

# Decision Notice



Decision 074/2008 Mr David Emslie and the Scottish Ministers

Correspondence and other information held by Communities Scotland

Reference Nos: 200701244 and 200701380  
Decision Date: 02 July 2008

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**Kevin Dunion**  
Scottish Information Commissioner

Kinburn Castle  
Doubledykes Road  
St Andrews KY16 9DS  
Tel: 01334 464610



## Summary

Mr David Emslie (Mr Emslie) made two separate sets of information requests seeking a wide range of information from Communities Scotland, which was at that time was an agency of the Scottish Government. These requests are reproduced in Appendix 2 of this decision.

Communities Scotland responded to the first set of requests by stating that it had already supplied much of this information to Mr Emslie and to supply the remainder would exceed the prescribed limit of £600 set out in the Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004 (the Fees Regulations). Mr Emslie asked Communities Scotland to review its decision. Following telephone discussions with Mr Emslie, during which Communities Scotland understood Mr Emslie to have narrowed his information request, it carried out a review and, as a result, notified Mr Emslie that all material had already been supplied to Mr Emslie and there was no further releasable material.

In responding to the second set of requests, Communities Scotland also understood discussions with Mr Emslie to have narrowed the scope of his requests. It again stated that all releasable information had been supplied. This response was reiterated following an internal review. However, at this stage, Communities Scotland also claimed that Mr Emslie's second set of requests were vexatious in terms of section 14(1) of FOISA.

Mr Emslie remained dissatisfied with Communities Scotland's responses and applied to the Commissioner for a decision. Following an investigation, the Commissioner found that Communities Scotland would have been entitled to refuse to comply with both sets of Mr Emslie's information requests since they were vexatious in terms of section 14(1) of FOISA.

However, the Commissioner found that Communities Scotland had failed to respond to Mr Emslie's two requests for review within the 20 working day timescale set out in section 21(1) of FOISA and accordingly had not dealt with the requests in accordance with Part 1 of FOISA. He did not require Communities Scotland to take any action in relation to these breaches of FOISA.

## Relevant statutory provisions and other sources

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Freedom of Information (Scotland) Act 2002 (FOISA): sections 1(1) and (6) (General entitlement); 14(1) (Vexatious or repeated requests) and 21(1) (Review by Scottish public authority)

The full text of each of the statutory provisions cited above is reproduced in the Appendix to this decision. The Appendix forms part of this decision.



Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004 (the Fees Regulations)

The Scottish Ministers' Code of Practice on the Discharge of Functions by Public Authorities under FOISA ('The Section 60 Code') <http://www.scotland.gov.uk/Publications/2004/09/19894/42618>

Decision 038/2007 – Mr David Emslie and Communities Scotland

<http://www.itspublicknowledge.info/applicationsanddecisions/Decisions/2007/200600806.asp>

Decision of the Information Tribunal

Ahilathirunayagam v. Information Commissioner and London Metropolitan University (EA/2006/0070)

[http://www.informationtribunal.gov.uk/Documents/decisions/mrvahilathirunayagamvInfoComm\\_LonMetropolitanuni20jun07.pdf](http://www.informationtribunal.gov.uk/Documents/decisions/mrvahilathirunayagamvInfoComm_LonMetropolitanuni20jun07.pdf)

## Background

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1. This decision is concerned with two separate sets of requests made by Mr Emslie to Communities Scotland, which was at the time of his requests an agency of the Scottish Government. Communities Scotland was abolished on 1 April 2008. On that date, most of its non-regulatory functions were transferred to the Scottish Government's Housing and Regeneration directorate. For this reason, this decision names the Scottish Ministers as the public authority to which it has been issued.

