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To: All Media

FOR IMMEDIATE RELEASE

Information Commissioner Issues Two Decisions

Hamilton, Bermuda. Recently, Information Commissioner Gitanjali Gutierrez issued two decisions; [Decision 35/2023](#) and [Decision 36/2023](#), both involving the Bermuda Police Service. In [Decision 35/2023](#), the Information Commissioner considered the BPS's failure to issue an internal review on a PATI request for records relating to the alleged deletion of emails of a former Commissioner of Police. In [Decision 36/2023](#), she considered a similar failure in relation to a request for witness statements on specific residential searches.

For these Decisions, Commissioner Gutierrez found that the BPS did not issue internal review decisions to the Applicants within the 6-week timeline set out in the PATI Act. However, she did not require the BPS to take any further action because it issued its internal review decisions while the Commissioner was conducting her independent review.

These Decisions did not address whether the BPS has properly denied access to the requested records. Rather, they addressed the basic obligation upon the BPS to respond to an internal review request within the statutory timeframe.

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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.

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