



Information Rights Team  
Post Office Limited  
Ground Floor  
Finsbury Dials  
20 Finsbury Street  
London EC2Y 9AQ

Your reference:  
Our reference: FOI2022/00663

Mr John O'Sullivan  
request-900349-767bd0f4@whatdotheyknow.com

19 October 2022

Dear Mr O'Sullivan,

### **Freedom of Information Request – FOI2022/00663**

I am writing in response to your email received by Post Office Limited (“**Post Office**”) on 21 September, which has been dealt with under the terms of the Freedom of Information Act 2000 (“**FOIA**”).

In your email you have requested the following information:

*“[Email heading: Evidence supplied by Nick Beal and Angela van den Bogerd to Justice Fraser Common Issues Trial]*

*The two discredited witnesses told Justice Fraser that the NFSP did not support the claims or merits of this action(CIT). Were they briefed to bring this matter to the Judges attention or did they independently but correspondingly feel it was a point worth making? Do you have briefing documents that they were issued with? Callum at the NFSP tells me that they were not forewarned they would be mentioned in Court, do you have any outraged correspondence from the NFSP demanding an explanation or do you hold documents that show their stance would be made public? Remarkably I notice Nick Beal (unlike Angela) still works for you so hopefully the confusion can be cleared up”*

Post Office has refused your request for information because it falls within section 14(1) of the FOIA. Under section 14(1), Post Office is not obliged to comply with a request for information if the request is vexatious.

This exemption applies because your email is deliberately disparaging and includes a false accusation about Post Office staff, both past and present. When considering this exemption, the ICO note four broad themes arising from the Upper Tribunal that may help a public authority decide if a request is vexatious. We believe your request meets these criteria.

These themes are:

- 1) the burden on the public authority and its staff
- 2) the motive of the requester
- 3) the value or serious purpose of the request; and
- 4) any harassment of or distress to staff

In the past 12 months to the date of your current request, you have sent in over 40 information requests, which has placed a large burden on Post Office staff. You make multiple requests at the same time, with overlapping themes and as an example, you currently have 3 information requests, 2 internal reviews and 1 ICO complaint open with Post Office. Whilst you have centred a great deal of your information requests around the Horizon IT system and ongoing Public Inquiry, your recent information requests have been broad in their topics.

Post Office does not tolerate disparaging behaviour towards current and former employees. Your current request for information contains language which make unfounded and unsubstantiated accusations against both past and present Post Office staff. It also makes a number of assertions rather than requesting recorded information and the value and purpose of your request is not immediately clear.

We believe that in light of this, each of the four conditions above are met. and we are therefore not obliged to consider your request further. In accordance with section 17(6) FOIA, will also not respond to further requests of a similar nature or on the same topic.

If you are dissatisfied with the handling of this response, you do have a right to request an internal review. You can do this by writing to the address below stating your reasons for your internal review request.

Information Rights Team  
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20 Finsbury Street  
London  
EC2Y 9AQ  
[information.rights@postoffice.co.uk](mailto:information.rights@postoffice.co.uk)

If, having requested an internal review by Post Office, you are still not satisfied with our response you also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 0303 123 1113  
<https://ico.org.uk>

Yours sincerely,

Information Rights Team  
[information.rights@postoffice.co.uk](mailto:information.rights@postoffice.co.uk)  
<https://corporate.postoffice.co.uk/en/governance/access-to-information/access-to-information/>

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