### The first set of requests

2. On 15 January 2007, Mr Emslie faxed Communities Scotland, requesting a wide range of information, including all correspondence between Communities Scotland and Grampian Housing Association (GHA), various types of reports, financial information, communications and other information in respect of GHA. His correspondence went on to specify that this information sought should be provided in response to 32 separate requests, each of which specified a single year period between 1975 and 2006.
3. Mr Emslie indicated that he had refined his requests to include specific dates following previous correspondence, to help Communities Scotland with his request. He stated that if this was still too expensive, the requests could be further refined to narrow the relevant period to 6 months, 3 months, 1 month or even 1 week. These requests are reproduced in full in Appendix 2 of this decision notice.
4. Communities Scotland replied to Mr Emslie on 14 February 2007. It divided Mr Emslie's requests, into four parts:
  - a. All correspondence between all departments of Communities Scotland and GHA (category 1);



- b. All monitoring and inspection reports (category 2);
- c. All grants and monies (category 3); and
- d. All fax information, etc (category 4).

Communities Scotland stated that much of the information which would fall within categories 1, 2 and 4 had been supplied to Mr Emslie in response to previous requests made by him to Communities Scotland and, in particular, in response to requests made in February 2005 and July 2006.

- 5. In respect of category 3 (all grants and monies), Communities Scotland provided a summary of the financial information requested for the period to 1991 – 2006. It went on to state that the cost of providing all paperwork in respect of each grant as requested would exceed the £600 cost limit for the purposes of section 12 of FOISA. It was explained that this information included extensive paperwork which would require to be reorganised, reassessed and recalculated, especially if it were to be provided by calendar rather than financial year. Communities Scotland suggested that it would assist if Mr Emslie were to refine his request.
- 6. On 21 March 2007, Mr Emslie wrote to Communities Scotland requesting that it review its decision.
- 7. Communities Scotland notified Mr Emslie of the outcome of its review on 27 July 2007, stating that all material had already been supplied to Mr Emslie, except where the information was exempt, and there was no further releasable material. Communities Scotland apologised for the delay in responding to Mr Emslie's request for review.

### **The second set of requests**

- 8. On 7 February 2007, Mr Emslie wrote to Communities Scotland again requesting a wide range of information, including all correspondence between Communities Scotland (and its predecessor organisations) and the Government or the National Audit Office between 1975 and 2007, legislation relating to housing matters, enforcement powers, communications, and consultation documents. These requests were again made in the form of 32 separate requests, each specifying a calendar year.
- 9. Mr Emslie again indicated that he had refined his requests to include specific dates following previous correspondence, to help Communities Scotland with his request. He stated that if this was still too expensive, the requests could be further refined to narrow the relevant period to 6 months, 3 months, 1 month or even 1 week. These requests are also reproduced in full in Appendix 2 of this decision notice.
- 10. On 5 March 2007, Communities Scotland wrote to Mr Emslie. It referred to his request of 7 February, and subsequent telephone conversations during which Communities Scotland sought to clarify the information requested. This letter addressed various matters apparently discussed by telephone and sought further information from Mr Emslie to assist in responding more fully to the matters raised there.



11. This letter stated that Mr Emslie had confirmed that he was primarily interested in the contract paperwork relating to improvement works at GHA properties in a specific street. This letter made no further reference to the types of information requested as described in paragraph 8 above.
12. On 21 March 2007, Mr Emslie wrote to Communities Scotland requesting a review of its decision not to supply the information requested in his fax of 7 February 2007. On the same date, he also requested a review of Communities Scotland's handling of requests for grant information that were made by telephone, apparently in the discussions seeking to clarify the request of 7 February 2007.
13. Communities Scotland responded to Mr Emslie's request for review on 27 July 2007, apologising for the delay in so doing. This letter stated that Mr Emslie's requests had been judged to be vexatious for the purposes of section 14(1) of FOISA, on the grounds of the information requested and the language used. Communities Scotland went on to note that public authorities are not obliged to respond to vexatious requests, but it had contacted Mr Emslie by telephone to try to ascertain the specific information he wanted. Communities Scotland concluded that this information had already been supplied in response to other requests under FOISA, except where it was exempt. It stated that no further releasable information was held.
14. On 12 September 2007, Mr Emslie wrote to the Commissioner's office, stating that he was dissatisfied with the outcome of Communities Scotland's reviews in relation to both of the sets of requests described above. He applied to the Commissioner for a decision in terms of section 47(1) of FOISA.
15. Mr Emslie expressed dissatisfaction with the time taken by Communities Scotland to conduct a review.
16. He also expressed dissatisfaction with Communities Scotland's decision that the cost of his first set of requests would exceed £600. He queried whether the figure quoted related to each request for information concerning a single year, or whether it covered them all, and stated that Communities Scotland had failed to provide him with advice on this point to assist him in refining his requests. He noted that if each individual request exceeded the statutory limit he could refine these further to seek information for each month, week or day.
17. Finally, he rejected Communities Scotland's judgement that his requests were vexatious, given that he had narrowed his requests to cover limited time periods in order to avoid these exceeding the cost threshold of £600.
18. The applications were validated by establishing that Mr Emslie had made requests for information (on 15 January 2007 and 7 February 2007) to a Scottish public authority and had applied to the Commissioner for a decision only after asking the authority to review its responses to those requests. These cases were conjoined for the purposes of investigation and decision, and they were allocated to an investigating officer.



