

Ms Katy Barry
request-694981-ec6d67ba@whatdotheyknow.com

data.access@justice.gov.uk

27 October 2020

Dear Ms Barry

Freedom of Information Act (FOIA) Request – 200929046

Thank you for your request dated 29 September 2020 in which you asked for the following information from the Ministry of Justice (MoJ):

I am researching into a relative. Deborah Schweitzer and her son Voodi travelled by train from Berlin to Euston in 1939. Upon discovering that they were without the requisite paperwork, Voodi was put into foster care whilst his mother was put on remand in Pentonville Prison. After 6 months she alone was sent back to Berlin. Any further information would be amazing.

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 section 40(5B)(a)(i) of the FOIA we are not obliged to confirm or deny whether we hold information, if to do so would contravene any of the data protection principles set out in Article 5(1) of the General Data Protection Regulation and section 34(1) of the Data Protection Act 2018. .

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 be to the world at large. This would constitute the personal data of that individual. To disclose this fact would breach the General Data Protection Regulation and/or the Data Protection Act 2018 principles set out above. The fact section 40(5) has been cited, should not be taken as an indication that the information you have requested is held or is not held by the MoJ. This is an absolute exemption and does 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.gov.uk

Disclosure Team, Ministry of Justice

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

Communications & Information Directorate
Chief Financial Officer Group