

Freedom of Information Act 2000 (Section 51)

Information notice

Date: 13 December 2023

Public Authority: Chief Constable of Northumbria Police
Address: Northumbria Police Headquarters
Middle Engine Lane
Wallsend
Tyne and Wear
NE28 9NT

Section 51

Under section 51 of the Freedom of Information Act 2000 (the "Act"), which is set out below, the Information Commissioner (the "Commissioner") has the power to serve a notice on a public authority requiring it to furnish him with any information he requires to enforce the requirements of the Act.

51. – (1) If the Commissioner

(a) has received an application under section 50,

he may serve the authority with a notice (in this Act referred to as "an information notice") requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

Application under section 50

1. The Commissioner has received an application under section 50, reference IC-256724-B8N4 for a decision whether a request for information made by the complainant to Chief Constable of Northumbria Police (Northumbria Police) on 31 August 2023, has been dealt with in accordance with the requirements of Part I of the Act.

Nature of complaint

2. The Commissioner wrote to Northumbria Police, on 8 November 2023, setting a 10-working day deadline, for it to either consider informally resolving the case, through disclosure of the requested information or for it to provide its submissions regarding its application of sections 40(2), 30(3) and 31(3) of FOIA, to the request.
3. On 15 November 2023, Northumbria Police acknowledged this correspondence, but as no response had been provided, the Commissioner chased this matter on 28 November 2023 and 5 December 2023.
4. Again, both pieces of correspondence were acknowledged, but no response has been provided at the time of writing this notice.

Information required

5. In view of the matters described above the Commissioner hereby gives notice that in the exercise of his powers under section 51 of the Act he requires that the Council shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:-
 - A substantive response to his letter of 8 November 2023 covering any change in reliance on exemptions.
 - A copy of the withheld information (if applicable).

Failure to comply

6. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Right of appeal

7. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can 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

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

8. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

Signed

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