

Our Ref: FOI 1311

20 January 2021

Dear

Freedom of Information Request – Reference FOI 1311

I refer to your request under the Freedom of Information Act 2000, received on 9 December 2020.

Set out below is the request you have raised and our response to it.

REQUEST

“I would like to request any correspondence since 01.01.2019 between the South Yorkshire Police and Crime Commissioner and a) South Yorkshire Police Chief Constable, b) Deputy Chief Constable, and/or c) Assistant Chief Constable regarding the Orgreave incident of 18 June 1984 and/or calls to for an inquiry into the incident.”

On 10 December 2020. I asked you to provide further clarification in relation to whether you required all correspondence between the Commissioner, Chief Constable, Deputy Chief Constable and/ or Assistant Chief Constable regarding Orgreave or just correspondence and / or calls relating to a request for an inquiry into Orgreave.

On 11 December 2020, you clarified that you would like to request all correspondence regarding Orgreave between the aforementioned people since 01 January 2019.

RESPONSE

Section 1 of the Freedom of Information Act 2000 provides two distinct but related rights of access to information, which impose corresponding duties on public authorities. These are:

- Section 1(1)(a) the duty to inform the applicant whether or not information is held by the authority, and if so,
- Section 1(1)(b) the duty to communicate that information to the applicant.

To enable me to respond to your request an email search, using the key word of ‘Orgreave’, was carried out on correspondence between the PCC, Chief Constable Stephen Watson, Deputy Chief Constable Mark Roberts and Assistant Chief Constables

David Hartley, Tim Forber and Lauren Poultney between 1 January 2019 and 10 December 2020.

Please see the attached emails relating to your request. You will see throughout the documentation that certain information is redacted.

Section 17 of the Freedom of Information Act 2000 requires the Office of the Police and Crime Commissioner (OPCC), 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).

The following exemption applies to the disclosure of information:

Section 40(2) Personal Information

This is an absolute exemption and therefore a Public Interest Test is not relevant. However, for clarity, I will explain my rationale for engaging this exemption. Section 40(2) provides that information is exempt if it is the personal data of someone other than the applicant and disclosure would breach any of the data protection principles. The term 'personal data' means data that relates to a living individual who can be identified.

If you are unhappy with the way your request for information has been handled, you can request an internal review by emailing this office.

If you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:

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

Telephone: 08456 306060 or 01625 545745

Website: www.ico.gov.uk

Yours sincerely,

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