



Altogether Better Policing

Information Rights and Disclosure
Digital Data and Technology Command
Police Headquarters
Aykley Heads
Durham
County Durham
DH1 5TT

Web Site: www.durham.police.uk

E-mail: freedomofinformation@durham.police.uk

Phone: **General Office Number: 0191 3752582 or 76 2582**



**Request to Durham Constabulary under the Freedom of Information Act
Received on 20/04/2022
Our Ref: DC/FOI/348/22**

Date: 11/05/2022

Your request:

On the 6th Feb 2022 I reported a crime regarding the breaking of COVID restrictions on the 30th April 2021 in the City of Durham. I was given the reference number DHM-XX

Please can I request all information regarding this reference number DHM-XX. This should include but not be limited to the number of complaints made by other members of the public (their names can be redacted), the investigation the police undertook, any information held on computers, in emails and in printed or handwritten documents as well as images, video and audio recordings regarding the reference number DHM-XX

DECISION

Durham Constabulary (the Force) neither confirms nor denies that it holds the personal information you have requested as the duty in Section 1(1) (a) of the FOIA (General Right of Access) does not apply by virtue of either the Section 40 (5A) & Section 40 (5B) (a) (i) FOIA (Personal Information) exemption.

This response therefore represents a Refusal Notice in accordance with Section 17(1) of FOI; Section 17 of FOIA (Refusal of Request).

REASON FOR DECISION

A FOI request is not a private i.e., a one-to-one disclosure. Both the request itself, and any information disclosed, are considered suitable for open publication i.e., can be published on the Force's external website. This is because, under FOI, any information disclosed is released into the wider public domain, effectively to the world at large and not just to one individual i.e., the person who made the FOI request.

To confirm or deny whether personal information exists in response to your request under FOI, could publicly reveal information about you as an individual or about third-party individuals, thereby breaching the right to privacy afforded to ALL persons under the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (GDPR).

If the information requested relates to you, then you are able to request it via separate legislation i.e. via the Right of Access rights (Subject Access Rights) under the DPA. In order to make a DPA request, please complete the Force's SAR1 form which is available on our website at [Requests for Personal Information](#)



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durham.police.uk) or you can collect a form from one of the named stations on the Force's website. Proof of identification will be required to process a DPA Right of Access Request, to ensure disclosure is made to the correct person. This process may also take up to one statutory month) from receipt of your completed application, with proof of identification.

If you are requesting third party personal data, Durham Constabulary must ensure that it complies with the fair processing Principles outlined under section 34 of the DPA 2018 and under Article 5 of the GDPR and in the main will only release third party information to another person, via a Court Order.

CONCLUSION

This Section 17 (1) FOIA notice does not confirm or deny that Durham Constabulary holds the information that you have requested. If you disagree with this decision, then you have the right to dispute this decision – [Freedom of Information Requests](#) (durham.police.uk)

If you have any further enquiries concerning this matter, please write or contact me on the above telephone number.

I hope this is of assistance to you

Yours sincerely
Freedom of Information Decision Maker
Information Rights and Disclosure Unit