

Your Reference:
Our Reference: 1002060

Derek Canning
By e-mail to:
request-29956-f09987e3@whatdotheyknow.com

30 June 2010

IPCC Contact:
Philip Johnston
Tel: 020 7166 3000

Dear Mr Canning,

YOUR REQUEST FOR INFORMATION

I am sorry about the long delay in replying to your e-mail request of 1st March 2010 in which you ask for the following information:

Please supply all the communication between the IPCC, the RSPB, Defra, the police and any other person or organisation in relation to me. Also any information generated by my correspondence.

Finally any negative information in relation to the RSPB.

As you are 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 exemptions contained in section 40(5)(a) and 40(5)(b)(i) to the information described in the request.

As to the second part of your request, I consider that the description 'any negative information in relation to the RSPB' is insufficiently specific to enable the IPCC to ascertain whether it holds any relevant information. You may wish to consider narrowing the terms of this request, but I would emphasise that as the remit of the IPCC does not extend to complaints against registered charities, it is unlikely that the IPCC will hold any significant information. If, therefore, you wish to find out more about complaints against the RSPB, as distinct from complaints against the police, I would recommend that you contact the Charities Commission.

I recognise that this response is a number of weeks outside of the statutory 20 working day time limit for dealing with FOI requests.

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:

Amanda Kelly
Director of Corporate and Legal Services
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.

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.

Thank you for your interest in the IPCC.

Yours sincerely

Philip Johnston
Independent Police Complaints Commission