

Our reference: FOI/1005889
Your reference:

L Anderson
By email to:
[request-325627-
dbf630b0@whatdotheyknow.com](mailto:request-325627-dbf630b0@whatdotheyknow.com)

17 February 2017

Dear Mr Anderson,

Re: Your request to the IPCC

Thank you for your emails of 5 January 2017 and 9 February 2017. I am sorry about the delay in replying.

Your email responds to my letter of 9 December 2016 containing my decision on your request of 27 May 2016 for an IPCC internal review our FOIA decision of the same date.

You refer to my response regarding questions 8 and 12 of your original request. These were:

8. The number of civilian suspects that were investigated as part of Operation Kalmia

12. The number of civilian suspects that were arrested as part of Operation Kalmia

Our initial response to these parts of your request was that no civilian suspects were investigated and no arrests were made.

In your email of 27 May 2016 requesting an internal review, you asked:

Could I please ask that you recheck the accuracy of this response, particularly in respect of the 'Protected Witness' that was central to the investigation.

In my letter of 9 December 2016, I stated that all of the subjects of Operation Kalmia were either serving or former police officers. I also stated that the remit of the IPCC does not extend to ordinary members of the public. For this reason, I did not uphold your complaint that our original answers to questions 8 and 12 were incorrect.

In your email of 5 January 2017 you stated: *"I cannot help but feel that this answer has a tendency to mislead the reader and to avoid providing the information requested"*.

For the avoidance of any remaining doubt, I would repeat that no civilian was arrested or investigated under the IPCC managed investigation.

It may help you to explain that a public authority is not obliged by the FOIA to answer questions generally or to enter into a discussion about a particular issue. The FOIA obliges a public authority on receipt of a valid request to state whether or not it holds the information being requested and, if it does, to communicate that information to the applicant. The general right of access applies only to recorded information that exists at the time the public authority responds to the request. These rules do not of course preclude the IPCC from discussing this case with you outside of your formal rights but the IPCC does not enter into discussion of this type by means of a public website such as 'What Do They Know'.

We have received and are considering your email of 3 February 2017 in which you request an IPCC internal review of our decision on your separate FOIA request of 29 June 2016 (our reference 1006035). I can confirm that the matters you raised in your email of 1 September 2016 will be taken into account in our response.

Yours sincerely,

A handwritten signature in black ink, appearing to read "D.M. Knight". The signature is written in a cursive, flowing style.

David Knight
Director of Strategy and Impact
Independent Police Complaints Commission (IPCC)