



RCIPS

Police Headquarters

Information Manager
Mr. Raymond Christian
RCIPS Head Quarters
4th Floor, AMERIGO HOUSE
80 Elizabethan Square
Shedden Road, George Town
P.O. Box 909
Grand Cayman KY1-1103
E-mail: foi.pol@gov.ky
Raymond.christian@gov.ky
Web: www.rcips.ky
Tel. Nos.: 1-(345)244-2905
1-(345)936-2538 (mobile)

Tuesday, October 22, 2019

BY E-MAIL

Reference Number: FOI/87762
Ronald Kynes
PO Box 33
Cayman Brac KY2 -2001
foots caymanbrac@yahoo.com

Dear Mr. Kynes,

Thank you for your application dated 11th September 2019, which was received by us on 13th September 2019. Your request is reiterated below:

"Please provide any and all information regarding any and all complaints against me or my art that has been made to the office of Public Prosecutions, the Legal Department or the Royal Cayman Islands Police Service. Please include copies of all original complaints as well as any photographs that were provided.

Please also provide the names, titles and positions of all persons working in the Department of Environmental Health, Planning, the Governor's Office, any Members of the Legislative Assembly, and anyone in the Deputy Premiere's Office and Premiere's Office who have had any involvement whatsoever in my case or in the complaints made against me.

Please also provide any and all information pertaining to my art, along with any photographs that was [sic] received by any and all of the persons listed above, as well as any communications by those persons about my art prior to my arrest on 18th July 2017, and after my arrest on 18th July 2017.

Please be specific regarding the times, dates, and nature of the information provided, and please specifically identify the parties of any communications provided."

Under Section 3 Subsection (7) of the Freedom of Information Law (2018 Revision), it states:

“Nothing in this Law shall be read as abrogating the provisions of any other Law that restricts access to records.”

Under Section 6 (1) Subsection (4) (b) of the Freedom of Information Law, it states:

6 (1) “Subject to the provision of this Law, every person shall have a right to obtain access to a record other than an exempt record.

(4) “Where a record is-

(b) available for purchase by the public in accordance with administrative procedures established for that purpose, access to that record shall be obtained in accordance with the provisions of that enactment or those procedures.

This basically means that another law takes precedence, so you would have to make an application to the RCIPS Criminal Records Office for copies of the complaints made to the RCIPS against you and your art. For a basis police record, the fee would be C\$25.00 each, and for each full report the fee would be C\$100.00.

In relation to providing the names, titles and positions of all persons working in the Department of Environmental Health, Planning, the Governor’s Office, any members of the Legislative Assembly, and anyone in the Deputy Premiere’s Office and Premiere’s Office who have had any involvement whatsoever in my case or in the complaints made against me, your FOI request was forwarded to those offices by Ms. Maria Tibbetts of District Administration, Cayman Brac. The RCIPS does not hold those records.

Under Section 33 (1) of the FOI Law, you may ask for an Internal Review of a response to your request:

- (a) refusing to grant access;
- (b) granting partial access to the record(s) specified in your application;
- (c) deferring the grant of access to the document;
- (d) refusal to amend or annotate an official document containing personal information; or
- (e) charging a fee for action taken or as to the amount of the fee charged;

where the decision was taken by a person other than the responsible Minister, Chief Officer or Principal Officer of the public authority.

You have 30 days from the date of receipt of this Notice to request an Internal Review by writing to the Royal Cayman Islands Police Service (“RCIPS”), Commissioner of Police, Mr. Derek Byrne and including the following:

- (a) your name, address and telephone number;
- (b) a copy of your Application and/or the Reference Number assigned to your Application;
- (c) a copy of this letter; and
- (d) if so inclined, the basis on which you are requesting a Review of the decision indicated.

If upon Internal Review, the decision is still not favourable to you, you have the right under section 42 of the FOI Law to appeal to the Information Commissioner within 30 days of:

- (a) the date of notification of the decision taken at Internal Review;
- (b) a decision taken by a responsible Minister, Chief Officer or Principal Officer of the public authority; or
- (c) the date on which you should have been notified of the decision(s) referred to above but of which you received no notification.

Contact Details for the RCIPS Commissioner of Police Office:

Mr. Derek Byrne
Principal Officer/Commissioner of Police
Royal Cayman Islands Police Service
80 Shedden Road
AMERIGO HOUSE
4th Floor Elizabethan Square
P.O. Box 909
Grand Cayman KY1-1103
Telephone: 244-2964
Email: derek.byrne@rcips.ky

Contact Details of the Ombudsman Office:

Mr. Jan Liebaers MA CA LLM (Deputy Ombudsman)
P.O. Box 1375
Grand Cayman KY1-1108
Telephone: 345-946-6283
Email: info@infocomm.ky

If you have any queries about this letter, please contact me. Please remember to quote your reference number above in any future correspondence.

Yours sincerely,



Raymond Christian
Chief Inspector