

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

### **Decision notice**

**Date:** 19 May 2025

**Public Authority:** Chief Constable of Kent Police  
**Address:** Sutton Road  
Maidstone  
Kent  
ME15 9BZ

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

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1. The complainant has requested information about speed enforcement cameras. Kent Police refused the requests, citing section 14(1) (Vexatious requests) of FOIA.
2. The Commissioner's decision is that Kent Police was entitled to rely on section 14(1) of FOIA to refuse the requests.
3. The Commissioner does not require further steps as a result of this decision.

### **Request and response**

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4. On 21 October 2024, in two separate messages, the complainant wrote to Kent Police and requested information in the following terms:

#### **Request 1**

"For the twelve months to 31 december 2023, how many notices did each fixed speed camera in Kent generate? Please feel free to anonymise the location and identity for any camera. Please could you let me know, for each camera : (i) what is the speed limit zone that the camera is located in (eg. 30 mph, 60 mph, ...), (ii) a location description that the police uses to know the local environment of a camera (eg. residential, rural, motorway ....) and (iii) the original installation date of the camera

Please could you present this information in a table format in microsoft excel (see summary of table headings below). Please could you provide the equivalent information for each camera for the same time period in 2022, 2019, 2018 and 2017. I would like to be able to read across the information for any given camera from 2023 to 2017

column headings for the table :

- (i) Camera Number
- (ii) Original Installation Date
- (iii) Speed Limit in the Zone
- (iv) Location Description
- (v) Number of Notices of Intended Prosecution Generated in the twelve months to 31 December 2023
- (vi) Number of Notices of Intended Prosecution Generated in the twelve months to 31 December 2022
- (vii) Number of Notices of Intended Prosecution Generated in the twelve months to 31 December 2019
- (viii) Number of Notices of Intended Prosecution Generated in the twelve months to 31 December 2018
- (ix) Number of Notices of Intended Prosecution Generated in the twelve months to 31 December 2017

(this foi request is part of a series about Kent Police's management of its network of speed cameras : [two reference numbers redacted])".

## **Request 2**

"There has been some ambiguity about what Kent Police is referring to when it mentions 'faults' with its fixed speed cameras. These things that happen throughout the year and a third-party company (like Cubic Systems) repairs the camera

In its most recent policy and internal guidelines for the Kent Police ("KP") driver diversion unit, how does KP define 'fault' at a speed camera when asked about any given cameras [sic] 'history of faults' by another team within the police or by a member of the public? If you are unable to provide a response to this, please send me a copy of the most recent policy and guidelines for monitoring speed cameras shared internally within KP officers dealing with speed camera notices

This is what i am defining as a 'fault' in this FOI and a recent FOI [reference number redacted]: "fault": a fault to the interior mechanism of a camera or a faulty calibration setting on the camera (in all cases inside the metal case). I would like to compare this definition of 'fault' alongside KP's definition of 'fault': to see whether KP is referring to faults with the exterior metal shell casing of the camera, or internal mechanisms (as I describe), all both. In all my fois, I will keep to this

same definition of 'fault' to make it easier : if a repair of the exterior metal casing of the camera is needed, then that is a case of 'damage'.

Information Request (re: identifying faults) : please provide the badge numbers or any more appropriate identifying information for any police officers that have been involved with identifying a fault with any camera in the county, in the past five years, in the following scenario : it involved the officer physically opening the external metal shell of a camera to inspect the inner workings of a camera. If there were many, please provide the top 10 officers (by number of inspections). Given the ambiguity, I would like to note, on public record, the officers who will be able to answer questions (if they are ever required to by an authoritative body) about the identifications that they were involved with (I don't have any intention of contacting the officers myself)

Information Request (re: monitoring cameras) : please provide the badge numbers (or any more appropriate identifying information) for any officers who have been responsible for the daily or monthly monitoring of the number of notices generated by a camera with the purpose of seeing whether any cameras have started generating an abnormally large number of notices, as part of their normal duties. again, there are instances of cameras generating extraordinary volumes of notices (as compared to the average) so I would like to be sure that cameras are being monitored diligently".

