

T/Chief Constable
T/Chief Constable Darren Martland
Police Headquarters
Carleton Hall Penrith,
Cumbria
CA10 2AU



2nd September 2025

Dear

FREEDOM OF INFORMATION REQUEST – FOI 1185/25 Legal Right to Enter and Search a Property

I refer to your request for information which was received by Cumbria Constabulary on 6th August 2025. I note you seek access to the following information:

1. *The number of times your force received a complaint regarding your force's legal right to enter and search a property.*
2. *The number of these complaints that were upheld.*
3. *The number of these complaints that were upheld for entering the wrong property.*
4. *The total amount paid in damages from these complaints.*
 - 4a. *Can you give the highest amount paid in an individual case, the reason the search was deemed illegal (for example: wrong address, no search warrant) and the location please. Please anonymise as/if necessary for it to be included in your response.*

Can you provide the data for 2022, 2023, 2024 and from 01/01/25 – 30/06/25 (inclusive) presented in calendar years please.

In regard to questions 4 and 4a, I have estimated the time required to extract the relevant information required will exceed the "appropriate limit" as this would require a manual review of all relevant entries. There were 244 public liability claims opened since 2022, to know what each claim is about would require a manual search of each record. Each file could have multiple claims within it meaning that to answer the questions asked, it would require a search of each file to see what is relevant then a search of those to identify relevant the payment/s. It is estimated that this would take 10 minutes per complaint, meaning that to fulfil the request would take more than 40 hours. This is not including the fact that some files may take more than the estimated time.

The "appropriate limit" is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 and the current limit for police forces is set at £450, which equates to 18 hours of work.

Section 12(1) of the Freedom of Information Act 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 will exceed the appropriate limit. In view of this, and in accordance with Section 17(5) of the Act, this letter serves as a Refusal Notice for your request.

Notwithstanding the above, in anticipation it will still be of interest to you, it is possible to provide you with some of the information requested in the remaining questions, as it was possible to retrieve this information directly. This is information I would otherwise have advised you to submit a revised request to seek disclosure of in accordance with the duty to provide advice and assistance.



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Please note: the information provided has been extracted from Cumbria Constabulary's crime recording system. For Question 2, since the change in Regulations in 2020 complaint cases are no longer resulted as upheld/not upheld.

Question 1

The number of times your force received a complaint regarding your force's legal right to enter and search a property:

- 2022 = 37
- 2023 = 40
- 2024 = 35
- 2025 = 27

Question 2

The number of these complaints that were upheld:

- 2022 = 4 Service Provided was Not Acceptable (SNA)
- 2023 = 4 SNA
- 2024 = 4 SNA
- 2025 = 2 SNA

Question 3

The number of these complaints that were upheld for entering the wrong property:

- 2022 = 0
- 2023 = 0
- 2024 = 0
- 2025 = 0

Complaint Rights

If you believe your request has not been properly handled, or you are otherwise dissatisfied with the outcome of your request, you have the right to request an internal review.

In the first instance, please email freedomofinformation@cumbria.police.uk quoting the FOI reference number and explain why you are dissatisfied. Your complaint will be considered and a response will be provided to you after your complaint has been investigated.

If you remain dissatisfied following conclusion of the internal review, you have the right, under section 50 of the Freedom of Information Act, to complain directly to the Information Commissioner.

The address for the Information Commissioner can be found below:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Complaints to the Information Commissioner can also be made online:



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[Make a complaint | ICO](#)

I would like to take this opportunity to thank you for your interest in Cumbria Constabulary.



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