

File

MESSAGE CONFIRMATION

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Facsimile

Information Commissioner

To: Southampton Crown Court Fax no.
From: Mr Phillip Taylor Direct dial:
Date: 6 June 2005 Our ref: PJT/JT
Subject: Stephen Whittamors, Paul Jones, John Gunning, Christopher Dewee, Andrew Lyle Page 1 of 5

This fax and the information in it is intended for the recipient named above. If you are not the intended recipient please notify us immediately; you should treat the information in the fax as being in confidence unless otherwise notified by us. You should not copy it or use it for any purpose nor disclose its contents to any person.

LEGAL DEPARTMENT FAX:

Please see letter and attachment.

PLEASE NOTE: From 30th Jan 2001
The Office of the Data Protection Commissioner is known as the Information Commissioner's Office.
It will continue to enforce the Data Protection Act 1998, and is now responsible for Freedom of Information.

Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF
Telephone: 01625 545700 Facsimile: 01625 524510
email: mail@dataprotection.gov.uk Website: www.dataprotection.gov.uk



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Information Commissioner

To: Southampton Crown Court

Fax no.

From: Mr Philip Taylor

Direct dial:

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Information Commissioner

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Water Lane

Wilmslow

Cheshire

SK9 5AL

Tel: 01625 545700

Fax: 01625 524510

e-mail: mail@ico.gsi.gov.uk

Website: www.informationcommissioner.gov.uk

Our ref: PJT/JM/Motorman

Southampton Crown Court
The Courts of Justice
London Road
Southampton
SO9 1DR

6th June 2005

Dear Sirs

**Re: Stephen Whittamore, Paul Jones, John Gunning,
Christopher Dewse, Andrew Lyle**

Next Hearing Date: 10th June 2005 for Preliminary Hearing

I write to give notice under Section 23(3) Prosecution of Offences Act 1985 I do not want the proceedings against the above named to be continued on the charges set out set out in the attached notice.

The reason for my decision is that upon further review of the circumstances (in particular likely penalties) it is no longer appropriate in the public interest to continue to prosecute the case.

I have notified the Accused of the decision and of their rights to have the proceedings revived.

Yours faithfully

A rectangular box with a thin black border, used to redact the signature of Philip Taylor.

PHILIP TAYLOR
Solicitor



IN THE SOUTHAMPTON CROWN COURT

T2005 7100

R (Information Commissioner)

-v-

Stephen Whittamore
 Paul Jones
 John Gunning
 Christopher Dewse
 Andrew Lyle

Stephen Whittamore	Between 1 st March 2000 and 31 st March 2003 conspired together with Taff Jones and others to knowingly or recklessly, without the consent of the data controller, namely British Telecommunications Plc, obtain and disclose personal data, namely ex directory telephone numbers in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.
Stephen Whittamore	Between 1 st March 2000 and 31 st March 2003 conspired together with John Gunning and others to knowingly or recklessly, without the consent of the data controller, namely British Telecommunications Plc, obtain and disclose personal data, namely ex-directory telephone numbers in breach of Sections 55(1)(a) and (60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.
Stephen Whittamore	Between 1 st March 2000 and 31 st March 2003 conspired together with Andrew Lyle, [redacted] Christopher Dewse and others to knowingly or recklessly, without the consent of the data controller, namely the Department of Environment Transport and the Regions, obtain and disclose personal data, namely motor vehicle keeper records in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.
Paul Jones	Between 1 st March 2000 and 31 st March 2003 conspired together with Stephen Whittamore and others to knowingly or recklessly, without the consent of the data controller, namely British Telecommunications Plc, obtain and disclose personal data, namely ex-directory telephone numbers in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.

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John Gunning	Between 1 st March 2000 and 31 st March 2003 conspired together with Stephen Whittamore and others to knowingly or recklessly, without the consent of the data controller, namely British Telecommunications Plc, obtain and disclose personal data, namely ex-directory telephone numbers in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.
John Gunning	Between 1 st March 2000 and 31 st March 2003 conspired together with Andrew Lyle, [redacted] Christopher Dewse and others to knowingly or recklessly, without the consent of the data controller, namely the Department for Environment Transport and the Regions, obtain and disclose personal data, namely motor vehicle keeper records in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.
Christopher Dewes	Between 1 st March and 31 st March 2003 conspired together with Andrew Lyle, [redacted] Stephen Whittamore and others to knowingly or recklessly, without the consent of the data controller, namely the Department for Environment Transport and the Regions, obtain and disclose personal data, namely motor vehicle keeper records in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.
Christopher Dewes	Between 1 st March 2000 and 31 st March 2003 conspired together with Andrew Lyle, [redacted] John Gunning and others to knowingly or recklessly, without the consent of the data controller, namely the Department for Environment Transport and the Regions, obtain and disclose personal data, namely motor vehicle keeper records in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.
[redacted]	Between 1 st March 2000 and 31 st March 2003 conspired together with Andrew Lyle, Christopher Dewse, Stephen Whittamore and others to knowingly or recklessly, without the consent of the data controller, namely the Department for Environment Transport and the Regions, obtain and disclose personal data, namely motor vehicle keeper records in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.
[redacted]	Between 1 st March and 31 st March 2003 conspired together with Andrew Lyle, Christopher Dewse, John Gunning and others to knowingly or recklessly, without the consent of the data controller, namely the Department for Environment Transport and the Regions, obtain and disclose personal data, namely motor vehicle keeper records in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.



<p>Andrew Lyle</p>	<p>Between 1st March 2000 and 31st March 2003 conspired together with [redacted] Christopher Dewse, Stephen Whittamore and others to knowingly or recklessly, without the consent of the data controller, namely the Department for Environment Transport and the Regions, obtain and disclose personal data, namely motor vehicle keeper records in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Act 1977.</p>
<p>Andrew Lyle</p>	<p>Between 1st March 2000 and 31st March 2003 conspired together with [redacted] Christopher Dewse, John Gunning and others to knowingly or recklessly, without the consent of the data controller, namely the Department for Environment Transport and the Regions, obtain and disclose personal data, namely motor vehicle keeper records in breach of Sections 55(1)(a) and 60(2) of the Data Protection Act 1998, contrary to Section 1(1) of the Criminal Law Acts 1977.</p>