

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 7 November 2022

**Public Authority:** Commissioner of Police of the Metropolis  
**Address:** New Scotland Yard  
Broadway  
London  
SW1H 0BG

### Decision (including any steps ordered)

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1. The complainant has requested information about Robin Cook from the Metropolitan Police Service (the "MPS"). The MPS would neither confirm nor deny whether the information was held, citing sections 30(3) (Investigations and proceedings) and 38(2) (Health and safety) of FOIA.
2. The Commissioner's decision is that section 30 is engaged but that the public interest favours confirmation or denial. He finds that section 38 is not engaged.
3. The Commissioner requires the MPS to take the following steps to ensure compliance with the legislation:
  - Confirm or deny whether any information is held and, if held, either provide that information or issue a valid refusal notice.
4. 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.

### Background

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5. The request refers to Robin Cook who was a former Labour Cabinet Minister and Member of Parliament (MP).

6. The request also refers to 'Operation Paget'. This was an inquiry<sup>1</sup> into the allegation of conspiracy to murder Diana, Princess of Wales, which was undertaken by the MPS. Mr Cook was Foreign Secretary at the time of Diana's death.
7. In 2005, Mr Cook died of a heart attack whilst hill walking in Scotland<sup>2</sup>.

## **Request and response**

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8. On 24 September 2021, the complainant wrote to the MPS and requested information in the following terms:

"I would like to know:

  - 1) Was the late Robin Cook MP interviewed by the Met as part of Operation Paget and if so what was the outcome?
  - 2) Did the Met have any involvement in investigating the death of Mr Cook in 2005, which was handled by the Northern Constabulary (now Police Scotland)? If so, what was the Met's involvement?"
9. On 15 October 2021, the MPS responded. It refused to confirm or deny that the requested information was held, citing section 30(3) (Investigations and proceedings) of FOIA.
10. The complainant requested an internal review on 15 October 2021.
11. The MPS provided an internal review on 16 November 2021, in which it maintained its original position.
12. During the Commissioner's investigation, the MPS added reliance on section 38(2) (Health and safety) of FOIA.

## **Scope of the case**

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13. The complainant contacted the Commissioner on 30 November 2021, to complain about the way his request for information had been handled.
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<sup>1</sup>[https://downloads.bbc.co.uk/news/nol/shared/bsp/hi/pdfs/14\\_12\\_06\\_diana\\_report.pdf](https://downloads.bbc.co.uk/news/nol/shared/bsp/hi/pdfs/14_12_06_diana_report.pdf)

<sup>2</sup> <http://news.bbc.co.uk/1/hi/uk/4127654.stm>

He asked the Commissioner to consider the application of section 30(3) of FOIA to the request.

14. Following the late application of section 38(2), the complainant also asked for this to be considered.
15. The Commissioner will consider the exemptions cited below.

## **Reasons for decision**

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### **Neither confirm nor deny ("NCND")**

16. Section 1(1)(a) of FOIA requires a public authority to inform a requester whether it holds the information specified in the request.
17. The decision to use a NCND response will not be affected by whether a public authority does, or does not, in fact hold the requested information. The starting point, and main focus for NCND in most cases, will be theoretical considerations about the consequences of confirming or denying whether or not a particular type of information is held.
18. A public authority will need to use the NCND response consistently, over a series of separate requests, regardless of whether or not it holds the requested information. This is to prevent refusing to confirm or deny being taken by requesters as an indication of whether or not information is in fact held.
19. The MPS has taken the position of neither confirming nor denying whether it holds any of the requested information in its entirety, citing sections 30 and 38 of FOIA. The issue that the Commissioner has to consider is not one of disclosure of any requested information that may be held, it is solely the issue of whether or not the MPS is entitled to NCND whether it holds any information of the type requested by the complainant.
20. Put simply, in this case the Commissioner must consider whether or not the MPS is entitled to NCND whether it holds any information about whether Robin Cook was interviewed as part of Operation Paget and, also, whether it was involved in any investigation into his death.
21. The MPS has said that the information described in the request, if it was held, would be fully exempt from disclosure by virtue of sections 30 and 38 of FOIA.

