

Your Reference:
Our Reference: PJ/1001433

Ben Addison
By e mail to:
request-1688-e4102747@whatdotheyknow.com

08 September 2008

IPCC Contact:
Philip Johnston
Tel: 020 7166 3000

Dear Mr Addison,

YOUR REQUEST FOR INFORMATION

Thank you for your email of 18th August 2008 in reply to mine of 15th August.

You request information concerning Derek Canning and the case of Canning v RSPB and concerning Mark Robb and his complaints against the North Yorkshire Police and the RSPB.

My decision under the Freedom of Information Act

As you may be aware, although the Freedom of Information Act carries a presumption in favour of releasing information, it does contain exemptions which can be applied in certain circumstances either to allow public authorities to withhold information while confirming that they have it in their possession, or to allow them to refuse to confirm whether they hold the information at all.

Having considered your request under the Freedom of Information Act, I find that I am under no obligation to confirm or deny whether the IPCC holds the information you have requested. However, this should not be taken as conclusive evidence that the information you requested exists or does not exist. In reaching this decision I have taken into account the application of the exemption in section 40 (personal information) to the information described in the request.

Please be assured that I have carefully considered your request. However, if you are not satisfied with this response you may request an independent internal review by our FOI appeals officer, who has had no involvement in dealing with your request. If you wish to complain about any aspect of this decision, please contact:

Freedom of Information Act Complaints
IPCC
90 High Holborn
London
WC1V 6BH

E mails should be clearly marked 'Complaint against FOI decision' and sent to: foi@ipcc.gsi.gov.uk.

September 8, 2008

Should you remain dissatisfied after this internal review, you will have a right of complaint to the Information Commissioner; however, I should point out that under section 50(2)(a) of the Freedom of Information Act, you are normally obliged to exhaust the IPCC's own internal complaint mechanism before complaining to the Information Commissioner.

Yours sincerely

Philip Johnston
Independent Police Complaints Commission