## Investigation

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19. As noted above, Communities Scotland was an agency of the Scottish Ministers (which has since ceased to exist in that form). In line with agreed procedures, the investigating officer wrote to the Ministers on 13 December 2007 to provide notice in writing that applications had been received from Mr Emslie and providing opportunity, in terms of section 49(3)(a) of FOISA, to comment on the applications and asking them to respond to specific questions on the applications.
20. In particular, the Ministers were asked in relation to the first set of requests to provide details of the projected costs of complying with the requests. With respect to the second set of requests, the Ministers were asked to confirm whether they wished to claim in terms of section 14(1) of FOISA that the requests were vexatious.
21. In response, the Ministers provided details of its cost calculations with respect to the first set of requests, but went on to claim that, following clarification provided in telephone discussions with Mr Emslie, all information he was specifically interested in had been supplied to him. The Ministers stated that they now wished to claim that all information falling within the scope of this clarified request was therefore exempt under the terms of section 25(1) of FOISA. Details of information requests previously made by Mr Emslie and the information supplied in response were provided in support of this claim.
22. The Ministers also noted that although Communities Scotland had not explicitly referred to section 17(1) of FOISA, some of the information requested was not held. They explained that the records management practice of the Regulation and Inspection Division of Communities Scotland is to keep records for 5 years. As Mr Emslie's request was for information from 1975, this clearly included a period of time for which records were no longer held.
23. The Ministers submitted that sections 17(1) and 25(1) were also being relied upon with respect to Mr Emslie's request of 7 February. They again stated that they understood the request to have been clarified in telephone discussions with Mr Emslie, and that all information falling within the scope of this clarified request had either already been supplied or were not held.
24. With respect to the timescales for review, the Ministers acknowledged that both of Mr Emslie's requests for review of 21 March 2007 were thought to have been responded to when in fact no reply had been issued. They noted that in each case Communities Scotland had apologised to Mr Emslie for this oversight in its responses of 27 July 2007.



25. Finally, the Ministers submitted that Communities Scotland had chosen not to claim formally that section 14(1) of FOISA applied in this case. However, it was submitted that given their nature, both individually and collectively, both of Mr Emslie's sets of requests could be interpreted as vexatious, for example by imposing a significant burden on Communities Scotland, in having no serious purpose or value, and causing disruption and annoyance. The Ministers also suggested that by breaking a wider request into 32 separate requests, Mr Emslie seemed to be deliberately circumventing section 12(1) of FOISA and, in so doing, aiming to impose excessive burden, disruption and annoyance on Communities Scotland. The Ministers suggested finally that, following a series of related requests over a period of time, these continuing series of requests for closely connected material could be considered vexatious.
26. Mr Emslie was invited to provide further comments on these cases, and particularly on the Ministers' assertion that he had clarified and narrowed his requests, and that these requests could be considered to be vexatious.
27. Mr Emslie responded that although he had narrowed the scope of the part of his request of 15 January relating to grants to only those concerning a particular street, he had not in so doing indicated that he no longer wished to access the remaining information sought by the two sets of requests set out in Appendix 2. He provided further background information explaining the reasons for making his requests for information.

## Commissioner's analysis and findings

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28. In coming to a decision in this matter, the Commissioner has considered all the information and submissions that have been presented to him by Communities Scotland and Mr Emslie and is satisfied that no matter of relevance has been overlooked.

