

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 7 May 2020

**Public Authority:** Chief Constable of Wiltshire Police

**Address:** Wiltshire Police Headquarters

London Road

Devizes

Wiltshire

SN10 2DN

#### **Decision (including any steps ordered)**

---

1. The complainant requested information about parking issues. Wiltshire Police did not comply with the request, citing section 14(1) (Vexatious request) of the FOIA.
2. The Commissioner's decision is that Wiltshire Police has applied section 14(1) of the FOIA appropriately.
3. The Commissioner does not require Wiltshire Police to take any steps as a result of this decision.

#### **Background**

---

4. Wiltshire Police received a complaint in 2018, that a disabled person using a mobility scooter was unable to remain on the pavement owing to obstructions caused by parked vehicles and had to move onto the road, placing them at risk from other road users. From the evidence provided, a number of vehicles were identified as being involved. A police officer visited the owners of the vehicles (including the complainant) about this. The police officer had a conversation with the complainant's mother; however, the complainant appeared to be very agitated and angry, informing the police officer that he would continue to park at the location in question. Some weeks later a Police Community Support Officer (PCSO) delivered letters to the residents, clarifying the visit of

the police officer and reminding them to refrain from parking on the pavement. The complainant made a formal complaint to the Wiltshire Police Professional Standards Department (PSD) about the way he was spoken to by the police officer.

5. As a result of that complaint, the PSD carried out a thorough, independent investigation into the police officer's conduct. The outcome was that the police officer had acted proportionally in order to get his point across and that parking was causing serious issues for other vulnerable members of the public. The investigating officer had also added that Regulation 103 of the Road Vehicles (Construction and Use) Regulations 1986 makes it an offence to cause an obstruction of a road and this includes a pavement adjacent to a road.
6. Wiltshire Police confirmed that a law enforcement officer would have been within their rights to place a fixed penalty ticket on any vehicle found contravening this law; however, the decision was made to advise people about parking, prior to taking any further action.

## **Request and response**

---

7. On 16 April 2019 the complainant wrote to Wiltshire Police and requested information in the following terms:
  - 1) *What was the date that I filed my complaint about [name redacted]*
  - 2) *at any point has the commissioner or chief been involved with the elms car parking issues, specifically in concern of the following:*
    - A) *pc [name redacted] dealing with a complaint about several cars apparently parked on our pavement 3 weeks prior and then coming to us tell us it was illegal to do so.*
    - B) *Pcso posting warning letters to all residents regarding the parking on pavements and then within minutes placing warning notices/ tickets on cars*
  - 3) *Presuming CPT means Wiltshire (Tisbury) police. Have there been any other areas doing the same thing as above.*
  - 4) *Please state who gave the instruction to the pcso to create and deliver the car parking letter and to also put the warning notices on people's cars*

- 5) *is fovant the only area that has had this treatment by police with the letters and warnings and visits from police, if not where else has had this treatment*
- 6) *Please have the PCSO give a statement to what he said to [address redacted] fovant in regards to who instructed him to do the warning notices and letters.*
- 7) *As the letter and warnings notices were an official action of the police this would have been placed onto record, so why was it not on record.*
- 8) *please state what offence the each owner of the vehicles had broken in order for the pcso to write them out, remembering that parking even halfway on any pavement outside of London is not an offence and doesnt break any laws as long as the traffic can get passed.*
- 9) *Remembering that there are no markings or signs prohibiting people from parking on pavements and the location of where people had parked on pavements would also not have blocked the highway and parking on the road itself would have reduced the space for other traffic to go past. And that the only law/act that prohibits vehicles from parking on pavements relates solely to London*
- 10) *Provide visual evidence of each car (with plates blurred) that created an offense that caused each car to gain the treatment of the warning notices.*
- 11) *Is it normal practice of police to use another act/law for them to apply action to another situation to fit their needs to take action? Ie having an officer come to our us and our neighbors strictly stating that it was illegal to park on pavements when its clearly not, and for cars to be given warning notices and letters about parking when not act/law has been broken.*
- 12) *Why was pc [name redacted] able to come to us and the neighbors over parking issues as he states that happened 3 weeks prior, yet when I reported a van that had deliberately parked on a dropped kerb blocking access to our car park and given the response "We will only deal with incidents occurring at the time"*
- 13) *As this has evidently been the case, please explain the following:*
- 14) *Why was pc [name redacted] able to conclude that an offense had been committed by parking that happened 3 weeks prior when the law/act states otherwise?*

