

RESTRICTED

Form 3022



Personal Data Request Form

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Working together for a safer London

To (name and position if known): Silvia Lopez

Organisation and Address: Liberty reserve, SA, Parque Empresarial Forum II, Torre D, Piso 4, San Jose, Costa Rica.

This request for personal data and other information is made under the powers invested in me as a constable of the Metropolitan Police by the Police Act 1996 (section 30(1) which gives constables all the powers and privileges of a constable throughout England and Wales and Section 30(5) defines powers as powers under any enactment when ever passed or made). These powers include the investigation and detection of crime, apprehension and prosecution of offenders, protection of life and property and maintenance of law and order. Under the Police Reform Act 2002, the Commissioner can delegate certain powers to police staff.

The personal data I require relates to the following individual(s):
(Include identifying details of the person where known, such as name, address and date of birth)
Mr [redacted] (date of birth [redacted]) of [redacted], London SE28 0GT

I have the following information to assist you in locating the personal data and other information:
(Include further details, where available, to assist locating the information sought)
It is believed that he has opened a Liberty reserve account, possibly in the name of nina goodwood. The account number is U8876963.

- I require the following personal data and other information:
(Describe the information sought)
1. Please can you confirm that this accounts exists and to whom it is registered?
2. Please provide a copy of the registration documents including e mails and IP addresses used to register the account?
3. Please confirm the balance in this account?
4. Please provide transaction details?

I require the personal data and other information to assist with my enquiries into:
(Describe the subject of those enquiries as far as is possible without prejudicing them)
A widespread international internet fraud. The method is to post false job advertisements on genuine websites; the respondents are then infected by a multi-component malicious computer programme that retrieves their banking and security details, enabling the suspects to commit fraud. These account details were found within a file on the hard drive of a computer belonging to one of the suspects. I believe that this account is being used to launder the money obtained by this criminality.

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I confirm the personal data and other information is required for the following purpose(s):
(Check the relevant box(es) and complete the other row where necessary)

	Purpose	Tick
1 For the prevention, investigation and detection of crime	Police Acts, Common law	<input type="checkbox"/>
2 For the apprehension and prosecution of offenders	Police Acts, Common law	<input type="checkbox"/>
3 To confirm or corroborate information for intelligence purposes	Police Acts, Common law	<input type="checkbox"/>
4 To put before a court to obtain a search warrant	Police Acts, Common law	<input type="checkbox"/>
5 To prepare a file for the Coroner's court	On request of the Coroner	<input type="checkbox"/>
6 To further a money laundering or confiscation investigation	Proceeds of Crime Act 2002	<input type="checkbox"/>
7 To risk assess the address to safeguard the health and safety of any emergency personnel attending	Police Acts, Health & Safety, Common law	<input type="checkbox"/>
8 To identify if there are children at the address to negate any harm caused by police action	Children Act 2004	<input type="checkbox"/>
9 To locate a missing person to ascertain their well being	Police Acts, Common law	<input type="checkbox"/>
10 To progress enquiries into a Road Traffic Incident	Police Acts, Common law	<input type="checkbox"/>
11 To protect life or property	Police Acts, Common law	<input type="checkbox"/>
12 Other (please specify):		<input type="checkbox"/>

I request that the personal data and other information should be provided to the police in the following manner:
(Having considered factors such as the protective marking indicate how the information should be provided to the police, e.g. in person, by post, by fax, by email etc.)

Can this information be sent to me via e-mail

The Data Protection Act 1998 defines personal data as data which is biographical in nature, has the applicant as its focus and/or affects the data subject's privacy in his or her personal, professional or business life. Under the Data Protection Act 1998, disclosure of personal data:

- For the prevention and detection of crime or the apprehension or prosecution of offenders is permitted under s29(3)
- Required by or under any enactment, by any rule of law or by order of the court is permitted under s 35(1) (including the Health and Safety Act)
- For the purpose of, or in connection with, any legal proceedings is permitted by s35(2) (a)

Where no data protection exemption applies, consideration should be given to the first principle issue of fairness. Where the rights and freedoms or the welfare of an individual is in doubt such as in enquiries 8 and 9 above, a harm test should be applied. It is highly unlikely disclosure would be unfair in these circumstances.

