

Our Ref: oPCC FOI 1111

Date: 14.07.16

Dear [REDACTED]

Freedom of Information Request - Reference No: 1111

REQUEST

Under the Freedom of Information Act I would like to make a request for the following information. All emails sent between any of the following individuals. Alan Billings, Allan Rainford and Chief Constable David Crompton which contained any of the following words. Hillsborough; Inquest; Legal; Costs; Fees; I would like you to provide the emails that were sent between three individuals between the dates 03/11/2014 and 29/04/2016.

RESPONSE

Section 1 of the Freedom of Information Act 2000 provides two distinct but related rights of access to information, which impose corresponding duties on public authorities. These are:

- Section 1(1)(a) the duty to inform the applicant whether or not information is held by the authority, and, if so,
- Section 1(1)(b) the duty to communicate that information to the applicant.

To satisfy the parameters of your request for information I approached our IT department and requested they did a search of the email system. As such, please see the attached emails and relevant attached documents.

You will see throughout the documentation that certain information is redacted;

Section 17 of the Freedom of Information Act 2000 requires the South Yorkshire Police & Crime Commissioner, when refusing to provide such information (because the information is exempt), to provide you the applicant with a notice which:

- a. states that fact,
- b. specifies the exemption in question and
- c. states (if that would not otherwise be apparent) why the exemption applies.

Some of the information redacted falls under the following exemption;

Section 40(2) Personal Information:

This is an absolute exemption and therefore a Public Interest Test is not relevant.

However, for clarity, I will explain my rationale for engaging this exemption. Section 40(2) provides that information is exempt if it is the personal data of someone other than the applicant and disclosure would breach any of the data protection principles. The term 'personal data' means data that relates to a living individual who can be identified.

It is important to stress that a Freedom of Information request is not just a release to the requestor, but also, a release to the world.

Redacted sections of information covered by 'Section 38 of the Police Reform and Social Responsibility Act 2011' are cited in conjunction with;

Section 44(1) Information covered by prohibitions on disclosure of the FOIA which states:-

Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it –

- a) Is prohibited by or under any enactment
- b) Is compatible with any Community obligation, or
- c) Would constitute punishment as a contempt of court.

Where there is another piece of legislation governing the release of certain categories of information, these are sufficient grounds to refuse release under an FOI request. In effect, s44 allows other pieces of legislation to be imported into the FOI Act under s44(1)(a). This is an absolute exemption and therefore a Public Interest Test is not relevant.

Please see the link below to the condensed version of S38 of the Police Reform and Social Responsibility Act 2011, which is on the Police and Crime Commissioners website:-

<http://www.southyorkshire-pcc.gov.uk/Transparency/Section-38-of-the-Police-Reform-and-Social-Responsibility-Act-2011.aspx>

I have also included a link (below) to the full version of the act:-

<http://www.legislation.gov.uk/ukpga/2011/13/section/38>

I hope the information you have received is acceptable. However, if you are unhappy with the way your request for information has been handled, you can request an internal review by emailing this office. Please quote the reference number.



If you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:
The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire, SK9 5AF.
Telephone: 08456 306060 or 01625 545745
Website: www.ico.gov.uk

Yours sincerely
Office of the Police & Crime Commissioner for South Yorkshire

Office of Police and Crime Commissioner for South Yorkshire
5 Carbrook Hall Road, Sheffield, S9 2EH
Email: thepcc@southyorkshire-pcc.gov.uk
www.southyorkshire-pcc.gov.uk

[REDACTED]

From: DAVID CROMPTON <David.Crompton [REDACTED]>
Sent: 27 April 2016 17:18
To: The Commissioner
Subject: RE: PRIVATE AND CONFIDENTIAL

