

# Application for access to your personal data held by the Crown Prosecution Service (CPS) Data Protection Act 1998 (Subject Access)



## Subject Access Rights

Subject to certain exemptions you have the right to be told whether the Crown Prosecution Service (CPS) holds any information about you (your 'personal data') and a right to be provided with a copy of that personal data.

If you wish to exercise those rights please complete the form as fully and carefully as possible and follow the instructions regarding identification and payment before returning the form to the address provided.

Please be advised under section 7 of the Data Protection Act 1998 applicants are only entitled to copies of **their own** personal information. For example, an applicant is unlikely to be provided with the statements of other civilian witnesses or defendants. We should also point out that other exemptions may apply to other information.

The CPS is also entitled to refuse requests for information related to court proceedings that are still ongoing.

## Victims and witnesses

The defendant's name or the Unique Reference Number (URN) for the case is required in all cases. Any information about third parties will be removed.

## Defendants

If you were a defendant in a case and wish to obtain a copy of the papers that were provided as part of your original court proceedings you should, in the first instance, approach the solicitors who acted for you. Solicitors are required to keep case papers for a reasonable period after the conclusion of proceedings. If the solicitors no longer retain the case papers then please contact the police force that dealt with your case. Due to provisions in the Act CPS will not be in a position to provide defendants with a complete set of case papers.

## Third party applications

If you are making a request on behalf of another person (third party) a letter of authorisation from that person (the person who the information is about) will be required in addition to the proof of identification documents listed below. The defendant's name or the URN for the case is required in all cases.

## Records held

Due to our retention criteria it is unlikely that we will hold the following cases:

- Magistrates' court cases older than one year
- Cases that did not proceed to court older than five years
- Crown Court cases older than three years or the length of the sentence given

Pages 32-37 of the CPS Records Management Manual (RMM) refer to our policy on records retention. <http://www.cps.gov.uk/publications/docs/rmmversion2.pdf>

**Proof of identity**

Before we can release any personal information you will need to provide proof of your identity, or the identity of the person you are making the application on behalf of. We require two current forms of identification which between them must show the following:

- Your name
- Date of birth
- Address
- Signature

We accept photocopies of all official documents such as driving licence, full birth/adoption certificate, passport, bank statements and utility bills dated within the last six months. If the contact you have had with the CPS is in a different name such as a maiden name, please provide additional documents to support this such as a deed poll or marriage certificate.

**Please do not send original documents.**

Please note if you are sending a driving licence or passport you must also submit a utility bill or bank statement dated within the last six months. We do not accept a passport and driving licence sent together due to the extended expiry dates.

We reserve the right to request original or additional documentation.

**Fee**

The CPS does not charge for responding to subject access requests.

**Provision of information**

Information will be provided by Royal Mail recorded delivery so please ensure your address is correct and up to date. Information cannot be provided electronically.

## Guidance on completing the form

- Please use **BLOCK CAPITALS** throughout the form to assist in processing your request
- Provide as much information as possible by completing every box
- You **MUST** provide copies of the required identification documents
- Sign and date the form when completed

### Applicant checklist - Please include the following before submitting your application

Completed application form including defendant's name and/or URN	
2 forms of identification that show <b>name</b> , <b>date of birth</b> , <b>current address</b> and <b>signature</b>	
Sign and date the form	

### Please return all completed application forms to:

The Data Protection Officer  
Crown Prosecution Service  
Floor 7 North  
Rose Court  
2 Southwark Bridge  
London  
SE1 9HS

# DATA SUBJECT ACCESS REQUEST APPLICATION

## Section 1 - About yourself

Title	
Surname	
Forename(s)	
Maiden/Former name(s)	

Sex (Male/Female)	
Date of birth	
Town & County of birth	

Home address	
Email address	

## Section 2 - About the information required

Were you a: (please X the relevant box):			
Victim	Witness	Defendant	CPS Employee

Case URN (Required)	
Name of defendant (if not you)	

Offence prosecuted <i>If there is more than one case please use the box on the following page to include details</i>

Approximate date last in court	
Name of court	
CPS Office / Area	

Information/documents required and/or details of additional cases

To help establish your identity your application must be accompanied by copies of **TWO** official documents which between them clearly show your **name, date of birth, current address and signature**. Please refer to the **Proof of Identity** guidance on page 2.

**Section 4 - Declaration (to be signed by the applicant)**

I have read and understood the guidance notes. The information which I have supplied in this application is correct and I am the person to whom it relates.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**WARNING**

**A person who impersonates or attempts to impersonate another may be guilty of an offence**

General advice on the Data Protection Act 1998 can be obtained from:

The Information Commissioner  
Wycliffe House  
Walter Lane  
Wilmslow  
Cheshire  
SK9 5AF