### Section 14(1) - Vexatious request

29. Mr Emslie's two sets of information requests are both complex and wide ranging. In Communities Scotland's correspondence with Mr Emslie and the Ministers' correspondence with the Commissioner, it has been suggested that these requests could be considered to be vexatious in terms of section 14(1) of FOISA.
30. Section 14(1) of FOISA states that section 1(1) (which confers the general entitlement to information held by such authorities) does not oblige a Scottish public authority to comply with a request for information if the request is vexatious. Section 14 does not provide an exemption as such: instead, its effect is to render inapplicable the general right of access to information contained in section 1(1) of FOISA.
31. The Ministers advised the Commissioner that Communities Scotland chose not to rely formally upon this provision in order to be helpful to Mr Emslie. Instead, Communities Scotland engaged in discussions with Mr Emslie and sought to provide responses to part of these.



32. Nonetheless, the Ministers' submissions to the Commissioner argued strongly that Communities Scotland was entitled to rely upon section 14(1), even if it had chosen not to. The Ministers submitted that each of Mr Emslie's series of requests would appear to satisfy several of the criteria for a vexatious request.
33. If these arguments are correct, then Communities Scotland was under no obligation to comply with the Mr Emslie's requests. The Commissioner would be unable to require the Ministers to comply with any request that he accepts to be vexatious.
34. Mr Emslie was provided with the opportunity to respond to the Ministers' claim. He provided background information explaining the reasons for his request and copies of related documents. In his correspondence with the Commissioner, he also submitted that his requests were not vexatious and they were framed in the way they were to avoid the cost of each request being excessive.
35. FOISA does not define "vexatious". For the equivalent provision in the (UK) Freedom of Information Act 2000, the Information Tribunal, in the case of *Ahilathirunayagam v. Information Commissioner and London Metropolitan University* (EA/2006/0070), accepted that the normal use of this word is "to describe activity that is likely to cause distress or irritation, literally to vex a person to whom it is directed".
36. In an early decision (Decision 062/2005 (which related to 720 requests for information made to the then Scottish Executive for information concerning Caledonian MacBrayne), the Commissioner provided guidance in relation to the meaning of vexatious. In particular, the Commissioner is likely to be sympathetic to public authorities which refuse a request if responding to that request would impose a significant burden on the public authority and would, in the opinion of a reasonable person, be considered to be manifestly unreasonable or manifestly disproportionate.
37. In considering what is manifestly unreasonable or manifestly disproportionate, it will sometimes be necessary to consider the effect of dealing with the request on a public authority. Even if an applicant does not intend a request to be vexatious, it is possible that dealing with that request will impose a significant burden on a public authority and will be considered to be manifestly unreasonable or manifestly disproportionate. The nature and effect of the request, rather than the intentions of the applicant, must therefore be taken into account.
38. It is relevant in this case to note the provisions contained in section 12 of FOISA. Section 12(1) of FOISA states that a public authority is not obliged to comply with a request for information where the authority calculates that the cost of complying would exceed the amount prescribed in the Fees Regulations. Regulation 5 of the Fees Regulations specifies that this limit is £600.
39. Neither FOISA nor the associated Fees Regulations limit the number of requests which can be made in one day by any one person. However, this cannot and does not mean that applicants should be able to make an unlimited number of information requests to a public authority at any one time.





