



Response to Request for Information

Reference FOI 000190
Date 02 June 2016

Car-Cruising Injunction

Request:

I refer to the injunction prohibiting car-cruising in the Black Country area obtained by your council (as joint claimant) in the Birmingham High Court on 1 December 2014.

A term of granting the order was that a review hearing would be held between 12 and 14 months after the order had been in force and that 'the claimants shall file with the court a succinct report to inform the court of their experience with the publication, operation and enforcement of the order, including, for example, breaches, warnings or problems, if any, arising out of the order (including the Power of Arrest)'.

I understand from a report in the Express and Star <http://www.expressandstar.com/news/2016/03/09/blow-for-boy-racers-as-cruising-ban-set-to-continue/> that the review hearing has taken place. From the date the article was posted it appears that the hearing took place on Monday 6 March (i.e. the Monday before 9 March) but I obviously have no means of checking this.

My request is for a copy of the report prepared by you as claimant as presented to the court together with any background documents used in the preparation of the report and, in accordance with your duty to assist enquirers, any other material you deem to be relevant.

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

The City of Wolverhampton Council is not obliged to provide information contained in a court record by virtue of section 32(1) of the FOIA. Section 32 exempts information contained in certain litigation documents and court, tribunal and enquiry records and will apply regardless of the content of the information.

In this case, the report is such a document and was filed at court a few weeks in advance of the hearing.

The terms of this exemption in the FOIA mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

In terms of our duty to advise/offer assistance – if you want to become involved in court proceedings (subsequent review hearings) please contact us by phone and quote case number "A90BM228" and place yourself on record. Send us in writing (post or hand delivery not e-mail) to: City of Wolverhampton Council, Legal Department, Civic

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Centre, Wolverhampton, WV1 1DA, to that effect and we will then be obliged to serve subsequent review hearing documents and you can attend hearing.

You can also find more information by reading the full text of the FOIA for the above exemption (available at <http://www.legislation.gov.uk/ukpga/2000/36/section/32>)