| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1847  Responded to: 26 August 2024 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## I am writing to you Jo Farrell in response to your letter issues on the 11/07/2024 regarding the claim reference [ref. no. redacted]. It is assumed that on the 10/07/2024 at 02/41 hours that the vehicle registered as [VRM, make and model redacted] exceeded the 60mph speed limit at 75mph, it is further assumed that this is “supported by photographic and/or DVD evidence”. Could you please provide the following:

## Signed contract between Police Scotland and [applicant name redacted]

## Proof of photographic and or DVD evidence to support your claim

## Acts of which that define a person

## The legally prescribed instrument you used to identify [applicant name redacted]

## A driver is a commercial term relating to commerce, i.e. bus driver, lorry driver, delivery van driver etc. this internal combustion machine is used only for travelling from A to B, not in commerce.

## An offence is not a crime, therefore no crime has been committed. Please bring forward the injured party. It appears Jo Farrell you are policing civil matters, this would confirm you are acting for a corporation that is ‘Police Scotland’ or acting out with your jurisdiction/ oath of office. Which is it?

In terms of section 14(1) of the Freedom of Information (Scotland) Act 2002, I am refusing to respond to your request on the basis that I consider it to be ‘vexatious’.

‘Vexatious’ is not defined in the Act but I would refer to the following factors as set out in the Commissioner’s guidance:

1. It would impose a significant burden on the public authority
2. It does not have a serious purpose or value
3. It is designed to cause disruption or annoyance to the public authority
4. It has the effect of harassing the public authority
5. It would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate.

Furthermore, an authority can reasonably conclude that a particular request represents the continuation of a pattern of behaviour.

It might, in those circumstances, decide the request can be refused as the continuation of the pattern of behaviour makes the latest request vexatious.

This may arise, for example, where a requester has an on-going grievance against a public authority, or could reasonably be described as conducting an extended campaign to the point that their behaviour can be described as obsessive.

The purpose of FOI is to provide a right of access to recorded information, and we respond to thousands of requests each year which seek to exercise that right.

We are committed to the principles of openness and accountability and that means focusing on those requests whereby individuals are genuinely motivated by accessing the information we hold.

It is my assessment that overall, your request has no serious purpose or value and in the opinion of a reasonable person, would be considered to be manifestly unreasonable or disproportionate.

I can confirm that your request has the effect of harassing Police Scotland in the circumstances and is both a burden and significant waste of resources.

However, to be of assistance I have provided a link below for your information.

<https://www.safetycameras.gov.scot/image-request/>

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.