- 15) *Why if the above situation can happen with the pc visit weeks later, will the police then do nothing when a van blocking access to a car park entrance on a dropped kerb on the day and get told they only deal with situations as they happen!*
- 16) *the police would need to prove an offence has been caused which means evidence would need to be produced, evidence that I would think would need to be kept on record given the 12 month+ of complaints, so why were they suddenly not able to be produced.*
- 17) *"local councils can make an order prohibiting parking on the pavement. If this is the case, then there will be signs/markings that clearly point out on a particular road where parking on the pavement is specifically prohibited. The penalty for contravening this will be a fixed penalty notice."*

*which means at no time can the council enforce action on [address redacted] in fovant when there are no signs or markings, and neither could or should the police given that as stated previously no vehicle was obstructing the highway because if it was at the time it would have been towed/ ticketed, plus again the act regarding parking on the pavement is only focused on within london and not outside.*

- 18) *With the process of continuity with bodycam footage, are officers themselves allowed to handle the bodycam footage and or storage device when they know a situation has happened or have been told that a complaint would be made against them.*
- 19) *Who handles the bodycam footage at the end of the shift or when a situation has happened?*
- 20) *When its known a complaint is being made by an officer, how long is the footage kept*
- 21) *When a complaint is filed, how long is the footage kept*
- 22) *I had told pc [name redacted] that i would be making a complaint against him, with that being said, since the officer knew that his body cam footage would be used as evidence, why was it not archived longer than 30 days knowing the complaint would need the footage as evidence.*
- 23) *pc [name redacted] has stated i was aggressive towards him, since this was the case in his words and that a complaint was being filed, why was the bodycam footage not archived for evidence use for the*

*complaint*

- 24) *as pc [name redacted] had stated in the response to my complaint that i was aggressive, and that he had been told by me directly that a complaint was being made, did the officer file out a report or inform any of his superiors of the issues.*
- 25) *did pc [name redacted] have his bodycam on at the time to which he was paying visits to the residents of [address redacted] in fovant when dealing with a 3 week old complaint.*
- 26) *when i answered the door to [name redacted], he asked for my mother, i asked him what it was about without stating if she was in or addressing who i was, he followed on with discussing the complaint that in his words was a legal matter that we broke the law. with this being said, why was pc [name redacted] allowed to breach my mothers privacy and data protection rights by discussing a matter with a total stranger about a legal situation*
- 27) *why did the complaint investigator completely ignore my complaint about [name redacted] unprofessional dismissive behaviour towards my mums mental health.'*
8. Wiltshire Police responded on 2 May 2019. It explained that it would not be answering the request, citing sections 14(1) (Vexatious requests) and (2) (Repeated requests) of the FOIA.
9. Following an internal review Wiltshire Police wrote to the complainant on 24 May 2019, upholding its original decision.

**Scope of the case**

---

10. The complainant initially contacted the Commissioner on 6 June 2019 to complain about the way his request for information had been handled. He explained that he considered that the requested information should be disclosed. However, the complainant had not sent the necessary documentation to the Commissioner, who contacted him about this. On 23 August 2019 the complainant sent in some of the necessary documentation; the complainant sent all of the necessary documentation on 17 October 2019.
11. During the Commissioner's investigation Wiltshire Police confirmed that it was relying on section 14(1) of the FOIA in relation to the complaint. The Commissioner will therefore not consider Wiltshire Police's application of section 14(2) any further.

12. The Commissioner will consider whether Wiltshire Police has applied section 14(1) appropriately.

## Reasons for decision

---

### Section 14 – Vexatious requests

13. Section 14(1) of FOIA provides that a public authority is not obliged to comply with a request for information if the request is vexatious.
14. The term "*vexatious*" is not defined in the FOIA. The Upper Tribunal (UT) considered the issue of vexatious requests in the *Information Commissioner v Devon CC & Dransfield* (UKUT 440 (AAC), 28 January 2013).<sup>1</sup> The UT commented that "*vexatious*" could be defined as the "*manifestly unjustified, inappropriate or improper use of a formal procedure*". The UT's definition clearly establishes that the concepts of proportionality and justification are relevant to any consideration of whether a request is vexatious.
15. The Commissioner considers the key question for public authorities to consider when determining if a request is vexatious is whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress.
16. The Commissioner has identified a number of "*indicators*" which may be useful in identifying vexatious requests. These are set out in her published guidance on vexatious requests (the guidance).<sup>2</sup> The fact that a request contains one or more of these indicators will not necessarily mean that it must be vexatious. All the circumstances of a case will need to be considered in reaching a judgement as to whether a request is, or is not, vexatious.

