



Home Office

European Operational Policy Team  
Operational Policy and Rules Unit  
PO Box 306  
Department 45  
Liverpool  
L2 0QN

10 September 2013

Dear Mr. Pearsall,

**FOI Reference 28802**

Thank you for your email of 02 September, in which you stated:

*"Can you please confirm the following to me, providing me with any information that you feel suitable for release.*

*I do not require a detailed search in relation to this, and my request will be satisfied with a simple response. I daresay that your Litigation department would be the best department to provide this response.*

*Considering that the case of Carpenter Case C-60/00 was focused on the ECHR's and the "disproportionate effect's" on the family life of the Carpenter's, when read in light of the ECHR's... In the view of the Home Office what circumstances would this case actually be taken into account.*

*Noting the very nature of the ECHR, it seems clear to myself that the following circumstances would indeed come into play:*

- \*) Any detention action involving a family member of a union citizen (I have read and have a copy of your criminal casework)*
- \*) Any deportation actions (as highlighted by yourselves in your response above).*
- \*) From caselaw involving your previous "Certificate of Approval" for marriages ETC, I daresay any action you take to infringe on a lawful (genuine) marriage*

*What other situations are the home office aware that this case would have a significant bearing.*

*Should you wish to invoke the exemption that to answer any of these questions would create new information (I am certain information regarding my questions above already exists) then please conduct a search for information. I simply provide you with the*

*opportunity to minimise any workload on this request as much as possible (I am sure your litigation department are more than able to answer this request with their "extensive" knowledge and documents on hand, as the Euro Dept appears to have provided a rather detailed reply to my original request.)"*

The Home Office has considered your request and believes it to be vexatious. Section 14(1) of the Act provides that the Home Office is not obliged to comply with a request for information of this nature. It has been decided that your request is vexatious as your request lacks any serious purpose or value.

On 20 August 2013, the Home Office responded to a similar request for information from you regarding the European Court of Justice case of Carpenter under reference 28377. Therefore, it is not considered that a significant amount of time has passed since your earlier request, which would make a worthwhile difference to our response of the 20 August or would add any real value.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 28377. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team  
Home Office  
Ground Floor, Seacole Building  
2 Marsham Street  
London SW1P 4DF  
e-mail: [info.access@homeoffice.gsi.gov.uk](mailto:info.access@homeoffice.gsi.gov.uk)

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely,

European Operational Policy Team  
Home Office