

## Response to Dorset Police submission, Upper Tribunal Appeal, GIA/886/2013, received by email 21<sup>st</sup> June 2013

Ian Belchamber, 23 June 2013

I would like to first answer the very few significant points from Dorset Police by the same number in their submission:

4. "Dorset Police completely supports the stance taken in the First Respondent's submission". In that case, why has DP not engaged with the total demolition of the first respondent's submission, which I sent on the same day? I deliberately sent this as soon as I could so that DP would have the opportunity to see it before they responded – to give them the best opportunity to respond properly and fully – but they have totally ignored it. DP has therefore "completely supported" something which has been shown to have no substance or merit and has completely failed to support the submission of the Information Commissioner by failing to engage in any of the facts or points that prove it to be empty.

5. "some of the assertions that the Appellant makes within it are not recognised by Dorset Police as an accurate reflection of the circumstances" Yet again, where is the substance? Why does DP not indicate WHICH assertions and WHY it does not recognise them? Just one single example? This demonstrates why this whole thing has been going round in circles for years and why so much time and effort has been wasted. Dorset Police refuses to engage with the facts and the evidence and to work towards a resolution. Which of the "assertions ...." **ARE** "recognised by Dorset Police ... " and why has DP not responded to them?

9. "Dorset Police supports the First Respondent's submission that in the event that the Upper Tribunal sets aside the First Tier Tribunal's decision, that it remake the decision of the first instance decision...". I'm sure it does, but there is **still no substance**. DP has presented absolutely no reasoning, no challenge to any one of my extensive or detailed reports, has not identified ONE SINGLE error or challenged a single point in anything I have written since all this started and throughout this pitiful attempt to hide blatant mis-spend and / or misrepresentation of spend of public money.

10. "Dorset Police would share the First Respondent's view on the relevance of Information Commissioner v Devon CC and Dransfield". I have had a look at that case and although it would take some time to understand "all the circumstances", I found this: "The key question is whether the request is likely to cause distress, disruption or irritation, without any proper or justified cause"

Any request that uncovers incompetence, waste, misconduct, misrepresentation, etc. is obviously going to cause distress, disruption, and irritation. Where there is wrong, it is difficult to put it right without some distress, disruption, and irritation. A policeman would cause distress, disruption and irritation to a burglar. A whistle-blower would cause it to those being exposed. So

the more important consideration must be “proper or justified cause”. Just as a reminder, these are the main questions I would like the answers to, astonishingly simple and deserving of answers:

- Why does it need 10 staff on £52K to deliver a simple course to 40 people?
- Why does Dorset Police charge more than 3 times more than it should for premises?

Those who agree with me that there is “proper and justified cause” for the answers include:

- Martyn Underhill, the PCC for Dorset
- Colin Smith, Detective Superintendent and Head of Professional Standards for Hampshire Police
- Annette Brooke, MP for Dorset.
- the Independent Police Complaints Commission

Why would a competent, efficient and trustworthy organisation not leap at **any** opportunity to demonstrate proper use of public funds, no matter how irritating the person asking seemed to be? The only answer can be that Dorset Police will be damaged by this information. But only badly performing organisations / individuals are damaged by the truth, and it is the very purpose of the existence of the FOI system to help to identify such problems through transparency and information, not to help those organisations to continue to hide those problems and continue to perform badly for the public.

In conclusion, this pitiful contribution from Dorset Police, and total lack of challenge / denial from anyone, despite all the opportunities given, of the many serious allegations I have made over a considerable period of time, confirms and consolidates the strength of my case. Anyone fairly reviewing the “full circumstances of the case” should now be unable to avoid the conclusions that:

1. Certain individuals in Dorset Police have operated a money making / job / empire preservation / promotion scam, and have tried to conceal it by lying in public financial reports and the original information request response.
2. Dorset Police have, in full knowledge of these problems, rather than put them right, tried to **cover them up** by refusing to give the information that would prove them. They first tried to completely ignore the request, when forced by the Information Commissioner they eventually provided some top level numbers that clearly did not tell the whole story, when pushed for the detail they then tried to suggest the information would cost too much (another lie), and ultimately, when everything else had failed, they declared the person asking (not the questions!) vexatious. Why was the person not vexatious when the question was first asked more than a year before? So it really does seem that the situation is exactly as I derived it to be in this note: <http://www.dorsetspeed.org.uk/ico/19Jan2013.pdf>.

**Never before the speed industry took over have individuals in the police force had a direct financial interest in the penalties they impose and the enforcement operations they choose, some of which won't make money at all but will save lives, and some of which will make £millions, save less lives and even cost some, but allow their departments and their jobs to continue. This toxic situation was bound to result in something like this. It does not make it any better for DP, but similar problems are evident in “safety” partnerships across the country and even the world.**

Once again I point out that the coherence, completeness, detail, consistency, robustness, and quality of what I have produced at every stage of this case has totally outclassed what we have seen from

Dorset Police, the Information Commissioner, and the First Tier Tribunal. Where I have in meticulous detail demonstrated that every single one of the points they have produced at every stage has no merit or substance, they have not even tried to challenge a single one of mine – the best they can do is say they don't agree, but they seem to know that there is nothing that they can actually disagree with – and if they try to, they will be exposed.

I did not have high expectations for the contribution (if there was to be any) from Dorset Police but this has spectacularly failed to meet them. Only one outcome is possible, even far more so than before, if there is to be a fair and impartial decision in the public interest. Upper Tier Tribunal must set aside the decision of the First Tier, and insist that Dorset Police properly provides the information I requested over 2 years ago, and properly, openly, and helpfully communicates over any remaining enquiries. **In the unlikely event that Upper Tribunal is not inclined to agree, a hearing is essential in order to spell some of this out.**

If Dorset Police have nothing to hide, this will become apparent very quickly in a couple of emails and we can move on and stop wasting all this effort and time. And if I have got it all wrong, I will publicly apologise, announce my 100% support for Dorset Police, and no one will hear from me again on this subject.

But one thing beyond all else that must be crystal clear to all now is that the spend of Dorset Police on courses must no longer remain a closely guarded secret.

Ian Belchamber