### Evidence from the parties

---

<sup>1</sup> <http://www.osspsc.gov.uk/Aspx/view.aspx?id=3680>

<sup>2</sup>[http://ico.org.uk/~/media/documents/library/Freedom\\_of\\_Information/Detailed\\_specialist\\_guides/dealing-with-vexatious-requests.ashx](http://ico.org.uk/~/media/documents/library/Freedom_of_Information/Detailed_specialist_guides/dealing-with-vexatious-requests.ashx)



17. The complainant explained that he considered that he had been harassed by Wiltshire Police. He considers that the requested information should be disclosed to him.
18. Wiltshire Police explained that it considered that the present request was vexatious. It provided the Commissioner with a chronology of events, as follows: The complainant submitted his first request for information in 2018 which contained 14 questions, based on the car parking incident. His request started with: *'We recently had a letter about our "village" getting tickets and this was, according to the PCSO, a direct command from the Wiltshire police commissioner.'*
19. As these questions were to the Police and Crime Commissioner (PCC), Wiltshire Police transferred the request to it, as it had no knowledge (at that time) of what the complainant was requesting or referring to. The PCC responded to the applicant stating that, based on his question, no information was held. It went on to say that under section 16 (Duty to provide advice and assistance) of the FOIA, if he could be specific regarding the precise area, it may be able to locate the information he was requesting, if it was held. The applicant responded to the OPCC stating that he still wanted the requested information. However, as he was not prepared to state what village his request referred to, the OPCC referred the request back to Wiltshire Police, as it had no knowledge of what incident the applicant was referring to.
20. On 7<sup>th</sup> February 2019 Wiltshire Police responded to the applicant, reiterating that it needed to know what village or town he was referring to, so that it could make the necessary enquiries to assist him. Wiltshire Police explained that it had over two thousand members of staff; asking for information about a letter sent by a member of staff about a 'village' in Wiltshire was too broad.
21. Wiltshire Police also explained that on 27 February 2019, the complainant had submitted a subject access request (SAR). As this was a request for the complainant's own personal information, it was dealt with under the Data Protection Act 2018 and General Data Protection Regulation. Wiltshire Police searched its crime recording systems to ascertain what personal data it held. The disclosure officer dealing with the SAR mentioned the applicant's name, which was picked up by the disclosure officer dealing with the present request. At this point, both requests were dealt with by the same disclosure officer, as the questions in both his SAR and present request, were related to the same incident.
22. A response to the SAR was sent to the complainant on 22<sup>nd</sup> March 2019. Wiltshire Police explained that the complainant responded on the same day with a three paragraph tirade, complaining about the officer/s who

visited him. It also explained to the Information Commissioner that it has consistently advised the complainant to go through its PSD if he wished to complain about any police officer; however he declined to do so. Wiltshire Police explained that it considered that he had used both the FOIA and SAR route to vent his anger.

23. On 28<sup>th</sup> February 2019 Wiltshire Police emailed the applicant with some generic 'parking on pavement' information and reiterated that it required clarification in order to assist him further. The applicant responded on the same day but did not provide details of where and when the incident took place. Wiltshire Police explained that the response was very erratic and included further questions about the incident, of which it had no knowledge, as well as other random information about how he had complained about parking before and nothing had happened. Additionally, Wiltshire Police explained that it considered that the applicant was using the FOIA route to further his complaint about the incident in question. It also confirmed that at this point, it still had no idea of the location, time, or date he was referring to.
24. Wiltshire Police responded to the applicant on the same day, providing more assistance about what it could and could not do and also requested the location, time and date of the incident. It also explained to the Information Commissioner that it considered that the applicant's resistance to providing this information could only be viewed as him abusing his 'rights of access' to information, by using the legislation as a means to vent this anger at a particular decision, or to harass and annoy Wiltshire Police.
25. On 29<sup>th</sup> March 2019 Wiltshire Police received more random, questions from the applicant related to 'the incident'.
26. On 5<sup>th</sup> April 2019 the disclosure officer was able to locate the requested information and the applicant received a response to his 14 questions. Wiltshire Police explained to the Information Commissioner that, having reviewed that response, the disclosure officer was more than helpful in his section 16 duty to assist.
27. On 6<sup>th</sup> April 2019 the applicant responded to Wiltshire Police with more questions about the way in which the 'parking issue' was handled. Wiltshire Police explained to the Information Commissioner that this was of his obsession with using the FOIA to pursue his campaign against the officers. It confirmed that it responded to the applicant on 8<sup>th</sup> April 2019, confirming that it had fully answered all of the questions posed and that he could either ask for an internal review or alternatively (and more appropriately), take his complaint to its PSD.



28. On 16<sup>th</sup> April 2019 the applicant submitted the present FOIA request, which continued on the same theme ie his own parking issues and interaction with Wiltshire Police. There were 27 questions sent via two emails, despite the fact that Wiltshire Police had already fully answered the previous 14 (plus other supplementary why's and how's) questions posed and clarified how he should proceed if he was not content.
29. Wiltshire Police explained to the Information Commissioner that on 2<sup>nd</sup> May 2019 it decided to make the present request vexatious in line with ICO guidance. A response was sent to the applicant outlining what he needed to do if he wished to complain about the way his request was handled. Wiltshire Police also confirmed that it had pointed him to its PSD, as this was a complaint about a police officer.
30. In addition, Wiltshire Police explained that both the background and chronological sequence of events highlight the time and effort it had put into trying to assist the complainant to obtain the requested information, much of which was arguably exempt. This was despite the applicant's constant refusal to supply the disclosure officer with additional information that would have greatly assisted it and in turn, provided him with the requested information in a much shorter timeframe. This resistance to assist Wiltshire Police caused unnecessary work and contributed to its inability to service other statutory requests at a particularly busy and under resourced period for the unit.
31. Wiltshire Police also explained that a great deal of effort went into trying to establish what area the complainant was referring to. Additionally, it pointed out that the provision of information to applicants is not without cost to it and therefore, indirectly, the taxpayer. Moreover, due to the high interest in policing activity, it attracts large volumes of requests which place huge pressures on small teams of individuals charged with ensuring lawful compliance.
32. Furthermore, Wiltshire Police explained that common sense dictated that it has to use its resources wisely. It pointed out that section 14(1) is designed to protect public authorities, by allowing them to refuse any requests which have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress.
33. Wiltshire Police also explained that the disclosure officer provided the complainant with a comprehensive explanation as to why the present request was deemed vexatious. It argued that this was yet another example of an attempt to be as helpful as possible. Wiltshire Police also explained that it considered that the following four grounds applied.

**Whether compliance with the request would create a significant burden in terms of expense and distraction**

34. Wiltshire Police explained that it had invested a great deal of time and effort regarding the complainant's original request for information and had done everything it could to provide advice and assistance. The first request in 2018 took the original disclosure officer many hours to identify what was being requested, as well as supplying what information could be disclosed. Once the location to which the complainant was referring had finally been established, the disclosure officer spent a further several hours researching, retrieving and communicating the requested information to the applicant. Every piece of communication resulted in further questions, explanations, or requests for further information. The complainant submitted a total of 41 questions about the incident but there were many more which the disclosure officers had to peruse; most of which were about how the incident was handled. Additionally, Wiltshire Police explained that the amount of time taken on this one case had and continued to have, an adverse effect on its ability to deal with other requests.

**Whether the request can otherwise fairly be characterised as obsessive or manifestly unreasonable**

35. Wiltshire Police explained that, as outlined in the background provided, the present request for information was as a result of the complainant's dissatisfaction with a police officer. This was fully investigated and the officer was found to have acted proportionally. Since that encounter with the police officer, the complainant has complained to its PSD, submitted a subject access request and used the FOIA to vent his anger and frustration towards the police officer in question.
36. Additionally, Wiltshire Police explained that much of the communication between it and the applicant has been strained, despite its main focus always being to help and assist him where possible. It confirmed that its approach is applicant-blind and that it provides individuals with requested information subject to any exemptions that may apply.
37. Wiltshire Police argued that in the present case, the complainant has used the FOIA legislation to continue his campaign against it and the police officer/s in question. It explained that its police officers are always courteous and respectful towards the complainant, but the tone of the communication from him has been very adversarial.
38. Wiltshire Police also explained that in relation to the 2018 request, it took the complainant ten minutes from opening its response to him to challenging it at 04.30 on a Saturday morning. The response was quickly written, lacking any real purpose and asking more random questions. This was despite the disclosure officer's efforts to supply the information and answers to his questions. Additionally, Wiltshire Police

explained that the disclosure officer had directed the applicant to the PSD, who are best able to deal with complaints of a personal nature.

