

Our ref London/023/002902-00132/JAHB/RKA
Your ref

05 September 2007

Alfred Donovan
John Donovan

Dear Sirs

Subject Access Report

We refer to your emails of 23 August 2007 and 4 September 2007 to Mr David Sanger of Shell International Limited whom we represent. Please address any future communications on this matter to us from this point forward.

Our client has complied fully and in good faith with its obligations under the Data Protection Act 1998 (the 'Act'), both in response to your Subject Access Request ('SAR') and generally. Consequently it is under no requirement to provide you with any further information in relation to the request. However, in the interests of bringing this particular matter to a close, our client is prepared to address certain further issues raised in your emails.

You refer specifically to two instances where information has been redacted or omitted from the documents provided to you in response to the SAR. As was previously advised to you in our client's letter of 13 July 2007, certain information has been redacted in accordance with the Act and the Information Commissioner's data protection guidance note of 12 July 2006 in order to protect the privacy of third parties. In addition, certain documents and information contained therein are protected by other exemptions to be found in, amongst others, Part IV and Schedule 7 of the Act. Therefore all redactions and exemptions are a consequence of our client fully complying with your SAR, whilst also fulfilling its statutory obligations to third parties and exercising all rights available to it under the Act.

With reference to your contention that, where you wish to rectify details within the information supplied to you, your rights take precedence over the protection of the identity of third parties and their associated rights, no such right is contained within the Act or associated guidance from the Information Commissioner's Office.

For the reasons set out above, our client will not provide un-redacted copies of the information supplied to you. For the avoidance of doubt, and to emphasise the above, our client has fully complied with its statutory obligations in responding to your SAR, and has legitimately and in good faith exercised its rights, and protected the rights of third parties, in redacting and exempting certain information in its response. Furthermore, at this time our client will reject any further SAR covering the same information and time periods as that already issued. Any new request must fully identify what information is sought and the period to which it relates.

We note the allegations of defamation brought within your emails. Shell and Mr Wiseman strongly reject such allegations and reserve their rights accordingly.

Yours faithfully

Simmons & Simmons

Simmons & Simmons