



## **Freedom of Information request ref 461-15**

**I am making this FOI request in respect of one specific set of data that has been recorded on:**

**1)The street CCTV camera on White Hart In (Barnes) between the railway crossing and Eleanor Grove**

**I wish to obtain the video footage on the 20th of May 2015 from 17.30hrs to 18.00hrs inc.**

**This video will show me being hit by a Black Range Rover whilst I was not moving in the traffic. The driver was extremely apologetic and admitted he was distracted by the kids in the back of the car.**

**He gave me his mobile and agreed to pay for the damage. I failed to write down the plate number and I am unable to recall the registration number...maybe for the stress of the moment.**

**The phone number is not reachable so I am attempting to retrieve it from the footage to inform my insurance company. The railway crossing is monitored by CCTV at all times so I am pretty confident that the footage is available.**

**I am fully aware that the length of time prescribed by the law for all the CCTV evidence above is subject to a maximum time to be held on databases before it is 'wiped off' or 'recorded over'.**

**Therefore it is upon that basis that I hereby make this Freedom of Information Act request.**

## **RESPONSE**

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of the FOIA requires that we provide the applicant with a notice which:

- a) states that fact
- b) specifies the exemption(s) in question and
- c) states (if that would not otherwise be apparent) why the exemption applies.

In relation to this particular request, the following exemption applies:

**Section 40(1) — Personal Information**

This exemption applies because the FOIA does not extend to the right to obtain personal information about you. Any such requests become subject access requests and must be dealt with under the Data Protection Act. Section 40(1) is an absolute exemption therefore there is no requirement to carry out a public interest test.

If you would like to request your personal information under the Data Protection Act 1998, please print and complete the subject access form that can be found at the link below. Please ensure that the returned form, fee and 2 proofs of identification (as stated on the form) are sent to the postal address.

<http://www.btp.police.uk/pdf/SAR%20Form.pdf>

In accordance with the Act, this letter acts as a refusal notice for your request.