39. Wiltshire Police acknowledged that the FOIA may be used to provide an applicant with information to support their grievance against the public authority. However, it explained that it is not for disclosure officers to become embroiled in the complaint but that was precisely what the complainant was knowingly or unknowingly attempting to do.

### **Whether the request has any serious purpose or value**

40. Wiltshire Police explained that the complainant's request for information was predicated on his own confrontation with its staff and was linked to a specific incident, in which he was the only person who took umbrage about the way it was handled. Additionally, it argued that from the outset, the complainant was incorrectly using the FOIA to vent his frustration and that any information supplied was unique to him and had no wider public interest.
41. Furthermore, Wiltshire Police explained that many of the questions were very narrow and the disclosure officer could have exempted a large proportion on the grounds that it was personal data. It argued that due to its default setting to disclose and to assist the applicant where it could, it had fuelled his anger. Trying to be open and transparent had had the adverse effect; it was becoming more obvious that Wiltshire Police was becoming embroiled in a tit for tat battle, as opposed to disclosing information in accordance with the FOIA legislation.
42. Wiltshire Police confirmed that at all stages it had offered the complainant the opportunity to speak to the disclosure officer in an attempt to understand exactly what specific information he was after, how it could assist him and which department may be able to address his complaint. The complainant refused this option preferring to engage via email.

### **Whether the request has the effect of harassing the public authority or its staff**

43. Wiltshire Police explained that its disclosure officers deal with over a thousand requests for information every year under the FOIA; they are very much at the front line, dealing with members of the public, some of whom are quite demanding. It also explained that its disclosure officers remain professional at all times and go out of their way to assist members of the public, regardless of the tone of requests or demands made. The same courteous approach was used when dealing with the

applicant, but despite numerous attempts to assist him, he consistently refused to engage in any meaningful way.

44. Wiltshire Police also argued that the complainant was intent on taking out his frustration with its police officers on its disclosure staff. This caused them a degree of irritation and distress at what was a busy time. It explained that it did not want to directly link it to this particular request, but three members of staff had left over this period due the pressures of the role.
45. Furthermore, Wiltshire Police argued that the approach taken by the complainant was totally unjustified, as early engagement with the original disclosure officer would have assisted all concerned. It also argued that the complainant was intent on playing a kind of cat and mouse game, where it had to try and guess which part of the county he was referring to. If, at the outset when dealing with the OPCC, the complainant had identified the village in question, then the whole interaction could have been less impactful on it and the complainant.
46. Wiltshire Police concluded that the applicant had several opportunities to assist both the OPCC and it, by disclosing the location. However, he refused to do so on each and every occasion, despite the fact that such a disclosure would have been beneficial to him. It argued that this blatant refusal to cooperate had resulted in a very over-stretched, under pressure unit having to spend several hours trying to locate the requested information. It also explained that there was an argument that it could have refused the request, citing section 12 (cost of compliance exceeds appropriate limit) of the FOIA and requiring the applicant to refine his request to a more manageable level. This course of action was not taken however, as disclosure officers default setting was to assist.
47. In addition, Wiltshire Police explained that its disclosure team has a lot of experience in dealing with applicants who inadvertently use the FOIA as a way of addressing their individual issues; that is why it was determined to try and negotiate a way forward and if applicable, guide the applicant down a more appropriate route.
48. Wiltshire Police also explained that there was an argument that it could have answered the complainant's present request by either providing the information or citing exemptions. However, based on its dealings with him, it believed that this would have led to more questions or requests for information in an attempt to satisfy his own personal battle against the police officer. It also reiterated that his complaint about the police officer had already been fully investigated by its PSD.

