

Your email to the ICO - Case Reference IC-214909-X7Y3

From: icocasework (icocasework@ico.org.uk)

To: atonu1956@yahoo.co.uk

Date: Tuesday, 18 April 2023 at 17:03 BST

18 April 2023

Case Reference: **IC-214909-X7Y3**

Dear Mr Pal,

Thank you for your email.

When we have stated that the MPS has not complied with data protection law because they have previously processed inaccurate personal information, we are referring to all instances in which inaccurate processing took place including in relation to CRIMINT 00326717.

In relation to the recording of opinions, I would note that the Police have a duty of care to fulfil and if there is concern regarding the wellbeing of an individual it is common practice for the observations and opinions of police officers involved in the matter to be documented.

Where the police have an involvement in a particular matter, it is important that they maintain a record of events and circumstances. This record is invariably going to contain input from the officers present and is likely to contain information relating to what officers perceived as well as their opinions, views, suggestions and statements on the matter.

What is important, under data protection law, is that when opinions are made they are clearly outlined as such. As I have previously explained, the recording of an opinion, which is clearly marked as an opinion, is accurate, irrespective of whether you agree with the opinion or not. The information is recording the fact that an opinion has been made, it is not recording the opinion itself as being a fact.

In this instance, the MPS has confirmed that opinions and suggestions have been appropriately marked as such and have not been recorded as facts. As a result, we are satisfied with the organisations handling of your request in relation to CRIS:4922314/16.

The MPS would not claim to be health experts and would not consider the opinions of its officers to constitute expert medical opinion. However, the Police have a duty of care and have to take into consideration safeguarding concerns and, amongst other reasons, the opinions or suggestions of officers are required to be recorded in the event that a referral is made.

Yours sincerely,

William Salt
Case Officer
Information Commissioner's Office

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
T. 0330 313 1679 ico.org.uk twitter.com/iconews
Please consider the environment before printing this email

For information about what we do with personal data see our privacy notice at www.ico.org.uk/privacy-notice.

----- Original Message -----