



Attorney General's Office

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By Email

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Dear Mr Bhamjee,

FREEDOM OF INFORMATION REQUESTS – OUR REF: FOI|72|16 and FOI|73|16

I refer to your two emails received on 14 April 2016 in which you made requests under the Freedom of Information Act 2000 ("the Act").

The Attorney General's Office ("AGO") declines to respond to your requests because it considers them to be vexatious. Under section 14(1) of the Act the AGO is not obliged to respond to such requests.

The Act sets out an important right for individuals to access information held by public authorities (subject to the exemptions set out in the Act). However, the AGO also has an obligation to ensure that it is performing its functions in a way which is protective of the impact on public resources. Where vexatious behaviour occurs section 14(1) of the Act provides a basis to protect the resources of a public authority from being squandered on disproportionate use of the Act (see *Dransfield v Information Commissioner* [2015] EWCA Civ 454).

In deciding that your request is vexatious the AGO has taken into account the following matters:

- a) You have now made a large number of requests to the AGO in the last 12 months with 11 new requests since 7 May 2015. These requests have largely related to prosecutions, court decisions, Acts of Parliament and contempt proceedings. You have also made two requests for internal reviews of responses provided by the AGO – one of which you subsequently referred to the ICO. The other internal review remains under consideration and will be responded to separately in due course.
- b) Although your requests are, for the most part, seemingly unrelated to one another they all take a similar form. Where the requests have constituted valid requests for information under the Act the requests have been for information which the AGO does not hold or which is reasonably available to you elsewhere. However, a large proportion of your requests have not been requests for recorded information and were not, therefore, valid requests under the Act. Instead, your requests habitually contain statements about cases, statutes and your understanding of the law or request legal advice or that the AGO take certain actions. Frequently, your letters contain a series of apparently unconnected statements and questions. I have reviewed all of your previous requests and have been unable to find any instance in which any information has been

provided to you. Your requests do not, therefore, appear to provide any individual or public benefit.

- c) In the case of the two emails dated 14 April 2016 these requests likewise contain a series of apparently unconnected statements, questions and requests that the AGO take certain actions which, for the most part, do not constitute valid requests for information under the Act. To the limited extent your emails do contain valid requests for information this is information which the AGO would not hold or is very unlikely to hold.
- d) Your requests do not appear to have provided any individual or public benefit and have all been properly refused under the terms of the Act. The internal review response sent to you on 4 June 2015 upheld the FOI Officer's decision and the AGO's handling of this request was also upheld by the ICO. You were warned by Theo Rycroft in the previous internal review response that further requests of this nature may be treated as vexatious.
- e) Furthermore, your persistent behaviour in requesting information (and, to a lesser extent, requesting internal reviews) has been burdensome to the AGO. Over the last 12 months it has required staff time to consider your requests, search for information and respond to you. The cumulative burden has been significant for the AGO as it is a small ministerial department.
- f) The AGO is entitled to consider your past behaviour and the history of its relations with you in considering whether your current request is vexatious; see *Dransfield* above. If the AGO were to respond to your current request the AGO considers that, given your past behaviour, you are likely to continue sending a large number of similar requests for information which will continue to impose a burden on the AGO.
- g) The AGO considers that this burden is out of all proportion to the benefit that you or the general public would receive from the information sought. As stated above, there is no apparent proper or justified purpose to these requests whatsoever.

The AGO will continue to consider fresh requests for information from you. However, you should be aware that the AGO does not intend to issue further refusal notices to you in the event that you make similar vexatious requests in the future.

If you are dissatisfied with the handling of your request then you may ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter (i.e. two months from the date on this letter) and should be sent to the above address.

Please remember to quote the reference number above in any future communications. If you are not content with the outcome of the internal review then you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

If you apply to the Commissioner for a decision you should be aware that the AGO will consider inviting the Commissioner not to make a decision on the grounds that the application is frivolous or vexatious (see section 50(2)(c) of the Act).

Yours sincerely,



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