Human Rights Act 1998 Article 8 – right to privacy. This request is consistent with Article 8(2) prevention of disorder or crime.

(To be completed by the officer requesting the personal data and other information – check appropriate box(es))
I confirm that:

- this information will be used in connection with this enquiry and held and used only as long as this is required for policing purposes and any subsequent criminal justice proceedings.
- if this personal data is not disclosed it will prejudice the prevention or detection of crime or the apprehension or prosecution of offenders.
- if this personal data is not disclosed it will prejudice the purpose indicated above.

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Signed: _____ Shoulder No.: _____ Date: 07/11/2011
 Print Name: Adrian HARRIS Post: Detective Constable
 BOCU/Dept. Address: Met Police Central E Crime Unit, Room 105 Ocean Block, Cobalt Square, London SW81SU
 Phone: 004420 72308603 Fax: 00442072308192 Email: Frank.Tutty2@met.pnn.police.uk

If the nature of the enquires is specified above this form must be countersigned by a Sergeant or Supervisor; if the investigation is such that no explanation can be given, this form will be countersigned by a Superintendent.

Signed: _____ Shoulder No.: _____ Date: 07/11/2011
 Print Name: Frank TUTTY Post: Detective Sergeant

This section to be completed by the recipient of request for personal data and information

Response

Please reply to all requests so that we know they have all been considered and to help prevent duplication.

As part of your decision making process, please take into account the requirements upon you/your organisation in relation to the request, for example the Crime and Disorder Act 1998, (any person or organisation has a power to provide information to a relevant authority in order to achieve in order to achieve a crime and disorder objective), the Local Government Act, Children Acts 1989 and 2004, and other legislation relevant to your organisation.

Signature: _____ Date: _____
 Name: _____ Position: _____

Organisation and Dept.:

- * The information requested above has been approved for disclosure and is attached
- * The information requested above has not been approved for disclosure

** Check box as applicable*

Please explain why you have decided not to disclose the information so that we know whether you need additional information or for us consider presenting to the Court to obtain a Disclosure Order:

If there is insufficient room please continue on an additional sheet(s).

The subject of the request should not be given any indication that this request has been made prior to consultation with the requesting officer. If your organisation subsequently receives a request for a copy of this document (e.g. under the Data Protection Act or Freedom of Information Act) for this information, please contact the Force DP or FOI Officer.

Retention period: Retain for the life of the file to which it is attached
MP 1305/06

Request for account information

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Asunto: Request for account information
De: <Adrian.Harris@met.police.uk>
Fecha: 07/11/2011 3:19 a.m.
Para: <silvia@libertyreserve.cr>
CC: <Frank.Tutty2@met.police.uk>

Dear Ms Lopez,

Detective Sergeant Tutty is my team leader. I understand that you have assisted him in his investigation and I wondered whether you would assist me in mine. I have attached a request for account information that has been authorised by DS Tutty. I am happy to send you the signed original or a hard copy by fax should you require it and please contact me via Sergeant Tutty's international line if you have any questions or queries.

Yours sincerely,

Adrian Harris
Detective Constable
Police Central e-crime Unit
1 South Lambeth Road,
London SW8 1SU
442072308603
442072308192(fax)

<<DPA Liberty Reserve.doc>>

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

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Request for account information

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(MPS).

Adjuntos:

DPA Liberty Reserve.doc

108 KB

Case 0284536

U0284536

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Asunto: Case 0284536
De: Silvia López <silvia@libertyreserve.cr>
Fecha: 08/11/2011 3:04 p.m.
Para: Frank.Tutty2@met.police.uk

Enclosed is the information I request in relation to the account U 0284536, any doubt I am at your service.

Regards Silvia

El 07/11/2011 10:16 a.m., Frank.Tutty2@met.police.uk escribió:

Hi Silvia, I know that you have been extremely busy for me on this case and checking the transactions that have taken place there appears to be another account for ~~XXXXXXXXXX/XXXXXX~~ for account number U0284536. Like before is it possible to check the account opening details and obtain the transaction details and IP addresses as before.

