

**to why information is or is not held, SP are not obliged to create such a narrative outlining why any such information is not in existence.**

Please be advised that all FOI requests and response letters are published on the Staffordshire Police website although personal details are not included.

If you are not content with the outcome of the review, you may apply directly to the Information Commissioner to investigate. The Information Commissioner can be contacted at:

<https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Information Access Team Management

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