

Reference: FS50083404

## FREEDOM OF INFORMATION ACT 2000 (SECTION 50)

### DECISION NOTICE

Dated 3 March 2006

<b>Name of Public Authority:</b>	<b>The Parole Board</b>
<b>Address of Public Authority:</b>	<b>Grenadier House</b>
	<b>99-105 Horseferry Road</b>
	<b>London</b>
	<b>SW1P 2DD</b>

#### **Nature of Complaint**

The Information Commissioner (the "Commissioner") has received a complaint from the above person (the "complainant") which states that on 20 June 2005 the following information was requested from the Parole Board under section 1 of the Freedom of Information Act 2000 (the "Act"):

"How many prisoners of Persian origin have been refused Parole?"

It is alleged that:

The request was not responded to within the 20 working day statutory response period.

#### **The Commissioner's Decision**

Under section 50(1) of the Act, except where a complainant has failed to exhaust a local complaints procedure, or where the complaint is frivolous or vexatious, subject to undue delay, or has been withdrawn, the Commissioner is under a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part I of the Act and to issue a Decision Notice to both the complainant and the public authority.

The Parole Board provided the complainant with the information in response to his request above; this was received at the complainant's previous address on 8 December 2005. It was then forwarded to the complainant's current address and received on 23 December 2005.

The Commissioner's decision is as follows:

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By failing to provide the information until 8 December 2005, The Parole Board has not dealt with the complainant's request in accordance with the requirements of Part I of the Act in that it has failed to comply with section 10(1).

Section 10 (1) states:

"...a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."

Section 1 states:

"Any person making a request for information to a public authority is entitled –

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
- (b) if that is the case, to have that information communicated to him."

### **Action Required**

In view of these matters the Commissioner hereby gives notice that he does not require any remedial steps to be taken by The Parole Board.

### **Right of Appeal**

Either party has the right to appeal against this Decision Notice to the Information Tribunal (the "Tribunal"). Information about the appeals process can be obtained from:

Information Tribunal	Tel: 0845 6000 877
Arnhem House Support Centre	Fax: 0116 249 4253
PO Box 6987	Email: <a href="mailto:informationtribunal@dca.gsi.gov.uk">informationtribunal@dca.gsi.gov.uk</a>
Leicester	
LE1 6ZX	

Any Notice of Appeal should be served on the Tribunal within 28 days of the date on which this Decision Notice is served.

Dated the 3rd day of March 2006

Signed: .....

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Graham Smith  
Deputy Commissioner

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF