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Freedom of Information

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Headlines

- University contempt ruling underlines importance of complying with tribunal orders, p.19
- Irish FOI requests reach record high, p.20

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FOI and Artificial Intelligence - the evolving picture

Artificial intelligence seems to be rapidly becoming one of the defining issues facing Freedom of Information practitioners. Although much of the recent discussion has focused on AI-generated requests, developments over recent months suggest that a broader shift is underway. Increasingly, AI is changing not only how requests are made, but also how public authorities create, manage and disclose information.

For FOI Officers, one challenge is shifting from thinking about AI as something used by applicants to recognising that it is becoming embedded within public authorities themselves. Ensuring that the use of AI remains transparent and accountable may prove just as important as responding to AI-generated requests.

In May 2026, the Information Commissioner's Office published guidance to help authorities deal with AI-generated FOI requests after practitioners reported increasing volumes of requests that were broader, more complex and more likely to require clarification than traditional requests. The guidance emphasises that the Freedom of Information Act already provides the tools needed to deal with such requests and that AI does not alter applicants' legal rights. See the expert comment on pages 2-3 for further discussion of the guidance.

Elsewhere, attention is beginning to shift beyond the requests themselves. In June, the Scottish Information Commissioner announced a new case-management measure allowing the number of live appeals from an individual to be restricted in

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Procedural failings remain the top cause of decision notices

Although June's ICO decision notices cover a wide range of requests and exemptions, the clearest message for practitioners is that procedural compliance continues to present the greatest challenge for public authorities.

Across the month, the Commissioner repeatedly found breaches of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 arising from failures to respond within the statutory time limits, delays in completing public interest considerations and failures to conduct internal reviews within the required period.

Decision notices were issued against organisations including the Department for Energy Security and Net Zero, the Home Office, the Foreign, Commonwealth & Development Office, the Department for Science, Innovation and Technology, UK Health Security Agency, Essex Police, Derby City Council, Liverpool City Council and numerous others, demonstrating that the issue extends across central government, local authorities, regulators and police bodies.

For FOI Officers, the month's decisions provide a reminder that procedural compliance is itself a significant regulatory priority. Even where exemp-

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