

21 May 2025

IC-382325-C9B5

## Request

You asked us:

"Kindly confirm if during the above ICO investigation, the ICO were supplied, by Sunderland Council, copies of their (Sunderland Council), alleged lengthy investigation into the unauthorised exhumation carried out at cremated remains grave 3/CR/176, Bishopwearmouth cemetery, Sunderland."

We received your request on 29 April 2025.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

## Our response

In November 2023 we responded to a very similar request made by you under case reference IC-262983-Y9S4. That request and our response are still available on the [What Do They Know](#) website.

Our position has not changed.

We neither confirm nor deny that we hold the information you have requested.

Section 40 (5B)(a)(i) of the FOIA provides an exemption from the duty to confirm or deny whether the requested information is held, where doing so would contravene one of the data protection principles. Principle (a) states that: "personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject."

We consider that confirmation or denial would itself contravene the data protection principle listed above.

Therefore, our response to your request is that we can neither confirm nor deny that we hold the information you have requested.

As you may recall, when responding to your previous request under case reference IC-262983-Y9S4 we sent further correspondence directly to you. We do not intend to do that in this case, however, if you require copies of that correspondence please contact us using our email address and we can provide these to you.

This concludes our response.

### **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint](#) through our website.

### **Your information**

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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