49. Wiltshire Police pointed out that it had a duty to protect its resources in order to answer other FOIA requests. It also explained that it applied section 14(1) of the FOIA to the present request, as all the evidence pointed towards more challenging exchanges between its stressed staff and the applicant. Wiltshire Police also quoted the following from the Information Commissioner's guidance in support of its approach:

*"Section 14...is concerned with the nature of the request and has the effect of disapplying the citizen's right under Section 1(1)...  
The purpose of Section 14...must be to protect the resources (in the broadest sense of that word) of the public authority from being squandered on disproportionate use of FOIA..."*

*This being the case, public authorities should not regard section 14(1) as something which is only to be applied in the most extreme circumstances, or as a last resort. Rather, we would encourage authorities to consider its use in any case where they believe the request is disproportionate or unjustified."*

### **The Commissioner's view**

50. The Commissioner acknowledges that there are many different reasons why a request may be vexatious, as reflected in her guidance. There are no prescriptive 'rules', although there are generally typical characteristics and circumstances that assist in making a judgement about whether a request is vexatious. A request does not necessarily have to be about the same issue as previous correspondence to be classed as vexatious, but equally, the request may be connected to others by a broad or narrow theme that relates them. A commonly identified feature of vexatious requests is that they can emanate from some sense of grievance or alleged wrong-doing on the part of the authority.

51. As the UT in *Dransfield* observed:

*"There is...no magic formula – all the circumstances need to be considered in reaching what is ultimately a value judgement as to whether the request in issue is vexatious in the sense of being a disproportionate, manifestly unjustified, inappropriate or improper use of FOIA"*.

52. In her guidance, the Commissioner recognises that the FOIA was designed to give individuals a greater right of access to official information with the intention of making public bodies more transparent and accountable. While most people exercise this right responsibly, she acknowledges that a few may misuse or abuse the FOIA by submitting

requests which are intended to be annoying or disruptive or which have a disproportionate impact on a public authority.

53. The Commissioner recognises that public authorities must keep in mind that meeting their underlying commitment to transparency and openness may involve absorbing a certain level of disruption and annoyance.
54. The Commissioner also recognises that dealing with unreasonable requests can place a strain on public authority resources and get in the way of delivering mainstream services or answering legitimate requests. Furthermore, these requests can also damage the reputation of the legislation itself.

### **Was the request vexatious?**

55. The Commissioner has considered both Wiltshire Police and the complainant's arguments regarding the present request.
56. As in many cases which give rise to the question of whether a request is vexatious, the evidence in the present case showed a history of previous information requests between the parties.
57. Clearly in this case, Wiltshire Police considers that the context strengthens its argument that the request is vexatious.
58. The Commissioner considered that, viewed in isolation, the request in this case may not seem to impose an unreasonable burden and it is arguably not without a serious purpose.
59. However, she notes that this request arose from another previous, related request from the complainant, which was answered by Wiltshire Police. She also notes that the complainant's initial complaint about how a police officer dealt with a complaint regarding a disabled person not being able to have vehicular access, has been investigated and found to be unfounded.
60. The Commissioner considers that it is clear that the complainant is using the FOIA in order to reopen issues that have already been dealt with by Wiltshire Police. In her guidance, she explains that two of the indicators when considering whether a request is vexatious are:

### **"Personal grudges**



*For whatever reason, the requester is targeting their correspondence towards a particular employee or office holder against whom they have some personal enmity.*

**Unreasonable persistence**

*The requester is attempting to reopen an issue which has already been comprehensively addressed by the public authority, or otherwise subjected to some form of independent scrutiny."*

61. The Commissioner considers that these two indicators apply to the present complaint. She considers that it is clear that the complainant is trying to obtain information about a particular police officer. She also notes that the complainant's original complaint about that police officer had already been investigated by Wiltshire Police.
62. Furthermore, the Commissioner notes that the complainant would not provide Wiltshire Police with information that would have enabled it to deal with his request quickly, initially.
63. Taking into account the background of the case, the Commissioner considers that the request appears to be a means of furthering the complainant's own disagreement with Wiltshire Police. She considers this could be an inappropriate use of information rights under the FOIA. The Commissioner therefore considers that Wiltshire Police was correct to find the request vexatious.
64. Accordingly, the Commissioner considers that section 14(1) has been applied appropriately in this instance.

## Right of appeal

---

65. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

66. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
67. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Laura Tomkinson**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**