

Mr R King,

4 January 2019

Dear Sir,

HSENI - Internal Review of FOI/150/2018

I refer to your request dated 19 December 2018 in which you asked for a review of the handling of your request under the Freedom of Information Act. A report on the review is attached at Annex A.

If you are dissatisfied with this response, it is open to you to complain to the Information Commissioner at the following address:

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

Alternatively, you can email them at casework@ico.org.uk.

Yours faithfully,



LOUIS BURNS

Annex A

Review of FOI Request

Reviewer:	Louis Burns
Date of Review:	4 January 2019
Requester:	R. King
Date of Request:	19 December 2018
Date of original FOI Request:	10 September 2018

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1. The original FOI request had ten questions. This request was received on 10 September and acknowledged on 11 September 2018.
 2. The request for a review was received on 19 December 2018.
 3. The original FOI request had 18 numbered questions. Within these 18 numbered questions there were approximately 42 separate questions.
 4. On 11 September 2018, HSENI brought to your attention concerns that the request was similar in style to a previous request. On that basis HSENI asked you to verify if you were the same person who had made previous FOI requests under another name. In the circumstances I agree with the decision of HSENI to clarify this matter. I understand you attended the offices of HSENI in person on 6 December 2018 to provide clarification that you were the same person who had made previous FOI requests under another name.
 5. On 14 November 2018 you emailed on the matter of how you could provide the clarification referred to in 4 above. I note the tone of this email is confrontational, abusive and aggressive. It makes unfounded inflammatory statements about HSENI staff such as describing them as incompetent and lazy which can only be described as abusive.
 6. In a follow-up email from you received on 14 November 2018 you again repeat the themes of the earlier email mentioned in 5 above. An appropriate and correct response to these two emails was issued to you by HSENI on 19 November.
 7. Turning to the substantive response made to your request which was issued on 19 December 2018, I have considered all the relevant material. I consider the classification of your request as 'vexatious' as both correct and appropriate. As stated in the HSENI response the following issues provide strong support for this decision:

- a. 87 separate requests for information in three emails between 2 August and 15 October 2018 creating a burden on the authority;
- b. The use of abusive and aggressive language;
- c. Unfounded accusations; and
- d. Frequent and overlapping requests.

In light of these I do not see any other course of action was open to HSENI.

8. Your FOI requests also contain a number of line of business questions which fall outwith the FOI regime.

9. Having reviewed the responses to the original FOI request I am of the opinion that the approach taken by HSENI was correct, measured and appropriate.

10. A response to the review request will be sent to Mr King on 10 January 2019.

Louis Burns.

4 January 2019.