

31 July 2023

To: All Media

**FOR IMMEDIATE RELEASE**

**Acting Information Commissioner Issues Three Decisions**

Hamilton, Bermuda. On 24 July 2023, Acting Information Commissioner Answer Styannes issued [Decision 18/2023](#) and [Decisions 19 & 20/2023](#), which considered the handling of three PATI requests for the Bermuda Police Service (BPS) for internal emails on various topics.

In [Decision 18/2023](#), the Acting Information Commissioner found that the BPS did not issue an internal review decision to the Applicant within the 6-week timeline set out in the PATI Act. The Information Commissioner has ordered the BPS to issue an internal review decision on or before Monday, 21 August 2023. This [Decision](#) does not address whether or not the BPS has properly denied access to the requested records.

[Decisions 19 & 20/2023](#) was issued by the Acting Information Commissioner as a result of two independent reviews conducted by the Information Commissioner's Office of the BPS's internal review decision on two separate, but related, PATI requests. In both reviews, the Applicant challenged the reasonableness of the search conducted by the BPS to locate the internal emails being sought.

In her [Decision](#), the Acting Information Commissioner concluded that the BPS conducted a reasonable search for the majority of the records that the Applicant requested. However, she was not satisfied that the BPS conducted a reasonable search to locate the emails from the then-Commissioner of Police about the Applicant and another officer in relation to a certain incident. The Acting Information Commissioner has ordered the BPS to conduct a reasonable search to locate the requested records and to issue a new initial decision to the Applicant on or before Tuesday, 5 September 2023.

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Editor's Notes:

*About the ICO*

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 Bermuda's 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.

### *Orders and Enforcement*

When the Information Commissioner issues decisions with accompanying orders, the decision is filed with the Supreme Court, in accordance with section 48(3) of the PATI Act. If a public authority fails to comply with her decisions and Orders, Information Commissioner Gutierrez will pursue enforcement to safeguard the rights of PATI requesters and the public. To date, public authorities either have complied or are working towards compliance with all the orders accompanying decisions issued by the Information Commissioner. Further information about the ICO is available at [ico.bm](http://ico.bm).