

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 12 May 2022

**Public Authority:** Chief Constable of Greater Manchester Police

**Address:** GMP Headquarters  
Central Park  
Northampton Road  
Manchester  
M40 5BP

#### **Decision (including any steps ordered)**

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1. The complainant requested information about the role and training of Independent Legal Observers. By the date of this notice Greater Manchester Police (GMP) had not issued a substantive response to this request.
2. The Commissioner's decision is that GMP has breached section 10(1) of FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires GMP to take the following step to ensure compliance with the legislation.
  - GMP must provide a substantive response to the request in accordance with its obligations under FOIA.
4. GMP must take this step 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 FOIA and may be dealt with as a contempt of court.

## **Request and response**

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5. On 19 January 2022, the complainant wrote to GMP and requested information in the following terms:

“Please can you provide me with the following information?

1. Whether Greater Manchester Police formally recognises the role of Independent Legal Observers (ILOs) at protests and public assemblies. What is Greater Manchester Police’s official position regarding ILOs?
  2. What (if any) actions does Greater Manchester Police take to protect the role of Independent Legal Observers at protests and public assemblies.
  3. Any training documentation, relevant meeting minutes or internal documents regarding Independent Legal Observers, or used to train officers on how to treat ILOs.
  4. Any training documentation, relevant meeting minutes or internal documents regarding Independent Legal Observers, or used to train officers on how to treat ILOs in light of COVID restrictions during national lockdowns.”
6. GMP acknowledged the request on 28 February 2022. To date, a substantive response has not been issued.

## **Scope of the case**

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7. The complainant contacted the Commissioner on 18 March 2022 to complain about GMP’s failure to respond to their request.
8. The Commissioner has considered whether GMP has complied with its obligations in relation to the time for compliance at section 10(1) of FOIA.

## Reasons for decision

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9. Section 1(1) of FOIA states that:

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.”

10. 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”.

11. On 29 March 2022 the Commissioner wrote to GMP, reminding it of its responsibilities and asking it to provide a substantive response to the complainant’s request within 10 working days.

12. Despite this intervention GMP has failed to respond to the complainant.

13. From the evidence provided to the Commissioner in this case, it is clear that GMP did not deal with the request for information in accordance with FOIA. The Commissioner finds that GMP has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with FOIA.

## Right of appeal

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14. 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)

15. 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.
16. 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 .....**

**Michael Lea**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**