

Ms Kolsterkotter-Dit-Rawe

(Took delivery
on 7 March)

- See letter of 25 Feb re LVT
- Previous @ 11 Jan 10 @ mine 19 Jan 10

1 March 2010

③ 21 JAN 10 Reply
Our Ref DPA 63076

Dear Ms Kolsterkotter-Dit-Rawe

This reply = Breach of my rights under the Data
Protection Act 1998 - See PACK SUPPLIED
See Legal-Home # C

Re: Request under the Data Protection Act

NOT just
that!

Thank you for your letter of 2 January 2010, in which you requested personal data held in relation to case no 7WL00675 Roostock Overseas Corp v Kolsterkotter-Dit-Rawe.

Your request has been passed to me because I have responsibility for answering requests which relate to Her Majesty's Courts Service in London and has been handled under the Data Protection Act 1998 (DPA).

I have therefore been asked to respond to the following and for ease of reference I have attached a full copy of your request at Annex A:

Enclosed
p1 to 21
(of 86
pages)

+ Supreme Court Costs
Office - 30 Jan 2009 - pg
85
+ HMCS 'Customer
Service' 2004 - pg 31

(as detailed in my 2 Jan
10 SAR)
and as repeated in my
19 Jan 10 letter

- Section 5.2, headed "Information request from West London County Court for 2002-04" - Page 22
- Section 6.2, headed "Information request from Wandsworth County Court for 2004" - Page 28
- Section 9.2, headed "Information request from West London County Court for 2007-08" - Page 62
- Section 10.2, headed "Information request from HMCS 'Customer Service' Southwark Bridge for 2007-08" - Page

Under the provisions of the Data Protection Act 1998 (DPA), these requests are known as Subject Access Request (SAR). An individual has the right to be informed by any data controller (the data controller for the Ministry of Justice):

see 24 March 2010
'reply' from
Supreme Court
Costs Office

Whether personal data of which the individual is the subject, is being processed; if that is the case, to be given a description of:

- (a) the personal data;
- (b) the purpose for which the personal data is being processed; and
- (c) the recipients to whom the personal data may be disclosed.

The Act defines 'personal data' as data that relates to a living individual who can be identified from the data, or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller. This

includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

The Act does not give the right of access of an individual to each document that bears their personal data. However, it does give the right of access to the personal data within that document.

However, in relation to your request I can confirm that HMCS London Region holds some information relating to period 2002 to 2008 but we are unable to comment on judicial decisions or select which points taken in pleadings or other aspects of the case led to those decisions. Therefore we have decided to release all your personal data, that we have identified which relates to you from the case file that we hold. This data is being processed for the purposes of your court case. Sources of this data would be, for example, yourself and prosecuting authorities. Recipients of this data would be Departmental officials who were involved with your case, and parties to the proceedings in your case.

see list of what supplied

Enclosed are copies of your personal data held by the HMCS that falls within the scope of your request. The documents are in no particular order.

Names of officials who have been in contact with you have been left in the document as you are already aware of their names. Names of other court officials have been redacted, as they constitute the personal data of third parties and there is no entitlement to such data under the subject access provisions of the DPA.

If you are dissatisfied with the handling of your subject access request, you have the right to ask the Information Commissioner to review the handling of the case, or take the matter to court. You can contact the Information Commissioner's Office at the following address:

Not Released because NOT supplied

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Internet: https://www.ico.gov.uk/Global/contact_us.aspx

Yours sincerely

Katrina Hutchins

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Communications Officer, HM Courts Service, London