

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 15 June 2015

Public Authority: Commissioner of the Metropolitan Police Service

Address: New Scotland Yard
Broadway
London
SW1H 0BG

Decision (including any steps ordered)

1. The complainant has requested information about roadside stops; to date he has not received a substantive response. The Commissioner's decision is that the Metropolitan Police Service (the 'MPS') has failed to provide a response to the request within the statutory time frame of 20 working days. He requires it to comply with the request or issue a valid refusal notice as set out in section 17 of the FOIA.
2. The MPS must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

3. On 12 March 2015, the complainant wrote to the MPS and requested information in the following terms:

"This request relates to roadside stops. Provide all records showing:

How many times during period 2004 to 2014 did MPS stop a motor vehicle for the sole reason that a bailiff/enforcement agent requested that the vehicle be stopped.

How many times during 2014 did MPS stop a motor vehicle in LB Croydon for the sole reason that a bailiff/enforcement agent requested that the vehicle be stopped."

4. The MPS acknowledged the request on 13 March 2015.

Scope of the case

5. On 19 May 2015 the complainant contacted the Commissioner to complain about the lack of response by the MPS to his request for information.
6. The Commissioner wrote to the MPS on 26 May 2015. He asked it to respond within 10 working days.

Reasons for decision

Section 10 – time for response

7. Despite his intervention, the MPS has failed to respond to the complainant's request for information. Section 10(1) of the FOIA states that on receipt of a request for information a public authority should respond to the applicant within 20 working days.
8. From the information provided to the Commissioner in this case it is evident that the MPS did not respond to the complainant within the statutory time frame and so it is in breach of section 10(1) of the FOIA.

Other matters

9. The delay will be logged for on-going monitoring purposes.

Right of appeal

10. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

11. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
12. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Jon Manners
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF