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Gilfoyle: Police excuse for keeping papers

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Merseyside Police offered an extraordinary list of excuses in refusing to provide documents relating to the Eddie Gilfoyle case.

The force refused one request by *The Times* for a list of documents in the case, saying that it might break health and safety laws to hand it over. It has declined to provide a single internal record to the newspaper in spite of requests under the Freedom of Information Act (Fol) filed nearly a year ago.

At one point the force said it calculated that the cost of responding to a request for information by *The Times* would be "£24,483.33 including £50 for copying/printing".

This week Merseyside Police was forced to order an urgent search for long-lost notes from an internal inquiry into blunders made by police who attended the scene of Mrs Gilfoyle's death, after it wrongly told the newspaper that they never existed. Only after *The Times* faxed copies of what appeared to be the documents to the force's headquarters did the Assistant Chief Constable admit the notes had been taken. *The Times* has now reported Merseyside Police to the Information Commissioner.



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The Times asked in March last year for information relating to the internal inquiry, known as the Humphreys report. In a separate request, *The Times* asked for a copy of the Police Complaints Authority report into the flawed murder investigation. Merseyside Police wrote back saying that it would take "58,760 minutes or 979 hours" to respond to the request and 13 hours had already been spent reaching that conclusion. The maximum time for an Fol request is 18 hours so only 5 remained. The Times then asked for "a list of the documents and statements mentioned in your reply". Carl Dewhurst, a disclosure analyst, responded in June last year saying he had decided to "exempt" the records under various grounds:

Investigations: Mr Dewhurst said: "This report may yet be of relevance to any future legal proceedings in respect of the man convicted of the murder from which this report resulted. Any release of the information may prejudice such proceedings."

Health and Safety: "It is a fact that this case caused documented harm to the health of a number of parties involved in this enquiry. Due to the risk of releasing personal information, no expansion of this evidence can be provided in respect of this exemption."

Personal data: "The information requested contains much personal information from which a person may be identified by name. It would be unfair to release such detail without their consent."

The Times then exercised its right to an internal review of the decision to withhold information, saying that the police decision to keep the list of documents secret was remarkable and unacceptable, and that the reasons for doing so could not be justified.

