

**Scottish Prison Service**

Date 01/06/2026

Scottish Prison Service Headquarters  
1 Lochside Avenue  
Edinburgh  
EH129DJ

Ref: 100431

Subject: Data Subject Access Request under Article 15 UK GDPR and Section 45 DPA 2018

Client Name: Mr James Nisbet  
Client Address: 20 Fraser Street, Motherwell, ML1 5PW  
Client Reference: 100431  
Date of Birth: 18/07/1971  
Also Known As:  
Name in Care:

Dear Sir/Madam,

We act on behalf of the above-named client, who was placed in residential care at the institution(s) referenced below during the approximate period stated.

Approximate Dates of Placement:  
GELANOCLE DETENTION CENTRE : 1987

This request is made under Article 15 of the UK General Data Protection Regulation and Section 45 of the Data Protection Act 2018.

**Scope of Request**

We request disclosure of all personal data held in relation to our client, across all systems and formats, including but not limited to:

Admission and discharge records  
Full placement history, including transfers between care settings  
Social work records, case files, and assessments  
Daily logs, key worker notes, and case notes

Incident reports, safeguarding records, and protection referrals  
Case conference notes, reviews, and internal assessments  
Complaints, investigations, and outcomes  
Correspondence between staff, local authorities, and external agencies  
Records shared with or held by third-party care providers acting on your behalf  
Medical, psychological, or educational records held within the care file  
Photographs or other documentation relating to our client's time in care  
Records identifying staff members and roles involved in their care

### **Historical and Archived Records**

Given the historical nature of this request, we require that all reasonable and proportionate searches are undertaken, including:

Archived and off-site storage  
Legacy systems, including paper, microfiche, and scanned records  
Records held under previous authority names, reorganisations, or successor bodies  
Records held by contracted, private, or voluntary sector care providers commissioned by your authority

### **Placement and Authority Clarification**

Where records indicate placement in additional care settings, we request:

Details of those institutions  
Dates of placement  
The commissioning or responsible authority

This information is required to ensure a complete and accurate record of our client's time in care.

### **Format of Disclosure**

Please provide the information in electronic format where possible. Where records exist only in non-digital formats, scanned copies will be acceptable.

### **Enclosures**

We enclose:  
Signed authority from our client  
Proof of identity

Should you require any further information to process this request, please advise promptly.

### **Statutory Timeframe**

We expect a response within the statutory one calendar month period. If you require an extension, please confirm this in writing with full justification.

### **Non-Holding of Data**

If your organisation does not hold the requested data, we require:

Formal written confirmation of this position

Details of any organisation believed to hold the data, including successor or archive bodies where applicable

**Service of Documents**

We only accept service of documents via email at [evidence@mmalegal.co.uk](mailto:evidence@mmalegal.co.uk). Should you for any reason be unable to send documents to the above email, please notify us via the same email imminently.

Yours faithfully,

Investigations Team

MMA Legal

E: [evidence@mmalegal.co.uk](mailto:evidence@mmalegal.co.uk)

T: 0161 563 0816

## **DEED OF AUTHORITY & CONSENT**

<b>THIS DEED is made on the date of signature below by (the “Client”)</b>	
Full Name:	James Nisbet
Date of Birth:	18/07/1971
Previous Names (if any):	
Current Address:	20 Fraser Street Motherwell ML1 5PW
Previous Addresses (relevant to care placements):	
CHI / NHS Number (if known):	

<b>IN FAVOUR OF (the “Representative”)</b>	
Firm Name:	MMA Legal Limited
Address	43-59 Princess Street, Stockport
Postcode	SK1 1RY
Email	evidence@mmalegal.co.uk
Telephone Number	0161 563 0816

### **1. STATUS AND CONSTRUCTION**

- 1.1.** This Deed is executed as a deed and constitutes valid written authority for the purposes of:
  - 1.1.1.** UK GDPR
  - 1.1.2.** Data Protection Act 2018
  - 1.1.3.** Common law confidentiality
  - 1.1.4.** Any related statutory, regulatory or supervisory framework
- 1.2.** This Deed shall be interpreted purposively and broadly to give full effect to the Client’s intention that all personal data and Records relating to them be disclosed to the Representative, subject only to lawful statutory restriction.
- 1.3.** This Deed is intended to provide clear and comprehensive authority for disclosure of the Client’s personal data.

