

Freedom of Information Act 2000 (Section 51)

Information notice

Date: 26 February 2020

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

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 her with any information she requires to enforce the requirements of the Act.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

she 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 FS50881024, for a decision whether a request for information made by the complainant to the Home Office on 26 June 2019, has been dealt with in accordance with the requirements of Part I of the Act.

2. On 26 June 2019, the complainant made the following request for information under the FOIA:

"Disclose The Extremism Analysis Unit reports:

- 1) Extremism on University Campuses - Case Study*
- 2) The Far and Extreme Right Wing in the UK*
- 3) Islamist political participation*
- 4) Update to Islamist political participation*
- 5) Ideologies of the Far and Extreme Right*
- 6) Extreme Right Wing Speaking Events*
- 7) Sikh Marriage Disruptions*
- 8) Sectarian Extremism in the UK*
- 9) The Funding of Islamist Extremism in the UK*
- 10) The Funding of Far and Extreme Right Wing Groups in the UK*
- 11) Islamophobia and its impact in the UK*
- 12) Right-Wing Extremism - UK Groups*
- 13) Islamist Extremism in the UK*
- 14) Left-Wing Activism and Extremism in the UK*
- 15) Reaction To Westminster Attack 'One Week On'*
- 16) What is the relationship between extremism and hate crime?*
- 17) Manchester Attack "One Week On" Reaction*
- 18) London Bridge Attack Islamophobic Sentiments - June 2017*
- 19) London Bridge Attack "One Week On" Reaction*
- 20) Response to Muslim Welfare Centre Attack June 2017*
- 21) Reaction to Finsbury Park Attack 'One Week On'*
- 22) Islamist Terrorist and Extremist Narratives*
- 23) Parsons Green "One Week On"*
- 24) Islamophobia in the UK "One Year On" 2016 -2017*
- 25) Narratives of UK Right-Wing Extremism*
- 26) UK Sikh Nationalism".*

3. The Home Office responded on 25 July 2019. It said that all of the requested information was exempt from disclosure under section 35 (formulation of government policy) of the FOIA, and that sections 24 (national security), 27 (international relations), 31 (law enforcement), 38 (health and safety) and 40 (personal information) also applied to some of the information in scope.
4. The complainant requested an internal review on 25 July 2019. He asked the Home Office to clarify whether it held the requested information and challenged its decision to apply section 35 of the FOIA.
5. The Home Office provided the outcome of the internal review on 6 November 2019. It confirmed that it held the information specified in the request. It upheld its decision to apply section 35 of the FOIA to the information in its entirety and confirmed that it was also applying the

exemptions cited in its original response, for which it provided public interest arguments, to withhold the information.

6. The complainant wrote to the Commissioner to complain about the response on 9 October 2019.
7. On 8 January 2020, to assist with her investigation, the Commissioner wrote to the Home Office, asking it a series of questions about its handling of the request. She asked to receive its response by 6 February 2020.
8. At the time of writing this notice, no acknowledgement or response has been received, despite the Commissioner sending a reminder on 10 February 2020, explaining that if no response was received by 17 February 2020, an information notice would be issued

Information required

9. In view of the matters described above the Commissioner hereby gives notice that in the exercise of her powers under section 51 of the Act she requires that the Home Office shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information.
10. The Home Office is required to respond to the email and the questions in the accompanying attachments, which the Commissioner sent to it, dated 8 January 2020, namely:

"If you maintain that the exemptions you have specified apply, the ICO will need detailed information from you in order to reach a decision as to whether the FOIA has been complied with. Please find attached documents which contain questions about the application of each exemption. When responding, it is important that you provide clear and cogent evidence in support of the Home Office's position, as the matter may be examined by the Information Tribunal, should either party appeal against the Commissioner's eventual decision.

Please also supply a copy of the withheld information. It will be held securely by the ICO, will not be shared with the complainant or used for any purpose other than the determination of this complaint..."

Failure to comply

11. 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

12. 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: 0300 1234504

Fax: 0870 739 5836

Email: grc@Justice.gov.uk

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

13. 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

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