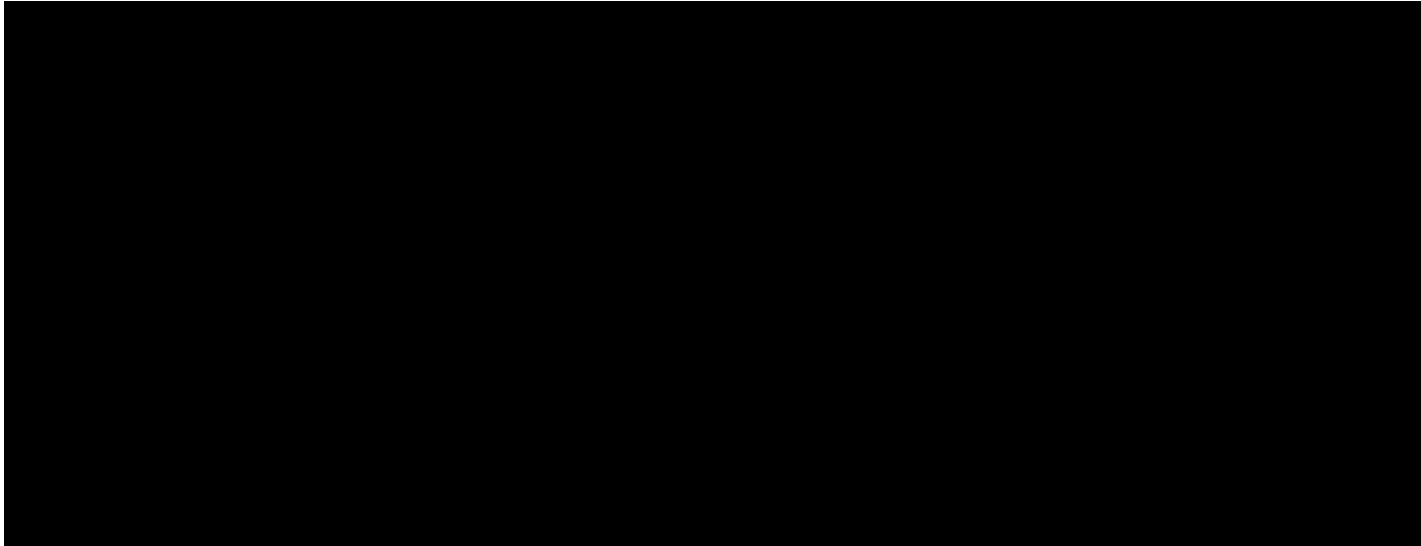
Noted

Sent with Good (www.good.com)

From: The Commissioner < [REDACTED] >
Sent: 27 April 2016 14:50:40
To: DAVID CROMPTON
Subject: PRIVATE AND CONFIDENTIAL

Covered by S38 of the
Police Reform and Social
Responsibility Act 2011

David



Yours sincerely,

Alan

Dr Alan Billings
Police and Crime Commissioner for South Yorkshire

Tackling child sexual exploitation is a priority for the Force and it is the responsibility of everyone to help spot the signs and say something.

For more information visit www.southyorkshire.police.uk/spotthesigns

[Redacted]

From: The Commissioner <[Redacted]>
Sent: 27 April 2016 15:51
To: david.crompton@[Redacted]
Subject: PRIVATE AND CONFIDENTIAL

Covered by S38 of the
Police Reform and Social
Responsibility Act 2011

David

[Redacted]

Yours sincerely,

Alan

Dr Alan Billings
Police and Crime Commissioner for South Yorkshire

[Redacted]

From: Allan Rainford <[Redacted]>
Sent: 17 December 2015 09:53
To: Michelle Buttery; Dr Alan Billings
Cc: The Commissioner
Subject: RE: JCB and financial information sharing

Not relevant to request

Michelle

[Redacted]

Allan

From: Michelle Buttery
Sent: 17 December 2015 09:37
To: Allan Rainford; NIGEL HILLER
Cc: The Commissioner; [david.crompton](#) [Redacted]; DAWN COPLEY
([Redacted]); [Redacted]; [Redacted]
Subject: JCB and financial information sharing

[Redacted]

Alan and I are also keen to share the position known about our reserves and the position generally so that we are completely transparent (including the confidential briefing we need to give them on the Hillsborough civil claims' liability).

