



Our Ref: 0879.2018-19

Your Ref:

Date: 24 January 2019

Civil Disclosure
Joint Corporate Legal Services

Edward Williams
request-529341-cba98c43@whatdotheyknow.com

Dear Mr Williams,

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 0879.2018-19

I write in connection with your request for information which was received by North Yorkshire Police on 30 October 2018. I note you seek access to the following information:

According to this Private Eye article:

<https://www.scribd.com/document/323171858/PE9-North-Yorks-Boors>

you spent £217k on external lawyers.

REQUEST

1) Provide a breakdown of costs for external lawyers and copies of all invoices, fee notes etc. same stating if they were paid or not.

Extent and Result of Searches to Locate Information

To locate the information relevant to your request searches were conducted within North Yorkshire Police.

I can confirm that the information you have requested is held by North Yorkshire Police.

Decision

I have today decided to disclose the located information to you.

1) Please find enclosed copies of invoices received from Weightmans LLP (formerly Ford & Warren Solicitors) and St Pauls Chambers relating to legal fees pertinent to Operation Hyson.

I can confirm that all costs have been paid.

Redactions have been made pursuant to section 40(2) - Personal Information.

Section 17 of the Act requires North Yorkshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies. Please refer to the relevant exemption headers below for further detail.

Jane Wintermeyer BSc (Hons) Force Solicitor & Head of Legal Services
Police Headquarters | Alverton Court | Crosby Road | Northallerton | North Yorkshire | DL6 1BF
DX No 68810 NORTHALLERTON 2 | Telephone 01609 643542 | Fax 01609 789987

Non-emergency
Number



Exemptions Explained

Section 40 – Personal Information

I am exempting providing you with the outlined information pursuant to Section 40(2) of the Freedom of Information Act (the Act). This is to ensure anonymity for those involved. I have, however, provided other details within the invoices to assist in your request, whilst maintaining the elimination of any identification.

Where an individual can be identified by such data, releasing it would clearly breach the first data protection principle of being 'fair' to the data subject.

Section 40(2)(b) is an absolute class based exemption, which does not require a public interest test, but requires the balancing of the legitimate interests of the public against the interests of the individual under the first Data Protection Principle (that of 'fairness').

The type of information you have requested is personal information which can only be disclosed to the individual concerned. This exemption applies because the right given under the Act to request official information held by public authorities does not apply to the personal data of third parties where disclosure of that information would not be fair to the individual, and where there is no legitimate public interest in disclosure.

In all the circumstances of this instance it has been determined that the duty to the individual under the Data Protection Act 2018, and the public interest in maintaining the exemption from disclosure of personal information held by the force in such cases, outweighs the public interest in disclosure.

Releasing personal details to a person other than the data subject would not only breach the data subject's Data Protection rights it may also breach the obligations placed on an authority under the European Convention on Human Rights.

Please note that systems used for recording information are not generic, nor are the procedures used locally in capturing the data. It should be noted therefore that this force's response to your questions should not be used for comparison purposes with any other responses you may receive.

Please also be advised that this request for information has been deemed as a partially repeated request. In addition, previous requests for information on this subject matter have invited a section 14 – Vexatious exemption. Any future requests on this subject matter will also be assessed against section 14 of the FOIA.

Complaint Rights

Your attention is drawn to the attached sheet which details your right of complaint.

If you have any queries concerning this request, please contact me quoting the reference number above.

Yours sincerely

Robert Bates
Legal Officer (Civil Disclosure)
Joint Corporate Legal Services
Enc

COMPLAINT RIGHTS

Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to require that North Yorkshire Police reviews their decision.

Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again –

The quickest and easiest way to have the decision looked at again is to telephone the case officer that is nominated at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision that North Yorkshire Police made under the Freedom of Information Act 2000 (the Act) regarding access to information, you can lodge a complaint with North Yorkshire Police to have the decision reviewed. North Yorkshire Police must be notified of your intention to complain within 2 months of the date of its response to your Freedom of Information request. Complaints should be made in writing and addressed to:

Force Solicitor and Head of Legal Services
North Yorkshire Police
Alverton Court
Crosby Road
Northallerton
North Yorkshire
DL6 1BF

In all possible circumstances the North Yorkshire Police will aim to respond to your complaint as soon as practicable but within 20 working days.

The Information Commissioner

After lodging a complaint with North Yorkshire Police if you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk>. Alternatively, phone: 0303 123 1113 or write to:

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