40. In these particular cases, the Commissioner is required to consider not simply two single requests, but two sets of 32 separate and wide ranging requests, where each request sought specified information over a single year time period.
41. Mr Emslie confirmed that this approach was intended to avoid any request incurring excessive costs for the purposes of section 12(1) of FOISA. He also indicated that, if necessary, these requests could be split into even narrower requests.
42. As in previous decisions, the Commissioner's approach is that a request (which may be the latest in a series of requests, or one among a large number of individual requests) will be vexatious where it would impose a significant burden on the public authority and one or more of the following conditions can be met:
  - a) it has the effect of harassing the public authority;
  - b) it does not have a serious purpose or value;
  - c) it is designed to cause disruption or annoyance to the public authority;
  - d) it would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate.
43. The first factor which the Commissioner will consider is whether the requests would impose a significant burden on the public authority. A request will impose a "significant burden" on a public authority where dealing with it would require a disproportionate amount of time, and the diversion of an unreasonable proportion of its financial and human resources away from its core operations.
44. Communities Scotland has advised the Commissioner that the cost of providing the information requested in relation to grants paid to GHA in the set of requests of 15 January 2007 would be £2,131.60. This sum was estimated based on the costs of copying all relevant files at a cost of 10p per sheet. The Commissioner is satisfied that this is a reasonable estimate, and notes that this does not include the cost of staff time or postage, and that it only addresses one of the categories of information sought within these requests. He is therefore aware that the total burden of compliance would involve both greater cost and significant staff resources.
45. It is unlikely that the cost of complying with each of the requests made on 15 January 2007 would separately fall within the £600 prescribed limit for the purposes of section 12(1) of FOISA. However, the combined cost of complying with these requests would be significantly in excess of this figure.



46. The requests of 7 February 2007 are worded in the same manner as those of 15 January 2007: both sets of requests seek numerous types of information and repeatedly refer to 'all' in respect of correspondence or documents. Although no projected cost calculations were supplied in relation to the second set of requests, the Commissioner has concluded that the burden of compliance with the second set of requests would be of a similar scale and cost to that arising from the first set of requests.
47. The Commissioner is satisfied that complying with Mr Emslie's requests would impose a significant burden on the Ministers. Mr Emslie's correspondence with Communities Scotland recognised this burden by making clear that his intention was to make his requests in a manner to avoid section 12(1) of FOISA being engaged, by making large numbers of narrow requests (and doing this repeatedly if necessary) in order to ensure his requests fell under the £600 cost threshold.
48. The Commissioner has noted the intention specified in Mr Emslie's requests to make, if necessary, increasingly numerous and narrow requests to Communities Scotland. He has also noted that Mr Emslie's requests of 15 January and 7 February 2007 overlap significantly with requests previously made to Communities Scotland, and responses to which have already been supplied.
49. Some of the information requested has been supplied to Mr Emslie, some has been explained as not being held and some has been the subject of previous decisions by the Commissioner. The effect of asking for information which already has been the subject of a previous information request – and has been provided or was the subject of a decision by the Commissioner – could in certain circumstances be seen to have the effect of harassing a public authority. The Commissioner also notes that the Section 60 Code states that one of the factors which an authority might take into account in considering if a request falls within section 14(1) is whether the request has already been rejected on appeal to the Commissioner and the applicant knows this.
50. Having considered the submissions from Communities Scotland and from Mr Emslie, the Commissioner is of the view that Mr Emslie's requests have the effect, whatever his intention, of harassing the public authority. Given the significant cost and burden that would be incurred by complying with these requests, and Mr Emslie's stated intention of circumventing the cost threshold for the application of section 12 of FOISA, the Commissioner has also concluded that a reasonable person would be likely to view these requests to be unreasonable and disproportionate.
51. Having decided that Mr Emslie's requests would collectively have the effect of imposing a significant burden on, and harassing, the public authority, and would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate - the Commissioner has concluded that both sets of requests (and consequently, each individual request within these) made by Mr Emslie, are vexatious for the purposes of section 14(1) of FOISA.



52. Having reached this conclusion, the Commissioner also concludes that Communities Scotland was under no obligation under section 1(1) of FOISA to comply with these requests for information. He will therefore not go on to consider whether the information requested is held, or whether it is exempt from disclosure under the terms of section 25 of FOISA.

### **Section 21 – compliance with timescales**

53. Section 21(1) of FOISA gives authorities a maximum of 20 working days from receipt of the requirement to comply with a requirement for review.
54. The Ministers have acknowledged that Mr Emslie's two requests for review of 21 March 2007 were both overlooked by Communities Scotland and noted that it has apologised to Mr Emslie for the delay in responding to him: this apology was contained in the formal review response in a letter of 27 July 2007.
55. The Commissioner therefore finds that in relation to each of Mr Emslie's sets of information requests, the Ministers (Communities Scotland) failed to comply with the requirements of section 21(1) of FOISA. However, in this instance the Commissioner does not require the Ministers to take any action in response to this decision in relation to these failures.