### **Section 30 – Investigations and proceedings**

22. Section 30(3) of FOIA provides an exclusion from the duty to confirm or deny in relation to any information which, if it were held, would fall

within any of the classes described in sections 30(1) or 30(2) of FOIA. The MPS confirmed that, in this case, section 30(1)(a) was the appropriate limb of section 30.

23. Section 30(1)(a) of FOIA states:

“Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of –

(a) any investigation which the public authority has a duty to conduct with a view to it being ascertained –

(i) whether a person should be charged with an offence, or

(ii) whether a person charged with an offence is guilty of it...”

24. The Commissioner considers the phrase “at any time” to mean that information can be exempt under section 30(1)(a) if it relates to a specific ongoing, closed or abandoned investigation. The information requested (if it were held) must be held for a specific or particular investigation and not for investigations in general.

25. His guidance<sup>3</sup> also states:

“Any investigation must be, or have been, conducted with a view to ascertaining whether a person should be charged with an offence, or if they have been charged, whether they are guilty of it. It is not necessary that the investigation leads to someone being charged with, or being convicted of an offence. However, the purpose of the investigation must be to establish whether there were grounds for charging someone, or if they have been charged, to gather sufficient evidence for a court to determine their guilt”.

26. Consideration of section 30(3) is a two-stage process. First, the exemption must be shown to be engaged. Secondly, as section 30 is a qualified exemption, it is subject to the public interest test: whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in confirming or denying whether the requested information is held.

27. The first step is to address whether, if the MPS holds information falling within the scope of the complainant’s request, it would fall within the classes specified in section 30(1)(a) of FOIA.

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<sup>3</sup> <https://ico.org.uk/media/for-organisations/documents/1205/investigations-and-proceedings-foi-section-30.pdf>

28. In correspondence with the Commissioner, the MPS explained its reasons for applying section 30(3) in this case. It said:

“In this instance, a statement confirming or denying whether information is held ... would primarily require disclosing to the world at large whether or not Robin Cook was interviewed as part of an investigation relating to Operation Paget or the MPS’s involvement in the death of Robin Cook.

The MPS have to adopt a consistent approach when responding to similar requests in relation to investigations whether they have been conducted or not. If the MPS routinely confirmed they were not investigating an individual and this was the case however when we were actually investigating an individual, we adopt a ‘neither confirm nor deny’ approach. Then this decision to do so could be assumed that we were in fact investigating the individual, which would undermine the whole rationale for adopting the ‘neither confirm nor deny’ responses in the first place.

In arriving at this conclusion, I have taken into consideration the Information Commissioners’ guidance on the duty to confirm or deny<sup>4</sup> which states:

‘The wording of the request for information will affect whether or not a public authority will confirm or deny it holds that information. In many cases the more specific the request, the lower the likelihood of the duty arising’.”

29. The Commissioner is satisfied that, as a police force, the MPS has a duty to investigate criminal offences and allegations of offences.
30. Referring to the wording of the request, and to the explanation provided by the MPS, the Commissioner is satisfied that any information, if it were held, would be held in relation to investigations into the two events. The MPS undertook Operation Paget and would have interviewed Mr Cook if necessary. And, were it involved in any investigation into the death of Mr Cook, this would have been undertaken by it in a policing capacity. Therefore, the Commissioner is satisfied that, if the MPS were to hold the requested information, it would be held for the purpose of criminal investigations.

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<sup>4</sup>[https://ico.org.uk/media/fororganisations/documents/1166/when\\_to\\_refuse\\_to\\_confirm\\_or\\_deny\\_section\\_1\\_foia.pdf](https://ico.org.uk/media/fororganisations/documents/1166/when_to_refuse_to_confirm_or_deny_section_1_foia.pdf)

31. Both investigations would fall within the class described in section 30(1)(a). The exemption provided by section 30(3) is, therefore, engaged.

**Public interest test**

32. Section 30(3) is a qualified exemption. This means that the Commissioner must consider the public interest test contained at section 2 of FOIA and whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in confirming or denying whether the requested information is held.
33. In accordance with his guidance, when considering the public interest in maintaining exemptions, the Commissioner considers that it is necessary to be clear what they are designed to protect.
34. In broad terms, the section 30 exemptions exist to ensure the effective investigation and prosecution of offences and the protection of confidential sources. They recognise the need to prevent disclosures that would prejudice either a particular investigation or set of proceedings, or the investigatory and prosecution processes generally, including any prejudice to future investigations and proceedings.

