



Ministry
of Justice

Disclosure & Library Team
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Mr James Manning
Via email: jimothy1977@gmail.com

data.access@justice.gov.uk

30th October 2023

Our Reference: 231013058 - SAR

RE: Your Subject Access Request

Dear Mr Manning,

Thank you for your request received on the 13th October 2023, in which you had made a Subject Access Request (SAR) and had asked for the following information from the Ministry of Justice (MoJ) relating to yourself:

“...Request for personal information [...] Please provide specific data and information in case file for court case held in Basildon magistrates court on the 8/8/2023 at 10.30am for non-payment of council tax...”

Your request has been handled under the General Data Protection Regulation (the GDPR) and the Data Protection Act 2018 (the DPA) because it relates to the general processing of your personal information.

I can confirm that the MOJ processes the personal data within the scope of your request. This is because Basildon Magistrates' Court is processing your personal data. However, all the personal information you have requested is exempt from disclosure under Schedule 2, paragraph 14(2)(b) of DPA 2018, which states the listed GDPR provisions do not apply to personal data processed by a court or tribunal acting in its judicial capacity.

I can also confirm that Basildon Magistrates Court does not hold a case management file for the court proceedings involving you. The control and access to records is determined by Basildon Magistrates' Court, under Rule 66c of the Magistrates' Court Rules. If you wish to obtain information, it is open to you apply to the court under that rule. For information about this Rule, please see:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005756/magistrates-courts-rules-1981-jul-21.docx

To contact the Court, please see the information that's published at:
<https://www.find-court-tribunal.service.gov.uk/courts/basildon-magistrates-court-and-family-court>

Please note, a fee may be payable. If a fee is payable, the court will be able to tell you how much money you need to pay. When you contact the Court, you will need to provide the date of the hearing, so a search can be made. In accordance with Article 15 of the Regulations and Section 45(2) of DPA, I can also confirm the following:

- The purposes of the processing are to administer the court proceedings involving you, and to provide a record of what happens in those court proceedings.
- The categories of recipient, to whom we may disclose your personal data, are the Judiciary, and HM Courts and Tribunals Service (HMCTS) staff. If circumstances require it, we may disclose your personal data to agencies contracted by HMCTS, other Government departments, and Courts and public authorities within or outside the EU. You can obtain further information about this from:
<https://www.gov.uk/government/publications/hmcts-privacy-policy/hm-courts-and-tribunals-service-privacy-policy>
- Our retention policy for storing your personal data is that your data will be held for no longer than is necessary in accordance with the MoJ's Record Retention and Disposition Schedules (RRDS). For further information, please see:
<https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>
- You have the right to request rectification, erasure or restriction or to object to such processing.
- You have the right to lodge a complaint with the ICO.
- The source of the data, where it was not obtained directly from you, is the other party involved in the proceedings.
- There is no automated decision-making (including profiling).

You can find out more about your rights by reading the extract of Article 15 of the Regulation at the end of this letter. Further guidance is available on the Information Commissioner's Office website here:
<https://ico.org.uk/for-the-public/>

You can also find further guidance on the Information Commissioner's Office website here: <https://ico.org.uk/your-data-matters/>

You have the right to appeal our decision if you think it is incorrect. Details of how you can do so are set out below.

How to request a review

If you are dissatisfied with the handling of your Subject Access Request, you can request a review to the MoJ in writing to – data.access@justice.gov.uk; the team within MoJ that prepared your response will review the handling of your request.

If you think personal information is missing from our response, you should clearly list what other information you think we also hold.

Remember to keep copies of any correspondence about your complaint, as evidence.

Further information, and how to proceed if you are not satisfied by our review, is available on the **Information Commissioner's Office's** website: -

<https://ico.org.uk/your-data-matters/your-right-to-get-copies-of-your-data/what-to-do-if-the-organisation-does-not-respond-or-you-are-dissatisfied-with-the-outcome/>

In any event, you can contact the Information Commissioner's Office at:
<https://ico.org.uk/Global/contact-us>

Yours sincerely

Knowledge and Information Liaison Officer
South East Regional Support Unit
HM Courts and Tribunals Service