[Redacted]

Michelle

Michelle Buttery
Chief Executive and Solicitor to the Police & Crime Commissioner

Tel: 01226 772803
Mobile: [Redacted]

[Redacted]

From: The Commissioner <[Redacted]>
Sent: 02 November 2015 07:39
To: Michelle Buttery; Erika Redfearn; Allan Rainford; Info
Subject: FW: Special Grant funding for Hillsborough Inquests
Attachments: 151030 HS to SYPCC re Hillsborough.pdf

Not sure if you got this – it came in late on Friday evening.

■

From: Whitehead Alastair (Private Office) [Redacted]
Sent: 30 October 2015 17:59
To: The Commissioner
Cc: Michelle Buttery; [Redacted]
Subject: Special Grant funding for Hillsborough Inquests

Please see attached from the Home Secretary.

Thanks,

Alastair

Alastair Whitehead
Deputy Principal Private Secretary to the Home Secretary

Home Office
3rd Floor, Peel Building, 2 Marsham Street, SW1P 4DF
T: +44 [Redacted]
M: +44 [Redacted]
www.gov.uk/home-office

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[Redacted]

From: The Commissioner <[Redacted]>
Sent: 10 August 2015 15:05
To: Michelle Buttery; Allan Rainford
Subject: FW: Hillsborough
Attachments: 2015.07.29 HS - Cannon Dr Alan Billings.pdf

From: [Redacted]
Sent: 29 July 2015 18:03
To: The Commissioner
Cc: [Redacted]; Whitehead Alastair (Private Office)
Subject: Hillsborough

Please see attached letter from the Home Secretary addressed to the South Yorkshire Police and Crime Commissioner on the above topic.

Regards

[Redacted]
Ministerial Support Unit | Home Office | 3rd Floor, Peel Building | 2 Marsham Street | London | SW1P 4DF | Tel: [Redacted]
 [Redacted]

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[REDACTED]

From: The Commissioner <[REDACTED]>
Sent: 19 March 2015 14:13
To: Michelle Buttery; Erika Redfearn; Allan Rainford; Fiona Topliss
Subject: FW: IPCC Hillsborough update March 2015

From: [REDACTED]
Sent: 19 March 2015 13:59
To: The Commissioner
Subject: IPCC Hillsborough update March 2015



Dear Sir / Madam

We have published our [monthly update about our investigations into the Hillsborough disaster](#). We will continue to produce updates throughout the life of the investigations and during inquests.

If you have any queries about this update which is produced by the Hillsborough Communications team then please contact:

Ian Christon, Communications Manager

Tel: [REDACTED]

Email: [REDACTED]

Mary Bernia, Deputy Communications Manager

Tel: [REDACTED]

Email: [REDACTED]

Yours sincerely,

Rebecca Hovington

Communications Adviser

Independent Police Complaints Commission

Renaissance House

Lakeside Drive

Centre Park

Warrington

WA1 1RU

DD: [REDACTED]

Web: www.ipcc.gov.uk

Twitter: @ipccnews

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[REDACTED]

From: Allan Rainford <[REDACTED]>
Sent: 05 March 2015 14:33
To: NIGEL HILLER; Erika Redfearn; JOANNE BYRNE; [REDACTED]; The Commissioner; Michelle Buttery; [REDACTED]; Fiona Topliss; DAVID CROMPTON; INGRID LEE; ANDREW HOLT; [REDACTED]
Subject: RE: Strategic Planning Meeting - Monday 9th March at 3pm

The final document requires an assessment of potential Hillsborough costs based on

1. A review of the possible legal costs from the firms of solicitors. [REDACTED] is helping to estimate the 2015/16 costs based on the work he has done to date reviewing the legal costs
2. A decision from Home Secretary regarding the Special Grant applications for 2013/14 and 2014/15 and how the principles may apply to a special grant application for 2015/16. Potentially we may have this next week or shortly after

Once this is available, I can complete the relevant views on "robustness of estimates" etc
Allan

From: NIGEL HILLER [REDACTED]
Sent: 05 March 2015 14:18
To: Erika Redfearn; JOANNE BYRNE; [REDACTED]; The Commissioner; Michelle Buttery; Allan Rainford; [REDACTED]; [REDACTED]; Fiona Topliss; DAVID CROMPTON; INGRID LEE; ANDREW HOLT; [REDACTED]
Subject: RE: Strategic Planning Meeting - Monday 9th March at 3pm