### **2. APPOINTMENT**

- 2.1. The Client appoints the Representative to act fully on their behalf in connection with:
  - 2.1.1. An application to Redress Scotland;
  - 2.1.2. Any review, reconsideration or appeal;
  - 2.1.3. Evidence gathering and submission;
  - 2.1.4. Any associated advisory, compensatory or restorative process.
- 2.2. Requests made by the Representative shall be treated as made personally by the Client.

### **3. SCOPE OF AUTHORITY**

- 3.1. This Authority applies to all public and private bodies including (without limitation):
  - 3.1.1. Local Authorities and Councils
  - 3.1.2. NHS Boards and GP Practices
  - 3.1.3. Health & Social Care Partnerships
  - 3.1.4. Integration Joint Boards
  - 3.1.5. Religious bodies and orders
  - 3.1.6. Residential and foster care providers
  - 3.1.7. Education authorities and schools
  - 3.1.8. Government departments
  - 3.1.9. Archive services
  - 3.1.10. Insurers holding historical liability files
  - 3.1.11. Successor, merged or restructured public bodies
- 3.2. The Authority applies whether Records are:
  - 3.2.1. Archived, microfiche, digitised or handwritten;
  - 3.2.2. Stored off-site by contractors;
  - 3.2.3. Held by dissolved or reconstituted institutions;
  - 3.2.4. Transferred following statutory reorganisation.
- 3.3. The Client requests that records not be withheld solely on administrative grounds such as archival storage or institutional restructuring including, for example:
  - 3.3.1. The institution has closed or restructured;
  - 3.3.2. Records are archived or require manual retrieval;
  - 3.3.3. Records are held by insurers or successor bodies;
  - 3.3.4. Retrieval involves time or administrative burden.

### **4. SPECIAL CATEGORY DATA – EXPLICIT CONSENT**

- 4.1. For the purposes of Article 9 UK GDPR and Schedule 1 Data Protection Act 2018, the Client gives explicit consent to disclosure of all special category data including:
  - 4.1.1. Physical and mental health records
  - 4.1.2. Psychiatric and psychological reports
  - 4.1.3. Therapy and counselling notes
  - 4.1.4. CAMHS records
  - 4.1.5. Social work and safeguarding files
  - 4.1.6. Ethnicity or religious data where recordedThis includes all NHS and private medical providers.

This explicit consent may be withdrawn at any time by written notice.

## **5. CRIMINAL OFFENCE DATA – EXPLICIT CONSENT**

5.1. For the purposes of Article 10 UK GDPR and Schedule 1 Data Protection Act 2018, the Client gives explicit consent to disclosure of:

- 5.1.1. Criminal offence data
- 5.1.2. Police investigation material
- 5.1.3. Child protection investigations
- 5.1.4. Statements and intelligence logs
- 5.1.5. Outcome decisions

including records held by:

- 5.1.6. Police Scotland
- 5.1.7. Any predecessor Scottish police force
- 5.1.8. Prosecuting authorities.

## **6. THIRD-PARTY DATA AND REDACTION**

- 6.1. The existence of third-party data shall not justify refusal to disclose the Client's personal data.
- 6.2. Where necessary, redaction shall be limited strictly to third-party information.
- 6.3. Mixed data shall be disclosed in redacted form rather than withheld in entirety.

## **7. PROPORTIONALITY AND REASONED DECISION-MAKING**

- 7.1. Any refusal, limitation or redaction must:
  - 7.1.1. Identify the specific statutory exemption relied upon;
  - 7.1.2. Explain how that exemption applies to the particular Record;
  - 7.1.3. Confirm why partial disclosure is not possible;
  - 7.1.4. Be communicated in writing.
- 7.2. Blanket refusal without statutory justification may not satisfy statutory obligations under applicable data protection legislation.
- 7.3. Any reliance upon "disproportionate effort" must provide written reasoning demonstrating why staged disclosure or redaction is not feasible.

