



Ref: 14/15 – 08	Date issued: 26 August 2014
<b>Subject: GLA ‘powers of entry’ and their use</b>	
<p><b>Question(s) asked:</b></p> <p>Under the Freedom of Information Act, I request the release of the following information:</p> <p><b>A list of each "power of entry" your organisation is permitted to use</b> - and for the avoidance of doubt, I am defining a power of entry as a right for a person (usually a state official such as a police officer, local authority trading standards officer or a member of enforcement staff of a regulatory body) to legally enter defined premises, such as businesses, vehicles or land for specific purposes.</p> <p><b>The number of times in (a) 2012/13, and (b) 2013/14 that each "power of entry" your organisation is permitted to use, was used.</b></p> <p><b>If it exists, a copy of any internal guidance on how the powers of entry granted to our organisation are permitted to be used.</b></p>	
<p><b>Response(s):</b></p> <p><b>1 A list of each ‘power of entry’ your organisation is permitted to use?</b> The powers of entry at the disposal of the GLA are specified in the Gangmasters (Licensing) Act, which is available on the internet <a href="#">here</a>. The relevant sections are 16 and 17 and both can be accessed from this page.</p> <p>In order to answer to this question I have split the response relating to the use of Section 16 powers and Section 17 powers.</p> <p><b>Section 16</b> <b>a)</b> 197 (110 Application Inspections + 87 Compliance Inspections) <b>b)</b> 200* (112 Application Inspections + 88 Compliance Inspections)</p> <p>* It should be noted that while accurate, these totals should be treated as the absolute minimum number of times the power of entry under section 16 was employed. This provision is almost always used more than once as part of any compliance inspection as these usually involve visits to labour users as well as to more multiple licence holders’ premises.</p>	

The GLA does not hold complete figures for the two financial years cited but there were 234 labour user visits recorded for 2013-14. The total figure for the times the power of entry were used in 2013-14 therefore becomes 434 (112 Application Inspections + 88 Compliance Inspections + 234 labour user visits).

### **Section 17**

This section enables GLA officer's to obtain search warrants from Magistrates' Courts to secure evidence in relation to investigations of unlicensed labour supply. Many of the authority's recent investigations have been conducted jointly with police forces throughout the UK. On the majority of occasions, as the 'lead' agency, the police have obtained and executed the warrants. GLA officers have been present but have not been the originator of the warrants.

The GLA is currently compiling a definitive record of the number of times it has used the power of entry as provided under Section 17. Currently the record is imprecise because on joint operations (especially those conducted with police officers) it is often the respective force that deals with obtaining the warrant under PACE. Officers of the GLA will be named on in it as having permission to enter the premises. Again in these cases, the GLA power of entry is not employed.

### **3 If it exists, a copy of any internal guidance on how the powers of entry granted to our organisation are permitted to be used.**

The current guidance on how powers are permitted to be used is public and is detailed in our recently revised public Code of Practice document. This can be viewed [here](#).