Are the final budget documents and S25 statements going to this meeting? Mine will be ready tomorrow for circulation.
Nigel

Sent with Good (www.good.com)

From: Erika Redfearn <[REDACTED]>
Sent: 05 March 2015 12:36:00
To: JOANNE BYRNE; [REDACTED]; The Commissioner; Michelle Buttery; A Rainford; [REDACTED]; Fiona Topliss; DAVID CROMPTON; NIGEL HILLER; INGRID LEE; ANDREW HOLT; [REDACTED]; ALISON FLETCHER
Subject: RE: Strategic Planning Meeting - Monday 9th March at 3pm Not relevant to request

[REDACTED]

Erika

From: JOANNE BYRNE [REDACTED]
Sent: 05 March 2015 11:47
To: [REDACTED]; The Commissioner; Michelle Buttery; Erika Redfearn; Allan Rainford; [REDACTED]; Fiona Topliss; DAVID CROMPTON; NIGEL HILLER; INGRID LEE; ANDREW HOLT; [REDACTED]; ALISON

FLETCHER

Subject: RE: Strategic Planning Meeting - Monday 9th March at 3pm

Not relevant to request

[REDACTED]

Jo

From: [REDACTED] [REDACTED]

Sent: 05 March 2015 11:33

To: The Commissioner; Michelle Buttery; ERedfearn; A Rainford; [REDACTED]; Fiona Topliss; DAVID CROMPTON; NIGEL HILLER; JOANNE BYRNE; INGRID LEE; ANDREW HOLT; [REDACTED]; ALISON FLETCHER

Subject: Strategic Planning Meeting - Monday 9th March at 3pm

Not relevant to request

[REDACTED]

Regards

[REDACTED]

**PA to the Police and Crime Commissioner
Office of South Yorkshire Police and Crime Commissioner**

[REDACTED]

Tel: 01226 775737



www.southyorkshire-pcc.gov.uk

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18 Regent Street, Barnsley, South Yorkshire, S70 2HG

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<https://www.bluelight.gov.uk>

Tackling child sexual exploitation is a priority for the Force and it is the responsibility of everyone to help spot the signs and say something.

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For more information visit www.southyorkshire.police.uk/spotthesigns

[REDACTED]

From: Allan Rainford <[REDACTED]>
Sent: 30 January 2015 23:03
To: The Commissioner
Subject: RE: Application for Special Grant funding

Hi Alan

Yes the email was copied to me also. I had phoned HMIC earlier in the week to find out what additional information they were asking for.

Will pick up with them on Monday

Allan

Sent with Good (www.good.com)

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

From: The Commissioner
Sent: Friday, January 30, 2015 09:24 PM GMT Standard Time
To: Allan Rainford
Subject: FW: Application for Special Grant funding

Not relevant to request

[REDACTED]

From: [REDACTED]
Sent: 30 January 2015 19:59
To: The Commissioner
Subject: Application for Special Grant funding

Not relevant to request

[REDACTED]

Associate Inspector
National Team
Her Majesty's Inspectorate of Constabulary (HMIC)
6th Floor, Globe House 89 Eccleston Square London SW1V 1PN

T: +44 [REDACTED]

M: +44 [REDACTED]

www.hmic.gov.uk

From: Allan Rainford [mailto:]
Sent: 14 January 2015 13:49
To:
Subject: Application for Special Grant funding

Hi

As discussed earlier, here is the application and supporting documentation. The details in Annex A are very precise and detailed. I die query with the staff here if we needed to be that precise but I would be interested to know if the Home Office expect that?

I have asked someone to dig out the details of Hillsborough costs and will get back later

Regards

Allan

Allan Rainford
Chief Finance & Commissioning Officer
South Yorkshire Office of Police and Crime Commissioner

Telephone: 01226 772585

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Home Office

Home Secretary

2 Marsham Street
London SW1P 4DF
www.gov.uk/home-office

Canon Dr Alan Billings
Police and Crime Commissioner
South Yorkshire
18 Regent Street
Barnsley
S70 2HG

29th July 2015

Dear Dr Alan,

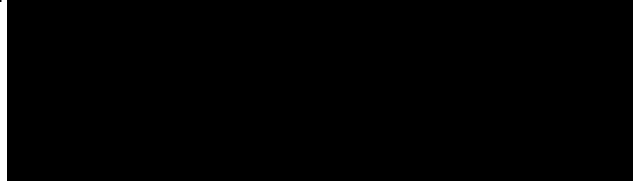
I am writing in respect of your Special Grant application in relation to the Hillsborough legal costs for the eight former South Yorkshire Police Officers.

I know that our officials have been working on finalising the figures for 2013/14 and 2014/15, and this process has now been finalised. The information from your Treasurer is that the costs incurred total £5.7m in 2013/14 and £11.1m in 2014/15. The costs for 2014/15 are less than originally estimated, and I am grateful to you for your efforts in reducing these costs, as it is imperative that the costs to the public sector are minimised as far as possible.

Since the costs for 2014/15 are no higher than what have been permitted had the family rates been applied, there will be no penalty applied, and the only deduction will be the application of the one percent rule as set out in my letter of 14 June 2014. This means that the reimbursement for 2014/15 will be £8.7m resulting in a total payment of £14.5m for both financial years.

In your letter of 3 July, you have sought a further Special Grant for the legal costs incurred during 2015/16. I have considered this application carefully, but I am not in a position to provide a commitment for the full costs that are likely to be incurred during 2015/16. The Special Grant budget is only £15m in this financial year, and over half of it is already committed. This budget is also the only contingency budget available for all 43 forces in England and Wales. Therefore I can currently only offer a Special Grant of £1m towards the 2015/16 costs. I will however, undertake to review the Special Grant budget towards the end of the year when the costs of the other commitments are better known.

I know that this will come as a disappointment to you, but I hope you understand that the Special Grant budget is limited, and I need to balance the needs of all forces.



The Rt Hon Theresa May MP



Home Office

Home Secretary

2 Marsham Street
London SW1P 4DF
www.gov.uk/home-office

Canon Dr Alan Billings
South Yorkshire Police and Crime Commissioner
18 Regent Street
Barnsley
South Yorkshire
S70 2HG

30 October 2015

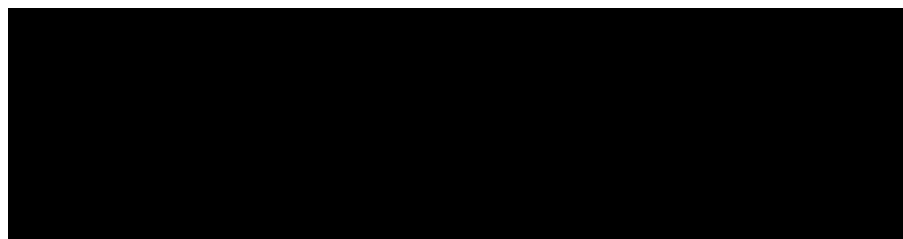
Dear Canon Billings,

Following my letter of 29 July, I have reviewed my decision on the level of Special Grant funding I am able to offer for the 2015/16 legal costs relating to the eight former senior officers and the current Chief Constable represented at the Hillsborough Inquests.

In the interests of the Inquests continuing and justice being done, I have decided to provide Special Grant funding to cover all of the costs incurred in this financial year. The level of Special Grant I will provide will be on the same basis as for 2013/14 and 2014/15 – which is a level of reimbursement that does not exceed that which is provided to the families.

My officials will work with your Office to determine the level of reimbursement for the costs incurred to date, and they will continue to work with your officials going forward. I understand the projected costs for 2015/16 are in the region of £5m. As you know, in July I agreed to provide £1m for the 2015/16 costs. Therefore, I will provide up to a further £4m of Special Grant funding in 2015/16 for the legal costs incurred.

I trust this will come as welcome news to you.



The Rt Hon Theresa May MP