

Your Reference:
Our Reference: 1002220

Derek Canning
By e-mail to:
request-28566-fec84479@whatdotheyknow.com

27 July 2010

IPCC Contact:
Philip Johnston
Tel: 020 7166 3000

Dear Mr Canning,

Your request for information

Thank you for your e-mail of 23rd July 2010.

You ask for the percentage of Freedom of Information Act (FOIA) internal reviews upheld by the IPCC.

The IPCC has recently dealt with a very similar request, the response to which can be found here:

http://www.whatdotheyknow.com/request/freedom_of_information_requests_135#incoming-86905

The effect of the exemption contained in section 21 of the Act is that there is no obligation to comply with a request when the information which has been requested, although held by the public authority, is reasonably accessible to the applicant without recourse to the FOIA right of access. Therefore, insofar as the information you have requested is already available to you on the 'what do they know' web site, the IPCC is not obliged to disclose it to you in response to your request.

In addition, where the information is held by the IPCC but the time that it would take to identify, locate and retrieve it would exceed the cost limit under section 12 of the Act, I find that the IPCC is not obliged to provide this information to you for the reasons given in my letter of 18th May 2010 which can be accessed on the quoted web-page.

Since completing its response to the previous 'what do they know' request about FOIA internal reviews, the IPCC has received one further request for internal review. This was not upheld.

If you are not satisfied with this response you may request an independent internal review by our FOI complaints 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 Legal Services
IPCC
90 High Holborn
London
WC1V 6BH

July 27, 2010

E mails should be clearly marked 'Complaint against FOI decision' and sent to: amanda.kelly@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 public authority's own internal complaint mechanism before complaining to the Information Commissioner.

Yours sincerely

Philip Johnston
Independent Police Complaints Commission