

By post and by email to: Danielle.Purchase@met.police.uk

And DataRights@met.police.uk

Data Rights – Digital, Data and Technology
Metropolitan Police Service
Data Service
PO Box 313,
Sidcup
DA15 0HH

Our ref: SAR/MCKAY/DYER

Your ref: Right of Access Request
01/ROA/24/091391/T

Direct dial: 0203 927 3969

Email: AndrewFarrugia@berkeleyrowe.com

13 September 2024

Dear Ms Purchase,

Our Client: [Mark Dyer, Clare Dyer, Dianne McKay, Ian McKay]

We write further to your letter dated 5 September 2024.

Given the importance of this investigation to the McKay family, the case's high profile in the media and the groundswell of immense public interest and support that this ongoing family tragedy has garnered with the Great British public, we disagree with your contention that the retrieval and preparation of the information that has been requested is manifestly excessive and thus will not be in the public interest. The large amount of public interest in this matter has been shown via the large audience in the sum of 1.4 million listeners who have downloaded a Radio 4 podcast on this most unique of cases that has captured the hearts and minds of the public.

In relation to you being a publicly funded authority, we believe that you will therefore have the requisite man power and resources to meet our client's reasonable request. You also have the ability and financial resource to employ a temporary worker who will be able to deal with our clients' requests. It is not as if the client's requests were so large so as to merit the involvement or hire of a whole team of caseworkers to deal with our client's request.

You have requested that the scope of our clients' request is narrowed down to more specific personal data that is required with specific reference to a particular investigation. We refer to our request which specifically stated that the request related to Operation Finzean which was one set of the keywords that was identified in the request.

We contend that there were only seven keywords / key phrases that were requested in our original request and the persons that the request related to were all involved in this case.

It is asserted that the requests were narrow in scope and do not need to be narrowed down any further. Your letter states that the CCTV requests are to be narrowed down. The original requests did not request any CCTV footage or any form of other footage.

Our request has been confined to requesting all the relevant correspondence from all the individuals who were involved in the investigation and the searches at the Metropolitan Police. The requests were made by members of the family which who are still affected by this terrible tragedy.

It is for those reasons we believe that we believe the search parameters are narrow enough to be reasonable and within the capability of the Metropolitan Police to handle and deal with. Moreover, we believe that the Metropolitan Police has the resource and manpower to deal with such a request. In the absence of such resource and manpower the Metropolitan Police is able to hire additional caseworkers to deal with this request.

We refer back to our original requests and request that the information requested therein concerning the individuals mentioned therein is provided.

Given the time necessary to provide the information, our client is willing to provide further time for the information to be provided until a long stop date of 12 November 2024. As to the provision of the information, our client requests that the information is provided every two weeks in tranches as and when the information is processed.

Our client is willing to assist with the processing of its SAR requests and the provision of the relevant information by making a facility of £10,000 available to the Metropolitan Police. The amount of this facility has been calculated with reference to the calculation of 500 hours at £20 an hour. It can be used by the Metropolitan Police to employ an administrative assistant to assist with the processing and delivery of the information under the SAR request. Our client believes that this is a very reasonable offer in order to assist with the SAR request and to obtain the information requested.

The facility will be paid within seven days of acceptance by the Metropolitan Police.

We trust this is agreed and look forward to receiving the documents requested in tranches every two weeks until the longstop date of 12 November 2024.

Yours faithfully

Berkeley Rowe

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