



Home Office

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Directorate
2 Marsham Street www.gov.uk
London SW1P 4DF

Cathy Fox
[request-456678-
c352b884@whatdotheyknow.com](mailto:request-456678-c352b884@whatdotheyknow.com)

11th September 2018

Dear Ms Fox

Freedom of Information request (our ref. 49317): internal review

Thank you for your e-mail of 23rd July in which you asked for an internal review of our response to your Freedom of Information (FOI) request of 3 July. You originally asked for information relating to files held by the Home Office regarding child sexual abuse.

I have now completed the review. I have examined the response and I have considered whether the correct procedures were followed and assessed the reasons behind the response. I can confirm that I was not involved in the initial handling of your request.

Your FOI request can be viewed at **Annex A** and the Home Office's response is at **Annex B**. A copy of your request for an internal review can be found at **Annex C**.

In our response of 23 July, we explained that we would not carry out an internal review of our response, given that a similar review had already reached a similar conclusion. Nevertheless, we have considered the response again and I can confirm that the decision to refuse the request as vexatious was correct.

The response issued on 23rd July explained that the Home Office considered your request as vexatious. Our records show that you have submitted numerous requests for information which are substantially similar in nature. You requested an internal review on 29th April and the outcome of the review upheld the section 14(2) decision. You were advised that if you remained dissatisfied with this response that you had the right of complaint to the Information Commissioner. You subsequently submitted a further request for information on 3rd July, which was a duplicate of your request for information of 1st April. Again, your request was rejected under section 14(1) of the Act.

In reaching this decision, we have given careful consideration to the criteria laid out by the Information Commissioners Office. A copy of this guidance can be viewed at – <https://ico.org.uk/media/for-organisations/documents/1198/dealing-with-vexatious-requests.pdf>

The decision to refuse your request as vexatious has also been taken in line with the decisions of the Upper Tribunal and the Court of Appeal respectively in *Information Commission v Devon CC and Dransfield* [2012] UKUT 440(AAC) and *Dransfield v*

Information Commissioner and Devon County Council [2015] EWCA Civ 454, 14 May 2015. The following links provide the full details of these decisions - <http://www.ossccsc.gov.uk/Aspx/view.aspx?id=3680> (Upper Tribunal) and <https://panopticonblog.com/2015/05/14/vexed-by-vexatiousness-the-court-of-appeal-is-here-to-help/> (Court of Appeal).

Conclusion

Due to the numerous repeated requests for considerably similar information, my conclusion is that the original response was correct.

Yours sincerely

A Anokwuru
Information Rights Team

Annex A – FOI Request

Dear Home Office,

Thank you for response. I dispute your findings of vexatious, which is merely a device not to answer legitimate FOI. I took some of that advice and you still refused to answer questions.

However as you took over the legal time to answer the internal review, it is way over the time for answering the questions anyway

[Part 1 was a request for metadata, a substantial refinement]

1. Please tell me the information headings in the database of the information that the Home office sent to the IICSA inquiry.

Please tell me how many documents were sent, when they were sent and how many pages each document was.

Please can you tell me if copies are made and if the originals were sent.

Part 2 NEW questions were not addressed

2. Various members of the Home Office were seconded to the inquiry secretariat.

Whose budget does that money come from?

Do those people have a right or understanding that they may work for the Home Office after their stint at IICSA?

How many peoples jobs were replaced after home office employees were seconded to the Home Office?

Part 3 was a new request for advice and assistance so that i could refine my request

3. ..please could you first confirm what databases you may have which may contain child sexual abuse reports and if there are any other subdivisions or classes other than "inspectorate, academic, or named NGO reports " and date.

In line with advice and assistance of S16 of the FOI Act, please could you give tell me why Home Office files cannot be searched by Report type - how can they be searched and what can they be searched by? Please give more information on what corporate filing systems are. Please clarify what inspectorates you mean, and what is classified as academic report and give an example. Please list all the academic reports on child abuse since 2000 that Home Office hold

Can you clarify if there are any other subdivisions or classes other than "inspectorate, academic, or named NGO reports" as I previously asked.

Part 4 was a New question and request for assistance so i could refine further

4. Has the Home office never searched for the term child sexual abuse in its records? This would be astonishing if true.

Please could you explain how you would go about finding child sexual abuse reports in for example the academic database.

Part 5 was New question

5. How did the Home Office decide what documents to send to IICSA? How did the Home Office find them and choose them?

How is the Home Office sure that all the relevant documents have been sent?

Part 6 was a New question

6. What is the earliest date of Home office files that it holds and when do Home office files get archived? Where do those archived documents go?

New question asking only for metadata of only one category of 3 you mentioned

7. [was a refinement /new question] Please could you provide the titles of reports about child sexual abuse that fall under the "academic" category

It is clearly not a vexatious question nor repeated and therefore i request that the Home Office take their duties seriously under the FOI Act and stop the apparent policy of the Home Office to delay and deny information on child sexual abuse.

Yours faithfully,

Cathy Fox

Annex B – FOI Response

Crime, Policing and
Fire Group
2 Marsham Street
London
SW1P 4DF

Tel: 020 7035 4848
www.gov.uk/home-office

Cathy Fox
[request-456678-
c352b884@whatdotheyknow.com](mailto:request-456678-c352b884@whatdotheyknow.com)
23 July 2018

23 July 2018
Dear Ms Fox

Freedom of Information request: reference 49317

Thank you for your e-mail of 3 July 2018, in which you ask for information relating to files held by the Home Office regarding child sexual abuse. Your request has been handled as a request for information under the Freedom of Information (FOI) Act 2000.

