

Mr David Grothier

By Email only to:

Request-71187-655c83cb@whatdotheyknow.com

22nd August 2011

Dear Mr Grothier

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

I write in response to your email of 29th July June requesting a review of the IPCC's decision of the same date. This has been passed to me as the IPCC's Reviewing Officer.

Your request was

"I wish to know who exactly in the IPCC made the decision not to continue investigating my clearly substantiated complaints against Dyfed Powys police and who was it that decided to further abuse my position in blocking all communication with said IPCC."

Having reviewed the file, I note that Mr Johnston decided that the information you were seeking would, if it were held by the IPCC, constitute your personal data as defined in section 1(1) of the Data Protection Act 1998. Personal data falls within the terms of the absolute exemption in s.40(1) of the Freedom of Information Act 2000.

Mr Johnston therefore concluded that the general public was not entitled to know whether or not the IPCC holds any information relating to a complaint against the police made by an individual called David Grothier. He further concluded that the IPCC was under no obligation to confirm or deny whether it holds the information you are seeking.

Having reviewed the file, I consider that Mr Johnston was right to hold that the information you were seeking was personal data and right to rely on S.40(1)

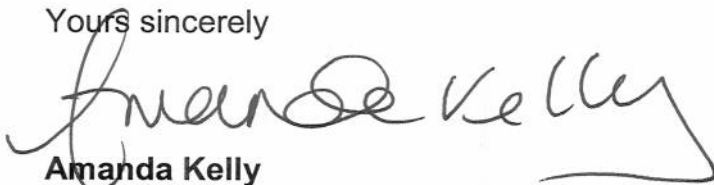
of the Freedom of Information Act 2000 in responding to your request. I am therefore upholding the IPCC's decision of 29th July 2011.

However, I also note that Mr Johnston drew your attention to the fact that the information you were seeking might be available to you under s.7 of the Data Protection Act 1998. He asked you to supply him with your postal address in order to enable him to satisfy himself as to your identity in order to be able to respond to you under the Data Protection Act 1998. This seems to be to be entirely reasonable and I would urge you to consider supplying your address to Mr Johnston, should you wish to pursue your request further.

In any event, as I am upholding the IPCC's decision of 29th July 2011 under the Freedom of Information Act 2000, if you are dissatisfied with my decision, you have a right to complain to:

Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely

A handwritten signature in black ink, appearing to read 'Amanda Kelly', with a long horizontal flourish extending to the right.

Amanda Kelly
Director for Business Services