

- Mr Evans
- Daljit Virdee
- Barry Merrick
- Andrew Frost
- Rosemary Thew

Rosemary Thew is a senior manager of Job Centre Plus based at Duchess Place, Birmingham.

Mr Hossack's view is that possibly all of these people have breached Section 55 of the Data Protection Act. Section 55.1 reads "*A person must not knowingly or recklessly without the consent of the Data Controller (a) obtain or disclose personal data or the information contained in personal data or (b) procure the disclosure to another person of the information contained in personal data*". The information which was given to Wragge & Co was not required for the purpose of preventing or detecting crime and was not authorised by court order. Section 55.2(b) says that "*Sub-section 1 does not apply to a person who, inter alia, thinks he acted in the belief that he had in law the right to obtain to obtain or disclose the data or information or as the case may be to procure the disclosure of the information to the other person*".

The solicitor for the DWP has pointed out that sections 60 (1) and 63 (5) would make action by Mr Hossack very difficult if not impossible.

After much nagging and exchange of correspondence Job Centre Plus awarded Mr Hossack £100.00 compensation in view of their error. He considers this is not nearly enough. He has suffered stress whilst trying to resolve the problem over the past three years. From there being no breach of the Act, the DWP then admitted that there was an inadvertent breach – presumably someone having the reasonable belief that he could disclose this information.

Instructing solicitors have warned Mr Hossack that the cost of pursuing a matter on principal can be disproportionate to the return expected. Having said that, they cannot understand why right at the beginning of the complaint the proposed Defendants and/or their employees did not simply tell the truth and say that they made a mistake. Now everyone seems to have conspired to cover up the mistake but that conspiracy is gradually being unravelled by Mr