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Mr S Hankin

Our Ref: FOI 272 164

(by email only: [request-26476-c1715325@whatdotheyknow.com](mailto:request-26476-c1715325@whatdotheyknow.com))

3 February 2010

Dear Mr Hankin,

### **Request for Information under the Freedom of Information Act 2000**

You wrote to the Cabinet Office on 5 January 2010 asking for information about a meeting on Tuesday 28th April 2009, involving the Cabinet Office, concerning BT/Phorm/EU action against UK. I have dealt with your request under the Freedom of Information Act 2000.

I must inform you that, by virtue of section 14 of the Freedom of Information Act, a public authority is not obliged to comply with a request for information if the request is vexatious.

The Information Commissioner has issued guidance on vexatious requests. This states that a request may be vexatious if it can fairly be seen as obsessive, if it would impose a significant burden on the public authority in terms of expense or distraction, if it is designed to cause disruption or annoyance, if it has the effect of harassing the public authority, or it lacks any serious purpose or value. I attach a copy of the Commissioner's guidance on vexatious requests for your information.

This request is one of a lengthening series of speculative enquiries on this subject. I consider that you and your associates have already imposed a significant burden on the Cabinet Office in terms of expense and distraction. These appear to be designed to cause disruption and annoyance and to harass the Cabinet Office and its staff rather than to elicit information. I have therefore concluded that your request satisfies several of the Information Commissioner's criteria and I shall take no further action on it.

If you are unhappy with the decisions made in relation to your request from the Cabinet Office you may ask for an internal review. If you wish to do so you should contact:



Sue Gray  
Director  
Cabinet Office  
70 Whitehall  
London  
SW1A 2AS

Email: [foiteam@cabinet-office.x.gsi.gov.uk](mailto:foiteam@cabinet-office.x.gsi.gov.uk)

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after a response was issued.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

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

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely,



John Jenkins  
Histories, Openness and Records Unit