**Public interest arguments in favour of confirming whether or not the requested information is held**

35. In respect of the first part of his request, the complainant has argued that, because of the social importance of Paget, and the circumstances surrounding the Princess' death as a matter of historical record, it is in the public interest to disclose more information.
36. He also argued: "Given that potentially sensitive information can be redacted and the high profile of the individual concerned, I feel that the information would be in the public interest to release".
37. The MPS argued:

"The FOIA requires public authorities to be held accountable and transparent for their actions, and thus the public have a right to know how that public authority conducts itself and their business. By Confirming or denying whether the requested information is held would demonstrate the MPS as open, transparent and accountable.

Confirmation or denial of information held is likely to dispel any rumours or misconceptions the public may have about Robin Cook if he was interviewed or not as part of Operation Paget and the MPS's involvement following his death".

38. It recognised that, in this case, it could be considered there is an increased public interest in confirmation or denial of an investigation or enquiry by police.

**Public interest arguments in favour of maintaining the exemption**

39. The MPS argued about the integrity of police investigations and the need to use NCND exemptions consistently, adding that it needed to consider the consequences of confirmation or denial as this would be a disclosure to the world, not just to the individual making the request.
40. It argued that it: "was not possible to be certain as to the relevance or significance of specific information to investigations as police investigations are subject to several variables therefore it is pertinent to note that even when investigations and proceedings appear to have been concluded or closed, there is often a realistic possibility of an investigation being reopened".
41. It also argued that, were it to receive any new lines of enquiry, there would be an expectation that information previously collated as part of an investigation would be kept confidential.
42. The MPS added that:

"... confirmation or denial under the Act would be likely to inhibit our ability to prevent and detect crime as individuals may well be less inclined to come forward, or co-operate with the police especially if they were aware that the information they provide or information about them would likely to be disclosed to the world in circumstances sitting outside of the criminal justice process. For this reason the MPS believes confirmation or denial could restrict the flow of information (suspects, witnesses or victims) may be discouraged from coming forward if they anticipated that the information they provided could later be disclosed publicly in response to requests made under the Act.

Under the Act we would not wish to confirm or deny to the public at large specific elements of any possible police investigation or what information may or may not have been held in relation to an individual or third party.

The principle remains that to confirm or deny whether Robin Cook was interviewed, the interview would have taken place for the purpose of an investigation. Similarly if the MPS had any involvement in the investigation of Robin Cook's death, under the Act, would publicly disclose information about those concerned and the subsequent investigation.



...

The MPS in general do not disclose information relating to investigations except through our Directorate of Media and Communications (DMC) in a careful and managed way. This is so potential victims and witnesses are not discouraged to come forward and provide statements in relation to allegations of crime.

...

Whilst there is a clear public interest in the public knowing that investigations are carried out diligently and effectively, it does not, the MPS contends, cover jeopardising the integrity of police investigations and in this instance to acknowledge whether or not information is held would provide confirmation to the world at large that information does or does not exist”.

### **Balance of the public interest**

43. The purpose of section 30 is to preserve the ability of the police (and other applicable public authorities) to carry out effective investigations. Key to the balance of the public interest in cases where this exemption is found to be engaged, is whether the act of confirming or denying whether the requested information is held could have a harmful impact on the ability of the police to carry out effective investigations.
44. This does not mean that public authorities should use a NCND response in a blanket fashion. They should base their decision on the circumstances of the particular case with regard to the nature of the information requested and with appropriate consideration given to the public interest test. Clearly, it is not in the public interest to jeopardise the ability of the police to investigate crime effectively.
45. In respect of the first part of his request the complainant has argued:
  - “The Met is arguing that disclosing the names of people investigated or questioned (in this case Mr Cook) would prejudice methods and sources. I argue that this does not apply because:
    - a) many of those questioned are named publicly in media and in the official report (e.g., Prince now King Charles [see link in paragraph 6]), i.e., names have already been confirmed, so confirming more names (Mr Cook) would not harm the Met's position;
    - b) given the social importance of Paget and the circumstances surrounding Princess Diana's death as a matter of historical record, it is in the public interest to disclose more information; and



- c) given the length of time that has elapsed since Paget, the Met's position is difficult to argue on security grounds".