5. The requests were made in the name "Mr [surname redacted]".
6. There was then an exchange of correspondence in which Kent Police asked the complainant to provide his full name, "as per Section 8(1)(b) of FOIA" and the complainant declined, stating that the name given was his real name and should be sufficient.
7. On 28 October 2024, Kent Police issued a refusal notice covering both requests, citing section 14(1) (Vexatious or repeated requests) of FOIA. It said it believed the complainant had previously made requests for information about the same subject matter (speed enforcement cameras and the manner in which faults are recorded) under a different name and he had been told then that further requests on the same subject may be refused under section 14. Kent Police said:  
  
"So far in 2024 you have submitted four lengthy and repetitive FOI requests, each about speed enforcement cameras, including additional correspondence...the submission of these requests all on repeated subject matter, with the admission you intend to send further requests, places a considerable and oppressive burden of work onto a small team."

8. Kent Police said that the cumulative effect of the requests was placing a disproportionate and unjustified level of burden and disruption onto its service, and that complying with this request would be likely to result in further disruption and the unjustified use of limited resources. It said it had considered the following in its decision to apply section 14:
  - the submission of overlapping requests
  - the increasing volume of requests submitted over a short period time
  - the repeated subject matter
  - the intention to submit further requests
  - the use of a false name to deceive us as to your true identity”.
9. The complainant replied on 31 October 2024, disagreeing with Kent Police’s reasons for applying section 14. He acknowledged that he had made previous requests under a different name, but denied that he had changed his name to try to deceive Kent Police. He made further representations on 1 November 2024. On 15 November 2024, he requested an internal review of Kent Police’s handling of his requests.
10. Kent Police provided the outcome of the internal review on 26 November 2024. It upheld its decision to apply section 14(1) to refuse both requests.

### **Scope of the case**

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11. The complainant contacted the Commissioner on 10 December 2024 to complain about the way his requests for information had been handled. In a detailed submission, comprising more than 80 pages, he set out his reasons for disagreeing with the application of section 14 to refuse the two requests.
12. The complainant also felt that Kent Police’s request that he verify his identity in order to satisfy section 8(1)(b) of FOIA, was excessive. However, as Kent Police did not go on to insist on this, and the basis of its final refusal was section 14 of FOIA, and not section 8, the Commissioner has not considered this point further. In any case, it is not contested by the complainant that he was also the author of the earlier requests.
13. The analysis below considers whether Kent Police was entitled to rely on section 14(1) of FOIA to refuse the two requests.

## Reasons for decision

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### Section 14 – Vexatious requests

14. Section 14(1) of FOIA states that a public authority is not obliged to comply with a request for information, if the request is vexatious. The purpose of section 14 is 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. The Commissioner's approach to section 14 is explained in the [Decision notice support materials](#) section of the ICO's website and in his [guidance on vexatious requests](#).

### The complainant's position

15. The complainant had received two speed penalty notices, generated by the same speed enforcement camera. In view of prior steps he had taken to monitor his speed, he found it unlikely that he was speeding and he maintained that there must be something wrong with the camera. His requests stemmed from these concerns, and the implications they had for the validity of other speed enforcement penalty notices issued from speed cameras.
16. The complainant acknowledged that he had made the two previous requests for information about speed enforcement cameras which Kent Police had taken into account when applying section 14. He explained that he had submitted earlier requests using the public-facing [WhatDoTheyKnow](#) website, using one version of his name, but had decided to change it slightly (still using a version of his real name) when making later requests, in order to protect his privacy. He said that Kent Police was well aware, from his ongoing correspondence with it, of his identity and of his intention to submit the requests. He pointed out that the two requests under consideration here clearly stated the reference numbers of the two previous requests, indicating that he was not attempting to hide that he was the same requester. He was offended by Kent Police's suggestion that he had been deceptive in trying to conceal his true identity from it.
17. He said that he had continued to make requests on the subject of speed cameras to Kent Police because elements of its earlier responses did not make sense to him.
18. He believed that recorded information that may exonerate people who have been prosecuted (eg records of failed calibration certificates) was being mishandled and wilfully ignored by Kent Police. He also said that he had been provided with ambiguous and contradictory information regarding how cameras are managed and maintained.

19. He argued:

"I am currently treating this problem as a legacy one within the road traffic team which has been forgotten about and ignored, and one that KP management ought to be making itself more knowledgeable about. There is a civil liability that KP has to members of the public who have faced false prosecutions and ignoring the problem will keep the liability growing...People have been and will continue to be prosecuted in criminal courts (for minor offences like speeding, or even disputing a speeding notice) with a resulting criminal conviction when there is easily accessible recorded evidence that may exonerate them".

20. Turning to the particular grounds Kent Police had cited, he disagreed that he had submitted overlapping requests, arguing that they could be grouped into distinct topics and represented areas which required clarification due to being unanswered by Kent Police in his previous requests.

21. He also disagreed that sending four requests between March and October 2024 could be characterised as an "increasing volume of requests submitted over a short period of time".

22. He also disagreed that he had made repeated requests, arguing that he had been told by Kent Police that it would only consider a request to be "repeated" if it was concerned with a specific camera about which he had previously requested information.

23. Finally, he disagreed that expressing an intention to submit further FOIA requests was sufficient to engage section 14, in view of his belief that Kent Police had failed to engage with him about his concerns about the reliability of speed enforcement cameras. He said:

"I have strong reasons to believe KP has a significant liability waiting to surface. I cannot be any clearer in my messages that I am helping KP realise that it has a problem and providing room for KP to resolve it : I have even offered to assist KP as it is heavily in the public interest to do so, and I have experienced first hand of [sic] the damage that KP is causing to members of the public. All I am seeing so far is a reluctance to engage and denial from KP. It is heavily in the public interest for me to access the information that I am requesting for the following reasons: a growing civil liability will eventually surface at KP – funds that would otherwise go towards community policing will have to go towards compensation – that is not fair to the community and also unfair to other teams within KP. If there is no issue and no liability, then my concerns will be alleviated by seeing the information that i have requested".

## **Kent Police's position**

24. Kent Police summarised its reasons for designating the request as vexatious, as follows:

"In a seven-month period between 14 March and 21 October 2024 [the complainant] submitted four broad, and mostly unfocused, requests to Kent Police under FOIA targeting the subject of speed enforcement cameras. In relation to...the latest in the series of requests submitted, [the complainant] did not allow a reasonable period of time to elapse between the requests to enable Kent Police to issue a response.

In addition, [the complainant] has, in the same seven-month period, inundated Kent Police with frequent and lengthy correspondence/e-mail traffic regarding the requests made under FOIA and the subject matter of speed enforcement cameras more generally, communicating a clear intention to submit further requests on the same subject matter in 'the next phase' via a third party Applicant 'I will soon start the next phase of my FOI request related to the topics that I have mentioned in my past messages. These requests may come from my partner, [name supplied], on my behalf'.

Taking into consideration the combined impact of these requests and the overwhelming submission of correspondence/e-mail traffic received Kent Police relied on section 14(1) to refuse the requests to protect its resources from being squandered on a disproportionate use of FOIA."

25. It further noted that:

"In the leading case on section 14(1), Information Commissioner vs Devon County Council & Dransfield [2012] UKUT 440 (AAC), (28 January 2013) the Upper Tribunal said 'As regards the pattern, a requester who consistently submits multiple FOIA requests or associated correspondence within days of each other, or relentlessly bombards the public authority with e-mail traffic, is more likely to be found to have made a vexatious request' (paragraph 32)."

26. Kent Police said that compliance with the two requests would require input from the following business areas:

- Public Disclosure Assistant (Administrative tasks)
- Public Disclosure Officer (FOI Practitioner)
- Senior Public Disclosure Officer (Senior FOI Practitioner)
- Public Disclosure Manager (Consultation)
- Traffic Process Unit (Asset holder)
- Head of Information Management (Response approver)
- Information Asset Owner (Potential consultation)
- Data Protection Officer (Potential consultation)



27. Kent Police acknowledged that compliance with each request, on its own, would not exceed the [costs limit established under section 12](#). Rather, it is the requests' combined impact which must be considered. It told the Commissioner that for these particular requests the following aggravating factors figured in its decision to apply section 14:
- requests being lengthy and unfocussed,
  - repeated subject matter across requests,
  - an expressed intention to make further requests,
  - voluminous accompanying correspondence and
  - the complainant's attempt to "conceal" his identity.
28. It said that any wider value or public interest that lay behind the requests could be pursued through the well established formal complaint routes of its Professional Standards Department and the Independent Office for Police Conduct (IOPC).

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

29. FOIA gives individuals a greater right of access to official information in order to make bodies more transparent and accountable. As such, it is an important constitutional right. Therefore, engaging section 14(1) is a high hurdle.
30. However, the Commissioner recognises that dealing with unreasonable requests can strain resources and get in the way of delivering mainstream services, or answering legitimate requests. These requests can also damage the reputation of the legislation itself.
31. When section 14 is under consideration, the onus is on the public authority to show why a request is vexatious, rather than on the complainant to prove that it is not.
32. The Dransfield case referred to in paragraph 25 established that the key question for a public authority to ask itself is whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress. The four broad themes considered by the Upper Tribunal in Dransfield were:
- the burden (on the public authority and its staff);
  - the motive (of the requester);
  - the value or serious purpose (of the request); and
  - any harassment or distress (of, and to, staff).
33. These are not a checklist, and all the circumstances will need to be considered in reaching what is, ultimately, a value judgement as to whether the requests are vexatious in the sense of being a



disproportionate, manifestly unjustified, inappropriate or improper use of FOIA.

34. Taking motive first, Kent Police believes the requests principally serve the complainant's private interests, as he considers that he was wrongly accused of speeding.
35. That may be the case, but the Commissioner accepts, from the complainant's detailed representations on the subject, that he is also genuine in his concern about the reliability of wider speeding enforcement penalty notices and that he believes it is only through his own investigations that their deficiencies will be brought to light. (It is not the Commissioner's role here to determine how well grounded in fact such beliefs are.)
36. The Commissioner has not seen anything to suggest the complainant is pursuing a grievance or deliberately trying to disrupt Kent Police's work. He notes the complainant's correspondence is polite and not aggressive or abusive. He can therefore see no evidence that the complainant is trying to harass or cause distress to Kent Police staff (although Kent Police has not alleged this).
37. The Commissioner also does not agree with Kent Police's analysis that the complainant's name change was an attempt to conceal his identity, in order to circumvent section 14 being applied to refuse future requests. Again, from the considerable information the complainant supplied to him, it is evident that during his correspondence with Kent Police he provided information which indicated that he was the author of all four requests. However, since his emails tended to be lengthy and contained unnecessary detail, this could have led to that information possibly being overlooked by Kent Police.
38. As regards the value of the request, although the Commissioner recognises the complainant's reasons for why he, personally, wants the information, he considers it would be of limited use to the wider public. The complainant appears to be conducting his own private investigation into the 'fitness' of the speed cameras, which follows an agenda to which the wider public is not privy. The information, requested and disclosed in such a piecemeal fashion, would be unlikely to add to the public's understanding of the workings of speed enforcement cameras in any meaningful way.
39. The Commissioner considers that the complainant's declared intention to submit more requests is further indication of the relatively low value of these requests, individually; essentially, they appear to be part of a pattern of fishing for information which the complainant hopes will prove his belief that the speed cameras are not operating correctly. It is therefore likely that if Kent Police complies with the complainant's

requests, and its responses do not provide such proof, he will simply continue to submit further requests on related subjects.

40. This leads to the remaining bullet point, and the question of burden. When considering the amount of work that would be involved in dealing with a request and whether it would impose an unreasonable burden, account may be taken of the level of resources that a public authority has at its disposal.
41. Kent Police has previously explained to the Commissioner that, due to high interest in policing activity, it receives a large volume of requests. These requests place a huge pressure on the small teams in charge of ensuring compliance with FOIA. It recognises that while some pressure must be accepted, it is entitled to consider whether potentially burdensome requests are proportionate.
42. In this case, it could be argued that the two requests, seen in isolation, are not, in themselves, unreasonable. However, the requests cannot be considered in isolation. They should be considered in conjunction with the complainant's other interactions with Kent Police. It is the volume, unfocussed and repeated nature of much of the complainant's correspondence between March and October 2024, which leads the Commissioner to agree that compliance with the requests in this case would be overly burdensome.
43. Kent Police provided the Commissioner with a schedule of correspondence surrounding the two previous requests the complainant had made on 14 March 2024 and 24 April 2024.
44. The first request asked questions about speed camera repair, maintenance, monitoring and penalty notice numbers (generated in general, and for a particular camera). In the 12 days following the request the complainant sent four further emails, varying the scope of the request, discussing the request process and asking for a response. He also referred to having called Kent Police to try to talk about the request and related matters.
45. Kent Police responded to the first request on 16 April 2024, disclosing most of the requested information and saying that it did not hold some information.
46. The complainant submitted a second request on 24 April 2024, which Kent Police complied with on 21 May 2024. The request was for information about the response given in the earlier request, and it also flagged the complainant's intention to submit further requests. Concerning the maintenance and calibration of cameras, this request was lengthy and unfocussed, with particular questions buried in wider paragraphs of text. There was a conversational element to the way the request was phrased and structured. It was not easy to discern whether

some statements should be taken as formal requests for information or whether they were the complainant "thinking aloud" about future requests. The complainant sent a further seven emails (one of which was a request for an internal review) several of which had the same, lengthy, unfocussed conversational style and requested a response of some kind by Kent Police.

47. From the information he has seen, the Commissioner is satisfied that compliance with the two requests under consideration here would likely lead to further resources being diverted from dealing with other information requests and wider day-to-day business, for little public benefit. Nevertheless, he has considered whether Kent Police complying with these requests is likely to bring matters to a close, or at least move them forward. In his view, that is very unlikely to happen. Rather, as set out above, it would be likely to cause the complainant to submit further requests on aspects of its responses, which would increase the burden to Kent Police.
48. Although the complainant disputes that his requests are repeated or overlapping, the Commissioner finds that they do cover much the same ground. In light of this, the Commissioner considers that, having already provided information on the speed camera the complainant is concerned about, Kent Police is entitled to "draw a line in the sand" and move on. The complainant can ask to have his concerns about the basis for his own penalty notice considered by the Professional Standards Department and then the IOPC, and should any deficiencies be identified, they can be considered as appropriate.
49. In the Commissioner's view, whatever public value the requests have is outweighed by the general burden of work the complainant has placed on Kent Police in responding to his earlier requests, in the accompanying correspondence and the likely continued burden that compliance would bring in terms of more requests.
50. The Commissioner therefore finds that compliance with the requests in this case would involve a disproportionate burden, which is not justified by the purpose and value of the requests. They are therefore vexatious and consequently Kent Police was entitled to rely on section 14(1) of FOIA to refuse them.

## Right of appeal

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51. 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: 0203 936 8963

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)

52. 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.
53. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

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