

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 8 May 2014

**Public Authority:** Chief Constable of Staffordshire Police

**Address:** Staffordshire Police Headquarters  
PO Box 3167  
Stafford  
ST16 9JZ

### Decision (including any steps ordered)

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1. The complainant requested information relating to a murder investigation. Staffordshire Police failed to respond to this request within 20 working days of receipt and, in so doing, breached sections 1(1) and 10(1) of the FOIA.
2. The Commissioner requires Staffordshire Police to take the following steps to ensure compliance with the legislation.
  - Respond to the request in accordance with section 1 of the FOIA.
3. Staffordshire Police 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

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4. The complainant made the following information request, which was acknowledged by Staffordshire Police on 10 February 2014:

*"How much did the investigation into the murder of Richard Deakin cost the force in total?"*

*Please breakdown the costs ie the spend on legal services, supplies, hotels, forensics, travel/transport and hotels if needed etc.*

*If any travel/transport was booked to take officers abroad, please specify what kind and where it was to – ie flights to Cyprus.*

*If any more spending was abroad, please say where it took place.*

*Please say how many officers were involved in the investigation at its peak.*

*How much was spent on overtime, for how many officers and for how many hours.*

*Please break this information down by financial year as well please.”*

5. At the time of writing Staffordshire Police had yet to provide a substantive response to this request.

### **Scope of the case**

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6. The complainant contacted the Commissioner on 10 April 2014 to complain about the failure by Staffordshire Police to respond to his information request and confirmed on 23 April 2014 that he still had not received a response to the above request.

### **Reasons for decision**

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7. Section 1(1) of the Act 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 Act states that a public authority must respond to a request promptly and "*not later than the twentieth working day following the date of receipt*".
8. In this case Staffordshire Police have breached sections 1(1) and 10(1) by failing to respond to the request within 20 working days. At paragraph 2 above Staffordshire Police are now required to respond to the complainant's request in accordance with the FOIA.

## **Other matters**

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9. As well as the finding above that Staffordshire Police has breached the FOIA in this case, the Commissioner has also made a record of this delay and this issue may be revisited should evidence from other cases suggests that there are systemic issues preventing Staffordshire Police from responding to requests promptly.

## Right of appeal

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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: 0116 249 4253

Email: [GRC@hmcts.gsi.gov.uk](mailto: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 .....**

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