## **8. VALIDITY AND FORMAL REQUIREMENTS**

- 8.1. This Deed remains valid for 24 months from execution unless withdrawn in writing.
- 8.2. Disclosure shall not be refused because:
  - 8.2.1. An internal template form has not been used;
  - 8.2.2. The Authority is considered "out of date" within internal policy;
  - 8.2.3. Additional consent is sought beyond reasonable identity verification.
- 8.3. Any organisation acting in good faith reliance upon this Deed shall be fully discharged in making disclosure.

## **9. REGULATORY AND STATUTORY RIGHTS**

In the event of non-compliance, refusal, or unreasonable delay in responding to a lawful request made under this Deed, the Client and/or the Representative reserve the right to pursue any statutory or regulatory remedies available under applicable law.

This may include raising concerns with the relevant supervisory authority or regulator where appropriate.

Nothing in this Deed limits the Client's rights under the UK GDPR, the Data Protection Act 2018, or any other applicable statutory framework.

Withdrawal shall not invalidate disclosures already made in reliance upon this Deed.

### **EXECUTION AS A DEED**

Signed and delivered as a Deed by the Client:	
Signature	JN
Print Name	James Nisbet
Date	01/04/2026

Witness	
Name	Billie Tyrie
Address	43-59 Princess Street, Stockport, SK1 1RY
Occupation	Case Handler
Signature	Billie Tyrie
Date	01/04/2026

# Completion Certificate

Reference ID: 01dbb89f-3d83-4d48-bc1c-cd46a7e9dd13

## Document Details

**Document Name(s):** part-1, part-3, cfa, loa, fee-clarity  
**Total Pages:** 4  
**Sent By:** Billie Tyrie (85.255.232.203)  
**Completed Date:** Apr 01, 2026 15:38:52 UTC

## Signer Information

**Name:** Mr James Nisbet  
**Email:** nisbetjames262@gmail.com  
**Telephone:** 07310147249  
**IP Address:** 81.107.169.34



Verified Electronic Signature

## Audit Trail

Action	Timestamp	IP Address
Created	2026-04-01 15:35:37	System
Document link sent to client by sms	2026-04-01 15:35:38	System
Document link sent to client by email	2026-04-01 15:35:38	System
Document link opened by client	2026-04-01 15:35:43	66.249.81.73
Document electronically signed	2026-04-01 15:38:52	81.107.169.34

## Security Verification

SHA-256 Checksum: b5ceb775b6e118efa2700202ab2044e61d7c0264e8a19e248a2837e24004e2b4

*This document is a legally binding record of the e-signature process.*

Scottish Driving Assessment Service

SMART Centre  
Astley Ainslie Hospital  
133 Grange Loan  
Edinburgh EH9 2HL  
Tel: 0131 537 9177 (option 4)



MMK/dap32976

March 12, 2026

PRIVATE & CONFIDENTIAL

Mr James Nisbet  
20 Fraser Street  
Cleland  
MOTHERWELL  
ML1 5PW

Dear Mr Nisbet,

**'Near Me' Appointment**

Please find enclosed two envelopes relating to your forthcoming 'Near Me' (video consultation) appointment with our service.

You should already have received an e-mail from us, confirming the date and time of your appointment and giving you further information.

Please note that this is an initial video consultation in your own home, and you should **not** attend the hospital for this appointment.

If you have **not** received an e-mail, please contact us as soon as possible on 0131 537 9177 (choosing Option 4).

Yours sincerely,

A handwritten signature in black ink, appearing to be a stylized 'JN' or similar initials.

Scottish Driving Assessment Service Admin Team

ent Service

SMART Centre  
Astley Ainslie Hospital  
133 Grange Loan  
Edinburgh EH9 2HL  
Tel: 0131 537 9177 (option 4)

**NHS**  
Lothian

**UK DRIVING LICENCE** 

1. NISBET  
2. MR JAMES

3. 18.07.1971 UNITED KINGDOM  
4a. 10.03.2023 4c. DVLA  
4b. 09.03.2028  
5. NISBE707181J97HH 49  
7.

  
09.03.2028

*J Nisbet*

8. 11 CHARLOTTE STREET, SHOTTS, ML7 5JL

9. AM/A/B1/B/C1/C/D1/BE/C1E/CE/D1E/f/k/l/n/p/q

MAR28



es relating to your forthcoming 'Near Me' (video consultatio

the date and time of your