46. In respect of the second part of his request the complainant has argued:

"The Met cites concern for the family as justification for neither confirming nor denying. But I would note that:

- a) the Scottish Information Commissioner recently ordered Police Scotland to review their response to a FOI(S)A request into Mr Cook's death; and
- b) that this dispute was published in national media [link requires subscription]<sup>5</sup>.

In other words, the family's attention may have already been drawn to the issue, so more possible revelations, this time by the Met, will not cause stress or additional stress. I would also note that the Met's response references "conspiracy theories" concerning Mr Cook's death, but it does not say what these theories are, who is publishing them, or how they relate either to my case or to the security of the Met".

47. As a general rule, the Commissioner accepts and understands the need to maintain a consistent stance in respect of criminal investigations. However, it needs to be borne in mind that section 30 is not an absolute exemption and there will be occasions where the public interest overrides any inherent harm in this exemption. This goes too for the NCND principle.

48. Whilst the MPS may be rightly concerned about disclosing details of its investigations, the Commissioner is not actually considering the release of any information that may be held. He is considering whether the MPS is required to confirm or deny whether any information is held – if it is, then the MPS will have an opportunity to withhold it when complying with any steps in this notice.

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<sup>5</sup><https://eur03.safelinks.protection.outlook.com/?url=https://www.thetimes.co.uk/article/police-must-release-files-robin-cook-death-iraq-labour-party-wxn7zkfrg&data=05%7c01%7cicocasework%40ico.org.uk%7c7511b0a14faa4e99a02d08daa0c1c803%7c501293238fab4000adc1c4cfefba21e6%7c1%7c0%7c637999051388468437%7cUnknown%7cTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7c3000%7c%7c%7c&sdata=bAkO1j2gM10DKfcNNyFWEtK76FzQMpVK0eX%2BbCKTQkY%3D&reserved=0>

49. For the first part of the request, the Commissioner is only considering if the MPS needs to confirm or deny whether or not Mr Cook was interviewed as part of Operation Paget. If he were interviewed, then this might have been expected given his role as Foreign Secretary, because Princess Diana died in France. If he was not interviewed, then, for whatever reason, it was not deemed necessary to interview him. There is therefore no reliable inference as to why he was, or was not, interviewed, that could be drawn from the MPS confirming or denying in this case. It is also important to note that the confirmation / denial is in respect of someone who was a high ranking public figure at that time, and not a member of the general public or a suspect.
50. For the second part of the request, confirmation or denial would only reveal whether or not the MPS was involved in any investigation into the death of Mr Cook. Whilst the Commissioner considers the MPS's involvement to be unlikely, as his death occurred in Scotland and was attributed to a heart attack, there is a chance that the MPS may have been alerted and involved, as he was a serving MP when he died. Therefore, again, there is no reliable inference as to why the MPS did, or did not, investigate Mr Cook's death that can be drawn from the MPS either confirming or denying in this case.
51. The Commissioner notes the MPS's argument that Police Scotland, when asked for the police report and police logs pertaining to the death of Mr Cook, refused disclosure on similar grounds to those the MPS has relied on here; Police Scotland's position was upheld by the Information Commissioner for Scotland<sup>6</sup>. Whilst this is accepted by the Commissioner here, it is important to note that the request under consideration in that case was for actual information that Police Scotland had confirmed it held. In this case, and at this time, the only point being considered is whether or not the MPS holds any of the information specified in the request.
52. The Commissioner considers that there is a public interest in the transparency and accountability of public authorities. He recognises that confirming or denying whether the requested information is held in this case would meet the public interest in transparency and accountability of the MPS.
53. The Commissioner acknowledges that confirmation or denial would be of interest to the complainant personally. He also recognises that there is a

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<sup>6</sup><https://www.itspublicknowledge.info/ApplicationsandDecisions/Decisions/2021/202001397.aspx>

general public interest in the subject matter, as it involves a high ranking public official.

