

Dear Mr Dean,

REQUEST 12390

Please confirm that you have all the SIA Officers badge numbers that are being employed by the Cheshire Hounds Hunt since the 2019/20 hunt season began in November 2019.

REQUEST 12391

1. Please confirm yes or no whether there have been any communications either/and or of written, electronic or meetings between the Constabulary and the Cheshire Hounds Hunt between 1 November 2019 and 19 January 2020.

2. If the answer is yes to 1. above please provide:

- a. copies of written correspondence,
- b. copies of all electronic communications, c. minutes of all meetings, d. notes of any telephone conversations. (SIC)

REQUEST 12412

Please confirm that Sergeant Rob Simpson is not related to John George Mcdakin Simpson, Director of The Cheshire Hunt Limited.

If Sergeant Simpson is related please confirm that this is noted as a declared interest when Sergeant Simpsons duties involve policing the Cheshire Hounds Hunt. (SIC)

REQUEST 12457

Please confirm whether you issued S.35 (Anti social Actt) or S.60 Notices before the eight arrests of the anti Hunt supporters on 4/1/20. (SIC)

I have reviewed your request for an internal review and am writing to advise you that I have reviewed your request and am I am writing to advise that we have now revised our response to the above request.

RESPONSE

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of the FOIA requires that we provide the applicant with a notice which: a) states that fact; b) specifies the exemptions in question and c) state (if that would not otherwise be apparent) why the exemption(s) applies.

I have considered your requests and have concluded that the Constabulary is not obliged to comply with section 1 of the act by virtue of Section 14 (1) as your requests are considered to be vexatious.

The Act does not require public authorities to explain why the request is considered vexatious, however, as it is considered good practice to do so, in order to be helpful, I will briefly set out my reasons for this refusal.

Since November 2019 you have made 7 Freedom of Information requests, 4 internal review requests and 1 ICO complaint.

All are on the same topic. A number of the requests do not relate to recorded information. We have explained to you on several occasions that Freedom of Information Act relates to recorded information only, not information that officer/staff may know "in their head".

With this in mind we have tried to assist you as much as possible in obtaining information and as such we have advised that Superintendent Westgate has offered to speak to you on several occasions.

This offer has not been taken up by you and I understand that this was offered to you again recently by the ICO in an attempt to assist you. You again refused this offer.

I believe you are entrenched in your position and as such are not willing to engage with the Requests Team or take on board the advice we are providing.

For example we have advised you that the Freedom of Information Act applies to recorded information only. We have also advised you that Section 12, allows a public authority to aggregate two or more separate requests from one person or different persons who appear to be acting together when they relate "to any extent" to the same or similar information.

Despite this advice and assistance you have still stated *"Rather than just saying "no" or "yes" with the requested declaration of interest you have chosen a fair exemption that this fair is linked to other fair requests" and "This fair is in the public interest to respond to and requires very little effort or cost by Cheshire Police. It is indeed for the benefit of Cheshire Police if the simple answer is a "no"."*

This demonstrates that you have taken an unreasonably entrenched position, rejecting our attempts to assist and advise and you are showing no willingness to engage with the authority in relation to Freedom of Information requests.

We have explained the limitations of the Freedom of Information Act to you on multiple occasions and the above response from you demonstrates that you are not engaging with our responses, nor are you willing to accept the limitations of the Act in which you make your request under.

As we have explained a number of your requests do not relate to recorded information and this is why we have previously, on multiple occasions offered you the opportunity to speak to a Superintendent who is willing to assist with your requests.

I believe that your requests are now abusing the Freedom of Information Act to place a burden on the Request Team, knowing the Act allows multiple review stages which creates a significant burden on the Constabulary.

At times you are using the Freedom of Information Act to argue points rather than asking for new information.

A number of the requests you have made are very clear cut as to why they cannot be responded to within the limitations of the Act and assistance has been offered to you which you have refused to accept, instead you have continued to pose further similar questions.

I believe your refusal to speak to Superintendent Westgate, as offered to you by both the Requests Team and the ICO demonstrates that the purpose of these requests is to cause a burden to the organisation rather than to obtain the information.

I believe if there was genuine intention to obtain the information you would have accepted this offer. The fact that you have outright refused this demonstrates your unwillingness to engage and suggests that there is no response that can be provided within the limitations of the Freedom of Information Act that will satisfy you.

Your past pattern of behaviour has been extremely relevant when considering this request as vexatious. Our experience of dealing with your previous requests demonstrates that you will not be satisfied with any response and will submit numerous follow up enquiries no matter what information is supplied, this evidence strengthens our stance that responding to the current request and future requests on this topic will impose a disproportionate burden on the authority.

I do not believe the purpose and value justifies the impact on the public authority. Particularly when we have offered you alternative ways to assist you in obtaining information in relation to this topic. This is because however much we try to explain the limitations of the Freedom of Information Act to you and offer an explanation as to why your questions cannot be answered under the Act you continues to pose similar questions and submit internal reviews.

The Freedom of Information Act is not the correct avenue for the majority of the questions you have posed. Cheshire Constabulary is committed to transparency and as such have offered you alternative, more appropriate ways to obtain information in relation to the this topic. In addition Cheshire Constabulary had held engagement events in relation to hunting which further demonstrate our commitment to transparency.

Please be aware that any further requests made under the Freedom of Information Act from you regarding this topic will not be responded to.

However I am able to confirm that if you wish to speak to a member of the Rural Crime Team, outside of the Freedom of Information Act please provide a contact telephone number and this can be facilitated.

If you are not satisfied with the decision applied in this case I enclose for your attention a copy of the Constabulary's appeal procedures.

Regards,

Lucy Taylor – Request Decision Maker

Cheshire Constabulary and Cheshire Fire & Rescue Service Joint Corporate Services

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