



Driver and Vehicle Licensing Agency
Freedom of Information - D16
DVLA
Longview Road
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SA6 7JL

Mr Philip Collins
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Email FoI@dvla.gsi.gov.uk
Website www.direct.gov.uk/motoring

Your Ref request-27809-dc50a527
Our Ref FOIR 1813/10

Date: 22 February 2010

Dear Mr Collins

Request for Information

Thank you for your e-mail of 27 January, regarding a request for information from DVLA relating to the release of vehicle keeper information to the Association of Private Investigators. We have been asked to deal with this request and am doing so under the terms of the Freedom of Information Act 2000 (FOIA).

The information you requested, along with the relevant answers, was as follows:

1. "How many requests for disclosure of personal information, specifically Name of Registered Keeper and Address of Registered Keeper have been granted by DVLA to Private Investigators in the last 2 years?"

Answer: This information is held but not in the format requested. There are no separate statistics available that contain requests for information made by the Association of Private Investigators. In order to ascertain this, DVLA would have to manually interrogate each manual and electronic request for information to determine how many of these made in relation to the release of personal information to Private Investigators. Therefore we consider the cost of complying with your request to exceed £600. I should clarify that the Agency receives in excess of 380,000 manual paper fee-paying enquiries per year from both private organisations and individuals. To determine how many of these applications were received from Private Investigators would involve a scan of the database. Once completed, each vehicle record would need to be investigated to ascertain the names of the companies involved to try and identify the Private Investigator.

Section 12 of the FOIA does not oblige DVLA to comply with a request where the cost in determining whether we hold the information, and locating, retrieving and extracting the information exceeds £600. This represents the estimated cost of one person spending 3.5 days



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(or 24 hours) costs at £25.00 per hour. This costing is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

However, we can confirm that there are currently 2 private investigators that have access, via a service provider, to the DVLA Electronic Direct Information (EDI) link. However, as their requests are made via the service provider, we are unable to ascertain volumes.

2. *“Could you clarify whether a ‘demonstrable just cause’ is still a requirement for access to the DVLA data or is membership of one of the approved ATA’s enough?”*

Answer: Enquiries from Private Investigators can be submitted for different reasons, which must be judged on their own merits. However, in all cases reasonable cause must apply. It would not be acceptable for the requestor to simply state they are an ATA member in order for information to be released.

We should clarify that the information held on DVLA’s vehicle register is subject to the provisions of the Data Protection Act (DPA), and the Agency takes its duty under the Act very seriously. However, the DPA permits the release of personal data where the law allows it and DVLA is not in a position to refuse those who have a legitimate right to receive it.

Provisions contained within the Road Vehicles (Registration and Licensing) Regulations 2002 provides for the release of information from the vehicle register in a number of circumstances, including to the Police, Customs Officers and Local Authorities. In particular, Regulation 27 of the said Regulations allows disclosure to those who can demonstrate ‘reasonable cause’ for requesting that information. Whilst the law does not define ‘reasonable cause’, DVLA has taken the view that disclosure should relate to the vehicle and it’s use, or the collection of taxation. It is recognised that motorists have an obligation to comply with road traffic and other regulations when using a vehicle and to act responsibly and with consideration for other road users, pedestrians and landowners in doing so. In the Agency’s view, it is a ‘reasonable cause’ for businesses and landowners to seek redress where vehicles have been parked without authorisation or without paying the relevant charges for parking on private property.

Disclosure of data in these circumstances does not contravene the Data Protection Act and the Information Commissioner is fully aware that data held on the vehicle register may be used in this way. He has issued guidance for the public on his website at www.ico.gov.uk.

3. *“Please provide an example of some of the typical ‘just cause’ reasons given by Private Investigators as to why they ought to have access to the DVLA data on registered keepers that have resulted in the requested information being provided”*

Answer: Private Investigators who apply for information via a service provider can only do so for a limited range of reasons. These would include:

- For investigations following a road traffic accident where the keeper details were not supplied.
- For investigations on behalf of a finance company where the finance company need keeper details due to a default on the agreement.

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If you are unhappy with the way the DVLA has handled your request, you may write to Freedom of Information - D16, Longview Road, Swansea SA6 7JL or by e-mail for an internal review. The email address is foi@dvla.gsi.gov.uk. Please remember to quote the reference above in future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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

Yours sincerely

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