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To: All Media

FOR IMMEDIATE RELEASE

Information Commissioner Issues Decision 13/2021

Hamilton, Bermuda. On 10 November 2021, Information Commissioner Gitanjali Gutierrez issued [Decision 13/2021](#), Department of Public Prosecutions (DPP), which considered the failure of the DPP to issue an internal review decision within the 6-week timeline set out in the PATI Act.

The DPP accepted that it did not meet the statutory timeline to issue the internal review decision. It explained that the delay was due to various factors, including staff shortages, its current workload and the extent of the PATI request. The DPP issued an internal review decision during the Information Commissioner's review and disclosed to the Applicant a record containing information responsive to the PATI request. The Information Commissioner did not require the DPP to take further steps in relation to the internal review request.

The Information Commissioner commends the DPP for making efforts to provide the Applicant with information responsive to the PATI request to the greatest extent possible. In [Decision 13/2021](#), the Information Commissioner reminded public authorities that a timely internal review decision, issued according to section 43(2) of the PATI Act, provides certainty for the PATI requester on the outcome (even if it is a denial of access), and triggers the PATI requesters' right to an independent review by the Information Commissioner.

[Decision 13/2021](#) is available on www.ico.bm.

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Editor's Notes:

The ICO is an independent public office responsible for promoting the use of and overseeing compliance with the Public Access to Information (PATI) Act 2010. The PATI Act gives the public a right to access records held by public authorities, subject to listed exemptions and administrative grounds for denial of access. Individuals who are dissatisfied with the response of a public authority may seek a review by the Information Commissioner. The Information Commissioner shall investigate and the decisions by the Information Commissioner are legally binding.

Further information about the ICO is available at www.ico.bm.