54. In considering the balance of the public interest in this case, the Commissioner recognises that there is a significant public interest in the need to prevent disclosure (by way of confirmation or denial) that would prejudice either a particular investigation or set of proceedings, or the investigatory and prosecution processes generally, including any prejudice to future investigations and proceedings. This goes to the heart of what the section 30 exemption is designed to protect.
55. The Commissioner also considers that significant weight has to be given to the need to protect the MPS's ability to adopt a consistent approach when responding to similar requests in the future.
56. The Commissioner recognises that confirmation or denial in relation to an investigation might generally be harmful to the MPS's ability to manage its investigations effectively. He accepts that it has the potential to undermine its present and future investigations and therefore hinder its ability to conduct its policing functions, which would not be in the public interest.
57. However, it needs to be borne in mind that section 30 is not an absolute exemption and there will be occasions where the public interest overrides any inherent harm in this exemption; this goes, too, for the NCND principle.
58. Mr Cook was a high ranking official. The findings of Operation Paget were made public in December 2006, nearly 16 years ago, and it is not clear to the Commissioner how confirming or denying whether or not, as Foreign Secretary, he was interviewed at the time, could be specifically harmful now. Furthermore, any involvement that the MPS may, or may not, have had in investigating his death would only be as a result of him being a prominent public figure. As he was a serving MP at the time, the MPS may well have been involved. Equally likely, as his death occurred in Scotland, their involvement may not have been deemed necessary.
59. As stated above, the Commissioner finds it difficult to understand what harm would flow from confirming or denying, given that it is simply not possible to draw any reliable inferences as to the reasons why he was, or was not, interviewed, or why his death was, or was not, investigated by the MPS. Therefore, having considered the issues in this particular case, the Commissioner's view is that the public interest arguments in favour of disclosure marginally outweigh those in favour of refusing to either confirm or deny whether information is held.
60. Therefore, the Commissioner finds that the MPS was not entitled to rely on the refusal to confirm or deny provided by section 30(3) of FOIA.

61. The Commissioner will now go on to consider the citing of section 38(2) to the requested information.

### **Section 38 – Health and safety**

62. The MPS has relied on section 38(2) of FOIA, citing section 38(1)(a) as the appropriate limb.

63. Section 38(1)(a) of FOIA states –

“Information is exempt information if its disclosure under this Act would, or would be likely to –

a) endanger the physical or mental health of any individual”.

64. Section 38(2) of FOIA provides that –

“The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, have either of the effects mentioned in subsection (1)”.

65. Therefore, for section 38(2) to be engaged, the MPS must demonstrate that the act of confirming or denying whether the requested information is held must itself endanger, or be likely to endanger, the physical or mental health of any individual.

66. In order for section 38 to be engaged the Commissioner considers that three criteria must be met:

- Firstly, the actual harm which the public authority alleges would, or would be likely to, occur if the withheld information was disclosed has to relate to the applicable interests within the relevant exemption;
- Secondly, the public authority must be able to demonstrate that some causal relationship exists between the potential disclosure of the information being withheld and the endangerment which the exemption is designed to protect. Furthermore, the resultant endangerment which is alleged must be real, actual or of substance; and
- Thirdly, it is necessary to establish whether the level of likelihood of endangerment being relied upon by the public authority is met – ie, disclosure ‘would be likely’ to result in endangerment or disclosure ‘would’ result in endangerment. In relation to the lower threshold the Commissioner considers that the chance of endangerment occurring must be more than a hypothetical possibility; rather there must be a real and significant risk. With regard to the higher threshold, in the Commissioner’s view this places a stronger evidential burden on the

public authority. The anticipated endangerment must be more likely than not.

67. FOIA does not explain the level to which physical or mental health or safety must be endangered for the exemption to be engaged. However, the Commissioner's published guidance on section 38<sup>7</sup> implies that disclosure of information (or confirmation or denial in this case) may cause endangerment where this leads to an adverse physical impact, which often involves medical matters, or where it might lead to a psychological disorder or make mental illness worse.
68. The MPS confirmed that it was relying on the threshold of 'would be likely' to endanger.