## **DECISION**

The Commissioner has found that the Scottish Ministers (Communities Scotland) were not obliged under section 1(1) of FOISA to comply with the information requests made by Mr David Emslie on 15 January and 7 February 2007 on the basis that these requests were vexatious in accordance with section 14(1) of FOISA.

The Commissioner has found that Communities Scotland failed to comply with Part 1 of FOISA in failing to comply with the timescales specified in section 21(1) of FOISA in responding to both of Mr Emslie's requests for review. However, given that an apology was given to Mr Emslie, he does not require any action to be taken in relation to these failures.



## Appeal

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Should either Mr Emslie or the Scottish Ministers wish to appeal against this decision, there is an appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of intimation of this decision notice.

**Kevin Dunion**  
**Scottish Information Commissioner**  
**02 July 2008**



## Appendix

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### Relevant statutory provisions

#### Freedom of Information (Scotland) Act 2002

##### 1 General entitlement

- (1) A person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority.

...

- (6) This section is subject to sections 2, 9, 12 and 14.

##### 14 Vexatious or repeated requests

- (1) Section 1(1) does not oblige a Scottish public authority to comply with a request for information if the request is vexatious.

...

##### 21 Review by Scottish public authority

- (1) Subject to subsection (2), a Scottish public authority receiving a requirement for review must (unless that requirement is withdrawn or is as mentioned in subsection (8)) comply promptly; and in any event by not later than the twentieth working day after receipt by it of the requirement.

...



## Appendix 2

### The first set of requests: dated 15 January 2007

“Please supply me with copies of all correspondence between all departments of Communities Scotland and Grampian Housing Association Ltd, copies of all correspondence from Grampian Housing Association to all departments of Communities Scotland, or to all the other names Communities Scotland has been known as. All monitoring reports, all Inspection Reports. All grants received by Grampian Housing Association from Communities Scotland, and previously Scottish Homes, and prior to that the Housing Corporation or all other name [sic] that Communities Scotland has previously been known as. All moneys G.H.A has received in any form. All fax information, all computer generated information or held on computer or any other form, all records of telephone conversations, all internal reports or internal confidential information held by you. All details and dates of meetings with G.H.A and any member of Communities Scotland or with the previous names Communities Scotland has been known as, all meetings with G.H.A all its offices in Aberdeen or at any other venue, this is to include any meetings or correspondence with any of G.H.A Chairman or Committee Members. This is to include all of the following dates.

First request from the 1<sup>st</sup> January 1975 to the 1<sup>st</sup> December 1975, or when the Association came into being.

Second request from the 1<sup>st</sup> January 1976 to the 31st December 1976.

Third request from the 1<sup>st</sup> January 1977 to the 31st December 1977.

Fourth request from the 1<sup>st</sup> January 1978 to the 31st December 1978.

Fifth request from the 1<sup>st</sup> January 1979 to the 31st December 1979.

Sixth request from the 1<sup>st</sup> January 1980 to the 31st December 1980.

Seventh request from the 1<sup>st</sup> January 1981 to the 31 December 1981.

Eighth request from the 1<sup>st</sup> January 1982 to the 31st December 1982.

Ninth request from the 1<sup>st</sup> January 1983 to the 31st December 1983.

Tenth request from the 1<sup>st</sup> January 1984 to the 31st December 1984.

Eleventh request from the 1<sup>st</sup> January 1985 to the 31st December 1985.

Twelfth request from the 1<sup>st</sup> January 1986 to the 31st December 1986.

Thirteenth request from the 1<sup>st</sup> January 1987 to the 31st December 1987.

Fourteenth request from the 1<sup>st</sup> January 1988 to the 31st December 1988.



Fifteenth request from the 1<sup>st</sup> January 1989 to the 31st December 1989.

Sixteenth request from the 1<sup>st</sup> January 1990 to the 31st December 1990.

Seventeenth request from the 1<sup>st</sup> January 1991 to the 31st December 1991.

Eighteenth request from the 1<sup>st</sup> January 1992 to the 31st December 1992.

Nineteenth request from the 1<sup>st</sup> January 1993 to the 31st December 1993.

