



Mr A Edwards
PO Box 105
Douglas
Isle of Man
IM99 1JD

CBRHQ@hotmail.com

Dear Mr Edwards

Thank you for your request for Internal Review of the Department's decision into the handling of your request under the Freedom of Information Act (FOIA). I apologise for the unacceptable delay in responding to your request, which was due to an administrative oversight. I know that you have complained to the Information Commissioner about the delay and I am copying this letter to Christopher Williams at the Commissioner's office who is responsible for that complain (ref. .

You raised the following issues:

"I hereby apply for a full investigation into the handling of this, that must surely result in the supply of all the documents in all the files requested rather than 2 token extracts received to date.....Presumably you will request all the emails etc [particularly those since 21 July 2006 as they evidence the list of files request] that have passed between me and the Home Office/Lord Chancellor/DCA – including previous Home Secretaries, of which there have been quite a few, in particular Jack Straw who appointed Andrew Edwards to look into many cases....."

The Department has now conducted a review of its decision and your complaint into the handling of your request is upheld in part for following reasons:

You requested a copy of the full file relating to your application for an independent public inquiry into the handling of your case, a copy of Mr Richard Miles' letter of 12 June 2000 including all emails and file notes from or about 7 April 1998. Copies of the following documents held by the former DCA, which are as follows:

- Your letter dated 19 December 1999 to Richard Miles (Home Office)
- Acknowledgement letter dated 20 December 1989 from Mr Miles in reply to your letter;
- Your letter dated 27 September 1999 to Richard Miles (Home Office) and
- Acknowledgement letter dated 7 October 1999 from Mrs S Smith (Home Office).

Subsequently, you e-mailed the Department requesting for the full file of correspondence in addition to the information already provided to you on the 18 August. You were informed that the Department holds a central correspondence file on you, which contained information between yourself, the Home Office and the DCA (formerly known as Lord Chancellor's Department) between 1999 –2002. A copy of the information contained in this file was sent to you. I enclose another copy of the documents.

Having conducted an independent assessment of the matter, I find that we have provided you with the information which is held by the Department and there is no other information held on the Departmental file relating to your application for an independent public inquiry.

You also requested various documents from the following Court files, which does not seem to have been answered. I apologise for the oversight.

- [Chancery Division] CH 1991 S No. 7183 Bank of Scotland v B Edwards and others
- Case No. SJ1992/4 The Coroner of Middle v Edwards
- Case No. CLA 1998/148 Edwards v Bank of Scotland/KPMG and Others b
- [Isle of Man] No. 9205291 Britannia Building Society v Edwards

The documents you have requested are held on Court records and therefore are refused under Section 32 of the Freedom of Information Act (FOIA). I should explain that all information created by a court or the administrative staff of a Court for the purposes of proceedings is exempt from disclosure under section 32(1)(c) of the Freedom of Information Act. Section 32 is an absolute exemption and there is no requirement to consider the public interest in disclosure. The purpose of section 32 was to leave it to the Courts to decide what information should be disclosed in the context of proceedings.

You may, if you are dissatisfied with the findings of this internal review, complain to the Information Commissioner, at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely


[Ben Connah, pp. Ms Hassan]

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