



Home Office

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Mr Wayne Pearsall

[request-174670-
ac6cb944@whatdotheyknow.com](#)

24 September 2013

Dear Mr Pearsall

Freedom of Information request: Case 28753

Thank you for your e-mail of 28 August 2013, in which you ask for details concerning the number of times over the last three years the Home Office has treated requests made under the Freedom of Information Act as vexatious. Your request has been handled as a request for information under the Freedom of Information Act 2000.

I am able to disclose the information set out in the enclosed Annex.

In keeping with the Freedom of Information Act, we assume that all information can be released to the public unless it is exempt. In line with normal practice we are therefore releasing the information which you requested via the Home Office website.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

You may also be interested in the decision notices filed against the Home Office by the Information Commissioners Office (ICO) relating to section 14 vexatious cases. This information can be found on the ICO website at this link: -

http://search.ico.org.uk/ico/search/decisionnotice#dn_searchTop

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 **28753**. 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

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

M Riddle
Information Access Team

Switchboard 020 7035 4848
E-mail info.access@homeoffice.gsi.gov.uk

Annex

Freedom of Information request from Wayne Pearsall (reference 28753)

Information requested

Up to today's date 28th August 2013 how many times has the Home Office treated requests made under the Freedom of Information Act as vexatious, and withheld the requested information accordingly?

- 1. Please provide myself with information from the past three complete full years. From the total you arrive at, for each year please state:*
- 2. How many of these "vexatious requests" were successfully discharged and prevented disclosure.*
- 3. How many "vexatious requests" were successfully appealed by the requester and overturned*
- 4. How many "vexatious request" responses were reversed or amended by yourselves*
- 5. How many "vexatious request" responses were unique to one applicant*
- 6. How many applicants received more than one "vexatious request" response*
- 7. How many of these requests are currently going through:*
 - a: Internal review*
 - b: ICO Complaints processes.*

Response

1. The following table indicates the number of requests answered with section 14 vexatious responses in the last three years.

Year	Number of requests answered with vexatious responses
28 August 2010- 27 August 2011	15
28 August 2011- 27 August 2012	10
28 August 2012- 27 August 2013	41

2. The following table indicates the number of section 14 vexatious responses which were 'successfully discharged and prevented disclosure'. As clarified with you, this has been interpreted to mean section 14 vexatious responses that fall into the following categories: those not challenged by the requestor, those challenged and upheld at the internal review stage but have not been referred to the ICO and those referred to the ICO but upheld by an ICO decision notice.

Year	Number of vexatious requests successfully discharged
28 August 2010- 27 August 2011	13
28 August 2011- 27 August 2012	9
28 August 2012- 27 August 2013	32

Please note:

- The figures represent the year the initial Section 14 vexatious response was issued
- The figures do not include cases currently undergoing internal review and or referral to the ICO.

3. The following table indicates the number of section 14 vexatious responses appealed by the requestor and overturned. As clarified with you, this has been interpreted as at any stage either by Home Office, or by the ICO or the courts.

Year	Number of vexatious responses appealed by the requestor and overturned
28 August 2010- 27 August 2011	1
28 August 2011- 27 August 2012	1
28 August 2012- 27 August 2013	2

Please note:

- The figures relate to the year a decision was overturned. Due to the time frames in place for the ICO to issue decision notices and for cases to be brought before the courts a section 14 vexatious response can be issued in one year, but the decision to overturn it might not be made until a different year.

4. The following table indicates the number of section 14 vexatious responses reversed or amended by the Home Office. As clarified with you, this has been interpreted as at the internal review stage.

Year	Number of vexatious requests reversed or amended by the Home Office
28 August 2010- 27 August 2011	1
28 August 2011- 27 August 2012	0
28 August 2012- 27 August 2013	0

5. The following table indicates the number of requests answered within each of the last three years where a section 14 vexatious response was issued unique to one applicant. We have interpreted your request to mean instances where a section 14 vexatious response was issued to one applicant for one request they made within the year.

Year	Number of vexatious requests issued unique to one applicant
28 August 2010- 27 August 2011	9
28 August 2011- 27 August 2012	4
28 August 2012- 27 August 2013	6

6. The following table indicates the number of requests answered within each of the last three years where a requestor has received more than one section 14 vexatious response.

Year	Number of requestors who were issued more than one vexatious response within each year.
28 August 2010- 27 August 2011	3
28 August 2011- 27 August 2012	2
28 August 2012- 27 August 2013	4

7. As at 27 August 2013, the Department is aware of 5 vexatious cases going through the internal review process and 1 vexatious request going through the ICO complaints process. All these cases were responded to with section 14 vexatious replies between

28 August 2012 and 27 August 2013. There are no internal review and ICO complaints outstanding from previous years.

Date

24 September 2013