Your request is identical to the request that you submitted on 1 April (reference 47969). We responded to that request on 25 April and refused it on the grounds it was considered to be repeated and vexatious. We judge that your new request is vexatious under section 14(1) of the FOI Act and the Home Office is therefore not obliged to comply with it.

In reaching this decision, we have given careful consideration to the Information Commissioner's Office guidance and to the case law referred to in our response to request 47969.

On 2 May you requested an internal review of our response to 47969. An independent team undertook that internal review and wrote to you on 29 June to confirm that they had upheld our decision to reject your request 47969 on the basis that it was considered repeated and vexatious. If you are dissatisfied with the outcome of that internal review, your next step would be to submit a complaint to the Information Commissioner's Office, rather than submit the same request again.

Should you wish to reframe or refocus your request we will, of course, consider it again.

We do not consider it appropriate to offer an independent internal review of our handling of

this latest request, given that we have already carried out an internal review of the response to 47969 and the considerations on which that internal review were based have not changed. You continue to have the right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

Tackling Exploitation and Abuse Unit

Email <mailto:xxxxxx.xxxxxxxxxx@xxxxxxxxxx.xxx.xxx.xx>

Annex A

Freedom of Information request from Cathy Fox (reference 49317)

Request

Dear Home Office,

Thank you for response. I dispute your findings of vexatious, which is merely a device not to answer legitimate FOI. I took some of that advice and you still refused to answer questions.

However as you took over the legal time to answer the internal review, it is way over the time for answering the questions anyway

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Home Office files cannot be searched by Report type - how can they be searched and what can they be searched by? Please give more information on what corporate filing systems are. Please clarify what inspectorates you mean, and what is classified as academic report and give an example. Please list all the academic reports on child abuse since 2000 that Home Office hold Can you clarify if there are any other subdivisions or classes other than "inspectorate, academic, or named NGO reports" as I previously asked.

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It is clearly not a vexatious question nor repeated and therefore i request that the Home Office take their duties seriously under the FOI Act and stop the apparent policy of the Home Office to delay and deny information on child sexual abuse.

Cathy Fox

Annex C – Internal Review Request

Dear Home Office,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Home Office's handling of my FOI request 'Reports on child sexual abuse'.

The reply the Home office just gave advised me to contact the ICO. However the next step is an internal review. You have not considered my reasons for saying that it is not vexatious as you ruled it out of time .

Hence the same request and now I ask you to internally review considering the following points.

You answered

"We have considered the rest of your request and we consider that it is either vexatious (section 14(1)) or a repeated request (section 14(2)) or both . Section 14(1) of the FOI Act provides that the Home Office is not obliged to comply with a request for information which it considers to be vexatious.

You stated "We have reached this decision because of the unreasonable burden which responding would impose on the department and because in our view the request appears to display unreasonable persistence and evidence of a scattergun approach and frequent or overlapping requests."

However this was a considerably refined the response in line with your previous answer from "What reports does the Home Office hold on child sex abuse?" I have also asked for more advice and assistance as to how to refine it further.

However the Home Office, in line with it seems a de facto policy to delay and deny release of information as much as possible tries to label my refinement as vexatious whilst refusing to help.

I dont know whether you have become confused by my listing the previous request and answer with the new questions.

So I have omitted the parts that might have confused you.

[Part 1 was a request for metadata, a substantial refinement]

1. Please tell me the information headings in the database of the information that the Home office sent to the IICSA inquiry.

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3. ..please could you first confirm what databases you may have which may contain child sexual abuse reports and if there are any other subdivisions or classes other than "inspectorate, academic, or named NGO reports " and date.

In line with advice and assistance of S16 of the FOI Act, please could you give tell me why Home Office files cannot be searched by Report type - how can they be searched and what can they be searched by? Please give more information on what corporate filing systems are. Please clarify what inspectorates you mean, and what is classified as academic report and give an example. Please list all the academic reports on child abuse since 2000 that Home Office hold

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7. [was a refinement /new question] Please could you provide the titles of reports about child sexual abuse that fall under the "academic" category

It is clearly not a vexatious question nor repeated and therefore I request that the Home Office take their duties seriously under the FOI Act and stop the apparent policy of the Home Office to delay and deny information on child sexual abuse.

A full history of my FOI request and all correspondence is available on the Internet at this address: <https://www.whatdotheyknow.com/request/r...>

Yours faithfully,

Cathy Fox

Annex C - Internal Review Request

-----Original Message-----

From: Cathy Fox [<mailto:request-456678-c352b884@whatdotheyknow.com>]

Sent: 23 July 2018 14:06

To: FOI Requests

Subject: 49317 - Internal review of Freedom of Information request - Reports on child sexual abuse

Dear Home Office,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Home Office's handling of my FOI request 'Reports on child sexual abuse'.

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A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.whatdotheyknow.com/request/reports_on_child_sexual_abuse

Yours faithfully,

Cathy Fox

Annex D – Complaints procedure

This completes the internal review process by the Home Office. If you remain dissatisfied with the response to your FoI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF