

15 December 2023

ICO Case Reference IC-271215-T6R6

Request

You asked us:

"I am writing to formally request access to all correspondence relating to Automatic Number Plate Recognition (ANPR), including any relevant communications between the Surveillance Camera Commissioner (SCC) and Biometric and Surveillance Camera Commissioner (BSCC), as well as any exchanges involving the police or ministers.

I do regret the impact this will have on the time of your Office.

Accordingly I trust you will understand that, in the public interest, I intend to pursue this enquiry and see where it leads.

As a concerned citizen, I believe that transparency and accountability are vital in matters concerning public safety and the use of ANPR technology. In order to better understand the protocols, policies, and decision-making processes surrounding ANPR implementation, I hereby invoke my rights under the General Data Protection Regulation (GDPR) and the Freedom of Information Act (FOIA). Specifically, I would appreciate copies of all correspondence, memos, and emails exchanged between the SCC and BSCC in relation to ANPR during the period from 2014 to 18 November 2023.

Additionally, I kindly request any communication between the SCC or BSCC and any relevant representatives from the police force or government ministers during the same timeframe.

I also request copies of all correspondence, specifically emails, reports letters or other auditable correspondence between Home Office officials specifically but not restricted to those from HO Policy and DTSL and members of the ICO relating to ANPR, relating to reports or media

reporting generated by third parties such as DVLA/DVSA/BNMA regarding ANPR and any such correspondence which is relating to the BSCC or SCC above

To ensure you can accurately locate the information requested, I include the following details: 1. Names, titles, and positions of personnel involved in ANPR discussions

These names are not exclusive to the broader area but merely a guide"

We received your request on 18 November 2023.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

We are refusing the request you have made because the amount of work involved in complying with it would place a grossly oppressive burden on our resources, meaning that we are able to rely on 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:

"A single request taken in isolation,may be vexatious solely on the grounds of burden. That is, where complying with the request would place a grossly oppressive burden on your resources which outweighs any value or serious purpose the request may have."

While we do not doubt that you have a genuine interest in the information you have requested, we have determined that the burden placed on our resources in complying with this request would outweigh the public interest in the requested information.

Our guidance further provides that, in order to refuse to respond to a request under s.14(1) due to burden alone, we should be able to establish firstly that the requested information is voluminous, secondly that we have real concerns about exempt information being contained within it, and thirdly that the exempt material is scattered throughout and cannot be easily isolated. Further explanation of our consideration of this has been outlined below.

We consider the scope of your request to be all correspondence relating to Automatic Number Plate Recognition (ANPR) exchanged in the past decade.

We can search for references to ANPR in a number of ways. We can search our electronic document records management system, our casework management system and legacy systems. We can also contact departments direct to conduct focussed searches and signpost information. The search results from our electronic document records management system return approximately 755 results for "ANPR" and 1,203 results for the "Surveillance Camera Commissioner". Searches of other systems return additional results. As a result of focussed searches conducted by one business area we have identified 410 pages of information potentially in scope. It is likely that other business areas will also hold information in scope. We would need to review all search results for items of correspondence in scope to consider them for disclosure.

We would not be able to disclose correspondence without extensive consultation with numerous other organisations. We would then need to spend a considerable amount of time making and checking redactions following the consultations. We have also identified that correspondence in scope will contain information that would harm the ability of other bodies to enforce the law, which is exempt pursuant to s.31 of the FOIA. There is a very strong public interest in protecting the ability of other bodies to enforce the law.

Our guidance states that the threshold for applying s.14 FOIA on the basis of burden is a higher one than for s.12 FOIA, which allows a public

authority to refuse to comply with a request if the necessary searches involved in doing so would take longer than 18 hours. We are relying on s.14 here because the burden is related to the time required for reviewing and redacting the relevant information, rather than searching for information that may be in scope.

We are unable to provide a calculation of the amount of time it would take us to deal with the necessary consultations and redactions, but it would be far in excess of 18 hours.

We do not consider that responding to this request would meet any pressing public interest in this information which would justify this level of burden on our resources.

We do hope that the assistance we have provided is helpful.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint](#) through our website.

Your information

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#).

Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely,



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