



**First-tier Tribunal  
(General Regulatory Chamber)  
Information Rights**

**Appeal Reference: EA/2019/0011**

**Decided without a hearing  
On 6 June 2019**

**Before**

**JUDGE BUCKLEY**

**ANNE CHAFER AND JEAN NELSON**

**Between**

**KEVIN LARKIN**

Appellant

**and**

**THE INFORMATION COMMISSIONER**

Respondent

**REDACTED CLOSED ANNEX**

1. This annex will remain closed until after the expiry of the time limit for applying for permission to appeal or until after the conclusion of any appeal because disclosure would reveal the content of the disputed information. After the latter of those dates a redacted version will be disclosed, redacting reference to the emails which the tribunal has found to be out of scope.
2. The tribunal holds that the following emails do not contain personal data and must be disclosed because the exemption does not apply. Where opinions are expressed they do not reveal anything significant about the person expressing that opinion, such as their characteristics or personal beliefs. In the context of these emails any opinions are not subjective personal views but professional, objective appraisals of

the issue. Any opinions expressed could not be used to find out something about the individual, to treat the individual in a certain way or to inform a decision in respect of him or her.

**5 September 2017**

15.46 Ros Jones (RJ) to Jo Miller (JM) and Chris Stevenson (CS) p22

18.26 Tom Riordan (TR) to JM p23

**13 September 2017**

22.52 TR to JM p22

**13 October 2017**

20.27 Kevin Hollinrake (KH) to various pp15 and p 16

**14 October 2017**

07.33 Ben Still (BS) to Roger Marsh (RM) p 14

08.55 RM to TR p 10

09.13 TR to RM p9

09.31 RM to TR p5

09.38 TR to RM p5

09.42 RM to TR p5 ('I plan to.....' The rest of this email is out of scope and can be withheld: see below)

3. The tribunal holds that the following emails do contain personal data but must be disclosed because disclosure would not contravene any of the data protection principles for the reasons set out in the open decision. We have concluded that these emails contain personal data because where opinions are expressed they reveal something significant about the person expressing that opinion, such as their characteristics or personal beliefs. Even in the context of these emails the opinions are subjective personal views rather than professional, objective appraisals of the issue. The opinions expressed could be used to find out something about the individual, to treat the individual in a certain way or to inform a decision in respect of him or her.

**5 September 2017**

16.29 JM to TR p22

18.05 TR to JM p 23

18.21 JM to TR p23

**13 September 2017**

22.48 JM to TR p22

**14 October 2017**

09.22 RM to TR p9

09.25. TR to RM p9

09.29 RM to TR p 11

09.30 TR to RM p11

09.31 RM to TR p9

09.39 TR to RM p9

4. The tribunal holds that the following emails are outside the scope of the request and do not need to be disclosed.

**[REDACTED]**

Sophie Buckley

Judge of the First-tier Tribunal

Date: 25 June 2019

**DATE (REDACTED VERSION): 12 August 2019**

Promulgated: 04 Sept 2019