

## Request

The ICO has received a number of requests, following the issue of a Decision notice under the reference [IC-109451-S1M2](#), about Taiwanese President Tsai Ing-wen, her PHD and the University of London / London School of Economics.

Two of the requests are quoted below:

### **IC-151671-L7G4**

[In reference to the ICO's Decision notice under the reference [FS50908339](#)]:

*1) Please disclose any meeting minutes (including web conference recordings), email correspondence, text reports... related to ICO ex-commissioner's reaching the wrong conclusion in the decision notice. (Eg. #35)*

*2) Has the ex-commissioner or case investigator ever asked UOL library to provide a record of entry of this thesis in dispute? If not, why? (It was clearly stated in the email statement by librarian it was never received to the library before the investigation.)*

*3) How do ex-commissioner agree "the original copy held by the University library was lost or mis-shelved sometime between mid-1980s and 2010s over which period there were numerous structural changes to the library"? Who provided the false info and time frame "1980s-2010s" mis-shelved information?*

### **IC-153864-G1G0**

*If we all cant not find viva date and prof. It is impossible. Taiwan president own th PHD degree, it is moral and justice issue. Please ask LSE move out the inner press that claim President own degree, it is fraud and against law.*

The ICO has considered these requests under the Freedom of Information Act 2000 (the FOIA). This legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

## Our response

The ICO recognises that these requests form part of a concerted campaign of similarly themed requests submitted to the ICO, designed to further certain theories about President Tsai's academic record, dealing with which would cause an unjustified level of disruption to our services and as such is refusing them because they are vexatious, as per Section 14 (1) of the FOIA.

Section 14 (1) FOIA states that:

*'14.—(1) Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious.'*

The ICO's guidance explains that when deciding on whether or not a request is vexatious, the key question to be asked is, *'...whether the request is likely to cause a **disproportionate** or **unjustified** level of disruption, irritation or distress'*.

Our understanding of the matters around Tsai Ing-wen's PHD awarded by the LSE in 1984, in as far as we have been required to consider them in connection with several complaints we have received under s.50 of the FOIA, are summarised in a series of decision notices available on our website.

In dealing with these complaints, the role of the Commissioner was to consider whether s.40(2) of the FOIA, relating to personal data of third parties, had been correctly applied by The University of London to categories of requested information relating to President Tsai's student record.

It was not within the Commissioner's remit to investigate the movements of this thesis over the subsequent years however, in order to determine whether the exemption was correctly applied, the Commissioner did consider the necessity of disclosure of the requested information in order to satisfy the public interest.

In the first decision notice relating to a complaint against the University of London under the references FS50908339, the Commissioner concluded that the University had demonstrated sufficient transparency in the matter in order to satisfy the public that President Tsai's PhD was valid and properly awarded by the University and, more generally, that the University's award processes were sound and trustworthy.

This decision was appealed by the complainant to the First Tier Tribunal, and in September 2021 the Tribunal dismissed the appeal, stating that the Commissioner had reached the correct decision in that case, and that there was already sufficient evidence in the public domain to satisfy any concerns the public may have about the validity of President Tsai's PHD.

In a subsequent Decision notice concerning the University of London and the same subject matter under the reference [IC-40405-S7L3](#), the Commissioner concluded again that the University had correctly applied s.40(2) and further examined the controversy around President Tsai's thesis, concluding that the various theories put forward were fanciful at best.

Following this, in a decision under the reference [IC-83994-C7Z4](#), the Commissioner ordered disclosure of some information not considered to be personal data, but further advised that there was no legitimate public interest in disclosure of information on the topic for the purposes of verifying the validity of President Tsai's PHD, as the matter had already been satisfactorily explained.

The many requests we have received about this topic have been prompted by publication of the Commissioner's recent Decision notice under the reference IC-109451-S1M2, which concerned a complaint about the LSE relating to the same topic, and which largely referred to the Commissioner's previous decisions referenced above, given that the matter had already been comprehensively discussed and concluded upon.

The intent of these requests is clearly to try to add weight to theories around the falsification of President Tsai's PHD, which have already been considered at length by the Commissioner and the Tribunal and found to be entirely lacking in substance, as well as to express dissatisfaction with the Commissioner's decisions in these matters and cause deliberate disruption to the ICO's services.

Given that the ICO's involvement in these matters as regulator of the FOIA, with the limited remit to consider whether exemptions had been correctly applied in respect of the various requests, it is disproportionate and inappropriate that the ICO should find its own information access department spending a significant proportion of its time dealing with requests about matters which occurred long ago involving academic institutions with no connection to the ICO, aside from in relation to the above referenced complaints, the findings of which are publicly available in the relevant Decision notices on our website.

Neither is it correct for the ICO's information access services be seen as a channel through which to try to obtain information about other public authorities having thoroughly exhausted both the correct procedures to obtain information from the relevant authorities and the appropriate means for pursuing dissatisfaction with the outcomes.

It is not within the public interest for the ICO to further expend its finite resources in responding to requests of this nature when it is clear that doing so will not put to rest the postulated theories, given the unwillingness of their proponents to accept the clearly explained and well evidenced position of the ICO, the University of London, the London School of Economics and the First Tier Tribunal on the matter thus far.

Particularly when considered as part of a concerted campaign, which the ICO is currently on the receiving end of, it is clear that doing so would represent a disproportionate level of disruption to our services. We have also seen evidence on the What do They know website that multiple accounts are working together in a co-ordinated campaign in relation to this issue and the ICO.

As such, we are relying on section 14 (1) in response to these requests. This is not limited to the requests highlighted above but will be applied to further requests on the same topic which we consider to be similarly lacking in valid purpose.