Many Thanks Frank.

From: Silvia López [mailto:silvia@libertyreserve.cr]
Sent: 01 November 2011 15:05
To: Tutty Frank - SCD6
Subject: Re: O-OC-009-2011 (Caso Policía Metropolitana de Londres)

Mr. Frank let me see what I can help, as have the information I required it to arrive.

regards

El 01/11/2011 5:41 a.m., Frank.Tutty2@met.police.uk escribió:

Silvia,

I have had a look at the information you have provided which is excellent and will assist us greatly. However as with all of these investigations I do have some more questions for you.

1. Can I have the balance of his accounts i.e. how much does he actually have saved in the account?
2. I notice that 1 transaction in the debit history on account U0089187 dated 26/03/2011 @ 20.29 Batch 58094552 from U0089187 name Rogue was paid to account U0925915 name Rogue USD -130. Does this mean that our suspect who goes by the name of Rogue also have another account that we did not know about i.e. account U0925915 if so could I please have details from that account?
3. Are you able to run his details through to see if he has any further accounts with you?
4. I notice on your documents that this information is for intelligence purposes only however if I do need to produce it as evidence what is your procedure? Normally I would go through the government with an International Letter of request asking your law enforcement agency to obtain this information in a evidential format. That would either be sent to me as a package or I would come to Costa Rica and take the statement myself.

The alternative is does Liberty Reserve have an office in the UK? If so could I attend there and take a statement from them on behalf of Liberty Reserve?

Your assistance has been invaluable.

Regards Frank

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Partallazo.png



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November 01, 2011

Mr. Frank Tutty
Special Agent
Metropolitan Police Central

Dear

Mr.

Tutty:

He attached to the application for information from points one and two. With regard to item number three and ask T.I. we track the user's name and, as for your question number four I would point regarding the issue of how to get information for evidence purpose; your observation is exactly correct, this is the only way it counts in a court of law and complies with personal information policies and regulations in effect in Costa Rica.

There are two ways to do it:

1. Through a Court order once the case goes on trial
2. Through the law enforcement, or Public Ministry depending on the charges.

Best Regards,

Silvia López Sáenz
Compliance Officer

Cc./ Allan Hidalgo, General Manager
María de los Ángeles Portela, Legal Consultant
Arch.

2do envío con los
archivos de la información
solicitado SP.

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He echado un vistazo a la información que han proporcionado, que es excelente y nos ayudará mucho. Sin embargo, como con todas estas investigaciones que tengo más preguntas para usted.

1. ¿Puedo tener el equilibrio de sus cuentas es decir, cuánto es lo que realmente ha guardado en la cuenta?
2. Me doy cuenta de que una transacción en la historia de adeudo en la cuenta de fecha 26/03/2011 @ U0089187 20,29 Lote 58094552 de Rogue nombre U0089187 se pagó a cuenta U0925915 nombre Rogue USD -130. ¿Significa esto que nuestro sospechoso que lleva el nombre de Rogue también tiene otra cuenta que no sabía nada de la cuenta U0925915 decir si es así ¿podría por favor los detalles de esa cuenta?
3. ¿Es capaz de ejecutar sus datos a través de para ver si él tiene todas las cuentas con usted?
4. Me doy cuenta en los documentos de que esta información es sólo para propósitos de inteligencia sin embargo si es necesario que lo producen como prueba de lo que es el procedimiento? Normalmente, yo iría a través del gobierno con una Carta Internacional de la petición y solicitó a la policía para obtener esta información en un formato probatorio. Que, o bien sería enviado a mí, como un paquete o me vienen a Costa Rica y tomar la declaración a mí mismo.

La alternativa es la reserva de la libertad no tiene una oficina en el Reino Unido? Si es así podría asistir allí y tomó declaración a ellos en nombre de la reserva de la libertad?

Su ayuda ha sido inestimable

Se refiere a Frank.

El 01/11/2011 5:41 a.m., Frank.Tutty2@met.police.uk escribió:

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about:blank

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Your assistance has been invaluable

Regards Frank.