

**Data Protection Office**  
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Paul Ponting  
Sent via email to: [foirequests@foi-request.com](mailto:foirequests@foi-request.com)

Date: 11 July 2019

Dear Mr Ponting

**FREEDOM OF INFORMATION APPLICATION REFERENCE NO: DPO/FOI/002291/19**

Thank you for your request for information received by Lancashire Constabulary on 15/06/2019 which was as follows:

***Dear Lancashire Police***

***I refer to a Subject Access Request I made to you where you have confirmed that a team of dedicated Lancashire police officers were taken from actively duty and assigned full time to work on Operation Malaya. This was from June 2017 to September 2017, a period of 4 months. I now understand that there were over 20 serving police officers who, during this time, made repeated trips to the West Midlands and Bedfordshire.***

***Lancashire police have confirmed that this dedicated operation was created specifically for two individuals who they freely named in the disclosure as Darren Hogan and George Vella. They claim the task force was created specifically to investigate complaints that these two individuals had made about me. Lancashire police claim that the complaints were 'complex'. I understand the unfounded allegations were of harassment. I have asked for further clarification of the complexity of the allegations and will be asking why I was never questioned relating to these complex allegations resulting in a 4 month dedicated operation involving so many police officers.***

***Even though this highly costly police operation was setup based on allegations made by these two men, I bring to your attention that Darren Hogan was, at the time this operation was created, was on bail and had been charged with Malicious Communications and Harassment against my wife and I. Even so, he was approached by Lancashire police to enrol him into a task force against his victim.***

***George Vella was also the subject of numerous complaints I had to make to police, one of the complaints was that George Vella openly called me by inference a paedophile on a Facebook group, an act of malicious communications, and Lancashire police took ZERO action against him for this but like Hogan, Lancashire police approached Vella and enrolled him in a task force against his victim.***

***My question to you under the laws of Freedom of Information is,***

- 1. What this operation cost?***
- 2. The rationale for allowing such an expense out of Lancashire police funds.***
- 3. Rationale why 20 or more serving police officers were taken from normal duty to investigate harassment for 4 solid months.***
- 4. Who authorised this outlandish expense.***

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of the FOIA requires that we provide the applicant with a notice which: a) states that fact; b) specifies the exemptions in question and c) state (if that would not otherwise be apparent) why the exemption(s) applies.

Your request has now been considered and the Constabulary's response can be found below:

**Questions 1 – 4:**

As per the above, the FOI Act places an obligation on the Police to provide details regarding information that is already recorded or held by the Constabulary. As such, there is no obligation under the FOIA for the Constabulary to create data. In relation to the information requested by yourself we can advise that this is not held or recorded by the Lancashire Constabulary.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request an internal review of our decision, you should write to the Information Assurance Manager, Information Compliance and Disclosure Section, Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB or alternatively send an email to [FOI@lancashire.pnn.police.uk](mailto:FOI@lancashire.pnn.police.uk). Details of the Constabulary's Freedom of Information Complaint Procedures can be found attached to this email.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by Lancashire Constabulary. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

*Compliance Team*

Data Protection Office