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12<sup>th</sup> July 2010

Dear Mr Canning

**Request for review of the IPCC's decision under the Freedom of Information Act 2000**

Your email dated 30<sup>th</sup> July requesting a review of the IPCC's decision of the same date has been passed to me as the IPCC's reviewing officer.

I note that your original request was for "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."

In his decision letter, Mr Johnston relied on s. 40(5)(b)(i) of the Freedom of Information Act and declined to confirm or deny whether the IPCC held the information you had requested. However, one of his colleagues, Mr Keogh, also wrote to you on 2<sup>nd</sup> July stating that your request would be dealt with as a subject access request. This letter was sent to your postal address as we do not deal with subject access request via public websites. He has undertaken to respond by 23<sup>rd</sup> July.

I am therefore unclear as to whether you still wish to pursue your application for a review but I have proceeded on the basis that you do. Having reviewed the file, I have concluded that Mr Johnston was able to rely on the exemption he cited in his letter, although equally he could well have told you that he would be dealing with your request in a different way as the regime in the Freedom of information Act was not the appropriate regime for a request involving personal data.

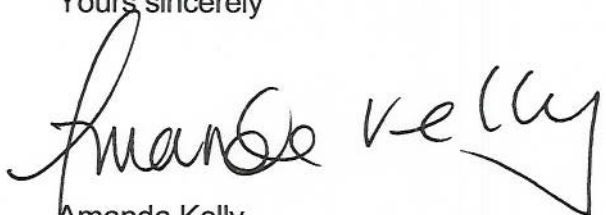
It was unfortunate that the other letter was not despatched before Mr Johnston responded to you under the Freedom of information Act as this would have made things clearer.

July 12, 2010

I hope that you appreciate the reasons for my decision but if you wish you may apply to the Information Commissioner for a decision as to whether your request has been dealt with according to the Act. His address is:

Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF.

Yours sincerely

A handwritten signature in black ink that reads "Amanda Kelly". The signature is written in a cursive, flowing style.

Amanda Kelly  
**Director of Corporate and Legal Services**  
**Independent Police Complaints Commission (IPCC)**