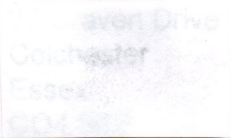


CityPoint One Ropemaker Street London EC2Y 9SS United Kingdom  
T +44 (0)20 7628 2020 F +44 (0)20 7628 2070 DX Box No 12

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

12 September 2007

John Donovan



**By Post & Email**

Dear Sir

## **Subject Access Report**

We refer to your email of 08 September 2007 addressed to Robert Allen of this office and written on behalf of Mr Alfred Donovan and yourself.

We note your intention to address a further Subject Access Request ("SAR") to our client to cover communications passing between it and this firm, as you are entitled to do under the Data Protection Act 1998 (the "Act"). Our client will comply with such a request fully and in good faith in accordance with its obligations under the Act, whilst having consideration to the exemptions and rights available to it therein.

We also note your intention to write to the Information Commissioner to request a ruling on the identification of third parties, currently redacted in our client's response to your recent SAR. It is clear you are entitled to take such action. However, it is our client's position that the identity of the third parties concerned is irrelevant to the accuracy of the data in respect of which our client is the data controller and which has been disclosed to you.

You also intend to write to the Information Commissioner stating your belief that our client is employing code names in order to avoid its obligations under the Act. As stated in our letter of 05 September 2007, our client has complied fully and in good faith with its obligations under the Act. For the avoidance of doubt, we are instructed that our client has not used code names for the purposes you allege or at all in relation to you or Mr Alfred Donovan.

We confirm that our client has not relied on the exemption of self-incrimination in responding to your SAR. We request that you inform any third parties with whom you have communicated, or intend to communicate, on this issue of this fact and of those set out above in relation to code names and the identity of third persons.

As set out in our previous letter, 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.

Yours faithfully

*Simmons & Simmons*

**Simmons & Simmons**