

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 24 August 2016

Public Authority: Home Office
Address: 2 Marsham Street
London
SW1P 4DF

Decision (including any steps ordered)

1. The complainant requested information relating to Lowell Goddard's expenses and the 2016/2017 budget for the Goddard enquiry.
2. The Commissioner's decision is that the Home Office did not deal with the request for information in accordance with section 10 of the FOIA in that it failed to provide a response to the request within the statutory time frame of 20 working days from receipt.
3. The Commissioner requires the Home Office to take the following steps to ensure compliance with the legislation.
 - Issue a response under the FOIA.
4. The Home Office 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 FOIA and may be dealt with as a contempt of court.

Request and response

5. On 7 March 2016, the complainant wrote to the Home Office and requested information in the following terms:

*"*Please provide copies of all expenses submitted by Lowell Goddard in the past 12 months (from today);*

**If not included, please provide a breakdown of the cost of flights to and from New Zealand paid for and to be paid for by the Home Office in the past 12 months (from today).*

**Please provide copies of all statements for a Government Procurement Card for Lowell Goddard, if one has been issued covering the past 12 months.*

**Please provide all estimates for the 2016/2017 budget for the Goddard inquiry."*

6. The complainant informed the Commissioner that the Home Office has not responded to the request.

Scope of the case

7. The complainant contacted the Commissioner on 23 May 2016 to complain about the failure by the Home Office to respond to his request.

Reasons for decision

Sections 1 and 10

8. Section 1(1) of the FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and *"not later than the twentieth working day following the date of receipt"*.
9. In this case the Home Office has breached sections 1(1) and 10(1) by failing to respond substantively to the request within 20 working days. The Home Office is now required to respond to the complainant's request in accordance with the FOIA.

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: <http://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

Ben Tomes
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF