



**FIRST-TIER TRIBUNAL  
GENERAL REGULATORY CHAMBER  
Information Rights**

**Tribunal Reference:** EA/2014/0042  
**Appellant:** Norman Scarth  
**Respondent:** The Information Commissioner  
**Judge:** NJ Warren

**DECISION NOTICE**

1. Mr Scarth has asked West Yorkshire Police to supply all information held on police records about him up till 20 July 2000. He has also asked for copies of all documents relating to the planning execution and aftermath of an attempt by police officers to gain entry to his home on 8 August 1999. He wants the names of all officers involved; details of what caused the police to mount the operation and copies of all letters of complaints received and the replies made.
2. West Yorkshire Police have refused to confirm or deny under the Freedom of Information Act (FOIA) whether they hold this information. Mr Scarth has unsuccessfully asked the Information Commissioner (ICO) to intervene under FOIA and he now appeals to the Tribunal. The ICO has asked for the appeal to be struck out.
3. With very rare exceptions not relevant here this Tribunal deals only with applications under FOIA. FOIA does not extend to any request made by a citizen for information which, as is the case here, constitutes their own personal data. Those requests must be made under the Data Protection Act which leads to remedies elsewhere.

**Appellant: Norman Scarth****Date of decision: 23 April 2014**

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4. In my judgement the arguments advanced by the ICO are unanswerable. The Tribunal has no legal power to assist Mr Scarth and it is right to bring the proceedings to an end now by striking them out. The appeal has no reasonable prospect of success. The subject matter is outside the jurisdiction of the Tribunal.

**NJ Warren****Chamber President****Dated 23 April 2014**