### **Is the exemption engaged?**

69. The MPS explained to the Commissioner:

"The MPS believes that confirming or denying whether Robin Cook was interviewed as part of an investigation into Operation Paget and his death is likely to provide a significant amount of distress to his living family members, particularly if the information is re-used/re-published in a manner that is not wholly sensitive to the individual needs of living relatives. This is a real and valid concern if contact is made with living family members/friends or colleagues as they will have to relive their distress and heartache of not only there [sic] loss but also possibly information that they had no knowledge about. This could possibly provide journalists with an opportunity to force family members to re-live their loss in the public eye, should the publication lead to further unexpected media coverage around Robin Cook.

Robin Cook died on the 6<sup>th</sup> August 2005, his widow and children would not expect the MPS to disclose information through an FOIA request potentially relating to their loved one involved in investigations linked to Operation Paget or into Mr Cook's death 17 years after his death without any knowledge. An adverse disclosure would cause family members in particular much mental distress.

When a member of the public dies the family of the deceased will be distressed for a considerable period of time – in fact most for

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<sup>7</sup> <https://ico.org.uk/for-organisations/guidance-index/freedom-of-information-and-environmental-information-regulations/section-38-health-and-safety/>

their entire life. The MPS therefore have an obligation to treat requests for information Under Freedom of Information Act with extreme caution. The MPS has a duty of care (including a psychological duty) to family members and must assess if its actions would likely to cause distress to the family.

The MPS have a genuine concern that further disclosure in relation to Robin Cook relating to this matter (which may then appear in newspapers and online) could potentially reignite inappropriate and insensitive stories regarding Robin Cook's assassination and conspiracy theories which suggested he may have been targeted by the security services, this would be very upsetting for his family to read/hear via an adverse FOIA disclosure.

I appreciate information about Robin Cook's death is in the public domain however no official confirmation regarding any investigations. Therefore any disclosure would have to take place in an appropriate and controlled manner by police, for policing purposes otherwise it would be detrimental and potentially harmful to living family members to find out through the internet or friends and colleagues that the MPS have disclosed information relating to investigations into Robin Cook under the Freedom of Information Act. For the MPS to publish information under FOIA alone would be upsetting enough for the family in itself – let alone in considering how that information could be used once published under FOIA.

Clearly, if an interview took place it would have been for the purpose of an investigation, Similarly, if the MPS had any involvement in an investigation this also would be subject of an investigation To confirm or deny whether the MPS holds information of the description specified by this request would publicly disclose whether or not the MPS interviewed Robin Cook, and whether or not the MPS were involved in the investigation into his death".

70. The Commissioner accepts that any media attention on the subject matter of Mr Cook may be upsetting or unsettling for his surviving family. However, as evidenced by this request, and other information requests dealt with by the Scottish Information Commissioner, the public are still interested in knowing about any possible involvement he might have had with Operation Paget and in the circumstances of his death. As such, the publication of this decision notice may itself lead to further media coverage or speculation on those matters. Unfortunately, such an outcome is unavoidable
71. As noted in the analysis on section 30 above, it is important to stress that this notice is not actually considering the disclosure of **any** information that may be held. It is only considering whether the MPS should confirm or deny whether it holds any related information. If

information is held then it may be appropriate for this to be withheld from disclosure, but this is something which would need to be addressed separately. Conversely, if no information is held, then confirmation may indirectly assist the family as, in the longer term, it has the potential to put an end to speculation about the matters referred to in the request.

### **The Commissioner's decision**

72. The Commissioner finds that the MPS has not demonstrated that a causal link exists between confirming or denying whether it holds information within the scope of the request and a significant or weighty possibility of endangerment to the safety of any individuals occurring that is "real, actual or of substance".
73. His decision, therefore, is that the MPS has not shown that section 38(2) of FOIA is engaged in this case and that it was not entitled to rely on this exemption to neither confirm or deny whether it holds the requested information.
74. The MPS is therefore required to take the step at paragraph 3 of this notice.



## Right of appeal

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75. 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: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

76. 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.

77. 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 .....**

**Carolyn Howes**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**