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In the letter to Mr Hossack of 9 June 2003, Ronald Powell responded explaining that no member of staff had admitted to being responsible and the Department's computer systems do not show that anyone accessed his records at the relevant time. He details to Mr Hossack that, following the disclosure, staff at Dudley were reminded of their obligations under the Data Protection Act and the Department had made a compensatory payment to him and that the matter should now be regarded as closed.

In his response to Mr Powell of 17 June 2003, Mr Hossack details how he has drawn the conclusion that it was Mr Evans who had breached the Data Protection Act ie. "When I firstly spoke to you some months ago, you asked a question. That question was do you have any idea who could have made the phone call. You stated whoever made the phone call would have to be someone who knew you well enough not to have to access computer records. My conclusion came at this point that it was Mr Evans, as he had previously contacted me on the telephone and he was the only person I had ever dealt with."

Meanwhile, Wragge & Co contacted Dudley Social Security Office on 16 June 2003 following a call from Mr Hossack. Sue Hurley, Business Development Manager for Jobcentre Plus in Dudley & Sandwell returned the call to Wragge & Co on 17 June 2003 and records Wragge & Co as saying Mr Hossack had contacted them to ask them to confirm that a Mr Evans of Dudley Social Security Office made a telephone call to them on 4 January 2002 and disclosed benefit information about Mr Hossack.

A complete review of the case was carried out in the light of the additional information received. However, the outcome of these enquiries remained unchanged in view of the lack of conclusive evidence. There was therefore no new information that could be given to Mr Hossack. The outcome remained as was communicated to Mr Hossack following the initial investigation undertaken.

While we recognise that Mr Hossack had put Mr Evan's name forward as new information to Departmental solicitors, Ronald Powell responded to this with his letter of 9 June and closed the line of enquiry.

Mr Hossack's contact with Wragge & Co seeking their disclosure of who had provided them with information concerning himself in January 2002 in turn led Wragge & Co to contact Jobcentre Plus on 16 June 2003. This spurred Jobcentre Plus to review the case. However, the conclusion to the investigation concerning Mr Hossack's complaint remained unchanged. As the further enquiry was not instigated by Mr Hossack, the outcome remaining unchanged was not communicated to him.

I hope this has helped to clarify some of the points referred to in the D3A letter.

I will await confirmation that, in view our response to the issues, you still feel consideration of a further Special Payment to be appropriate.

Regards,
