

Ed Boyce

request-442621-f6025e77@whatdotheyknow.com

data.access@justice.gsi.gov.uk

6 April 2018

Dear Mr Boyce

Freedom of Information Act (FOIA) Request – **180321016**

Thank you for your request dated 21 March 2018 in which you asked for the following information from the Ministry of Justice (MoJ):

Please can you provide all recorded information you hold including dates as to how many statement of truths have been filed by Mr Michael Abram Goldstein who resigned as a director of Myers Clark Limited on 23 November 2017 (the day after your last response) to support application(s) filed on behalf of Myers Clark Limited by J E Baring & Co solicitors ,for both himself as joint trustee with Mr Paul James Shaw who retired from Myers Clark Limited on 31 March 2017.

**<https://beta.companieshouse.gov.uk/company/07380526/filing-history>
<http://www.myersclark.co.uk/blog-post/paul-shaws-retirement->**

Your request has been handled under the FOIA.

I can neither confirm nor deny if the MoJ holds the information that you have requested. Under sections 32(3) and 40(5) of the FOIA we are not obliged to confirm or deny whether we hold information that relates to court records and if to do so would contravene any of the data protection principles as outlined in the Data Protection Act 1998 (DPA).

The first data protection principle states;

Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless—

(a) at least one of the conditions in Schedule 2 is met, and

(b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.

FOI is a public disclosure regime, not a private regime. This means that any information disclosed under the FOIA by definition becomes available to the wider public. If any information were held, confirming this would reveal to the world at large that this individual was involved in the justice system; this would constitute the personal data of that individual. To disclose this fact would breach the Data Protection Principles; individuals have a clear

and strong expectation that their personal data will be held in accordance with the DPA and not disclosed to the public under the FOIA.

The fact sections 32(3) and 40(5) have been cited, should not be taken as an indication that the information you have requested is or is not held by the MoJ. These are absolute exemptions and do not require a public interest test.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gsi.gov.uk

Disclosure Team, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Knowledge & Information Liaison Officer
London Regional Support Unit