



# Home Office

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Mr Dennis Fallon  
[request-13840-a2c31c5e@whatdotheyknow.com](mailto:request-13840-a2c31c5e@whatdotheyknow.com)

Our Ref: 11156  
Date: 21 August 2009

Dear Mr Fallon,

I am writing further to my letter of 30 July 2009, regarding your request for an internal review.

I have now completed a full review of the handling of your request and of the reasons behind the decisions taken by the Home Office. This request has been treated on its own merits and all papers originally considered have been re-considered as part of the internal review.

The first part of my review concerned the procedural aspects of the handling of your case. Your request was received by the Department on 12 January 2009. Section 10(1) of the Freedom of Information Act states:

*'a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.'*

A final response was sent by the caseworker on 26 June 2009. This represents a period of 115 working days, between receipt of the request and the final response being issued, well over the twenty working day deadline specified in section 10(1) of the Act.

The twenty working day deadline is extendable by virtue of section 10(3) of the Act. However, a full extension letter, and notice of the qualified exemption(s) under consideration must be provided within the original deadline. A series of letters regarding your various correspondence were sent to you during the course of the handling of your request. However, none of these contained any reference to qualified exemption(s) being considered. As such the failure to respond within the twenty working day deadline represents a breach of section 10(1) of the Act.

I apologise on behalf of the Home Office for this breach. We will remind the relevant caseworkers of their responsibility to deal with all requests on time and, where possible, within the 20 working day limit specified in the Act, notwithstanding any Public Interest Test (PIT) extensions that may be required.

During this internal review it has come to my attention that during the course of the handling of this request you had a number of ongoing and overlapping enquiries being handled by the Home Office Scientific and Development Branch (HOSDB) Road Crime Unit. The fact that a number of these enquiries/requests were for information about the same or a similar subject made it difficult to ensure that an appropriate and accurate response was compiled. You may find that a request is dealt with more promptly in future if you allow the caseworker the opportunity to respond to your initial enquiry before raising further matters. While this does not excuse the unacceptable delay in providing you with a response to your request, you may find it helpful to consider the effect of submitting multiple and overlapping enquiries in future.

In the second part of my review I have looked at the substantive aspects of the response provided to you. Having retrieved all of the material relevant to the handling of your request I have identified three pieces of information which can be considered to be in scope. As a result, I must inform you that the 'no information held' response originally provided represents a breach of sections 1(1)(a) and (b) of the Act. Section 1(1)(a) and (b) of the Act states:

*'1(1) Any person making a request for information to a public authority is entitled-*

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and*
- (b) if that is the case, to have that information communicated to them.'*

Having reviewed the information concerned I am pleased to be able to disclose this to you. Copies of this can be found in the annex to this response. Some personal details and all contact details of staff have been removed where appropriate as they are not considered to be relevant to the scope of your request.

The information contained in the annex relates to the handling of queries received from an ambulance driver who triggered a dummy camera when driving at speed on the opposite side of the carriageway, and an individual representing the Metropolitan Police.

Additionally we believe that some information relevant to your request is already reasonably accessible to you. It can be accessed on the Home Office disclosure log at the following URL - <http://www.homeoffice.gov.uk/about-us/freedom-of-information/released-information/foi-archive-crime/4741-speedmeter-dummy-cameras?view=Standard>.

Section 21 of the Freedom of Information Act exempts the Home Office from complying with the duty to supply you with this information on the grounds that it is already in the public domain. Should you have difficulties in accessing this information by the means listed above please do not hesitate to contact me again.

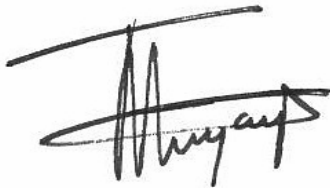
Having completed the review I am satisfied that the Department does not hold any information relating to *'cameras never being triggered by vehicles traveling in the opposite direction.'*

I hope that you find the information contained in the above link and enclosed in this letter to be of interest. Having completed this internal review I would like to assure you that the Home Office holds no additional information relevant to your request.

Should you remain dissatisfied after this internal review you have the right of complaint to the Information Commissioner, as established by section 50 of the Freedom of Information Act. You can write to him at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Bragaglia', with a horizontal line above it.

John Bragaglia  
Information Access Consultant