Twentieth request from the 1<sup>st</sup> January 1994 to the 31st December 1995.

Twenty-first request from the 1<sup>st</sup> January 1995 to the 31st December 1996.

Twenty-second request from the 1<sup>st</sup> January 1976 to the 31st December 1976.

Twenty-third request from the 1<sup>st</sup> January 1996 to the 31st December 1997.

Twenty-fourth request from the 1<sup>st</sup> January 1997 to the 31st December 1998.

Twenty-fifth request from the 1<sup>st</sup> January 1999 to the 31st December 1999.

Twenty-sixth request from the 1<sup>st</sup> January 2000 to the 31st December 2000.

Twenty-seventh request from the 1<sup>st</sup> January 2001 to the 31st December 2001.

Twenty-eighth request from the 1<sup>st</sup> January 2002 to the 31st December 2002.

Twenty-ninth request from the 1<sup>st</sup> January 2003 to the 31st December 2003.

Thirtieth request from the 1<sup>st</sup> January 2004 to the 31st December 2004.

Thirty-first request from the 1<sup>st</sup> January 2005 to the 31st December 2005.

Thirty-second request from the 1<sup>st</sup> January 2006 to the 31st December 2006.

I have refined these requests to specific dates to help you with my request. If it is still to [sic] I can refine it to every six months as I have requested above, or to every three months, or to every month as above, or to every week as above”



**The second set of requests: dated 7 February 2007**

“Please supply me with copies of all correspondence between the Housing Corporation, Scottish Homes, Communities Scotland and any other names these organisations have been known as since 1975. All correspondence requested is between the above and the Westminster Government from 1976 until 1997 when we got our own Scottish Corrupt Government. Copies of all correspondence with all departments of the Westminster Government and Senior Civil servants about Housing matters in Scotland, all legislation which came into force in the setting up of Housing Associations in Scotland, all enforcement powers that the regulator of Housing associations in Scotland have had, and all powers that you have had to close down corrupt Housing associations in Scotland when the Westminster Government controlled all Housing Association matters in Scotland. Copies of all meetings between the Housing Corporation, Scottish Homes and Communities Scotland with senior servants, Westminster appointed Housing Ministers, copies of all consultation documents about Policy and Practice in relation to Housing Associations in Scotland. Copies of all correspondence between the Department of Work and Pensions from 1975 until 2007. Copies of all correspondence between the Housing Corporation, Scottish Homes and Communities Scotland and the National Audit Office from 1975 until 2007.

First request from the 1<sup>st</sup> January 1975 to the 1<sup>st</sup> December 1975, or when the Housing Corporation came into being.

Second request from the 1<sup>st</sup> January 1976 to the 31st December 1976.

Third request from the 1<sup>st</sup> January 1977 to the 31st December 1977.

Fourth request from the 1<sup>st</sup> January 1978 to the 31st December 1978.

Fifth request from the 1<sup>st</sup> January 1979 to the 31st December 1979.

Sixth request from the 1<sup>st</sup> January 1980 to the 31st December 1980.

Seventh request from the 1<sup>st</sup> January 1981 to the 31 December 1981.

Eighth request from the 1<sup>st</sup> January 1982 to the 31st December 1982.

Ninth request from the 1<sup>st</sup> January 1983 to the 31st December 1983.

Tenth request from the 1<sup>st</sup> January 1984 to the 31st December 1984.

Eleventh request from the 1<sup>st</sup> January 1985 to the 31st December 1985.

Twelfth request from the 1<sup>st</sup> January 1986 to the 31st December 1986.

Thirteenth request from the 1<sup>st</sup> January 1987 to the 31st December 1987.

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- Fourteenth request from the 1<sup>st</sup> January 1988 to the 31st December 1988.
- Fifteenth request from the 1<sup>st</sup> January 1989 to the 31st December 1989.
- Sixteenth request from the 1<sup>st</sup> January 1990 to the 31st December 1990.
- Seventeenth request from the 1<sup>st</sup> January 1991 to the 31st December 1991.
- Eighteenth request from the 1<sup>st</sup> January 1992 to the 31st December 1992.
- Nineteenth request from the 1<sup>st</sup> January 1993 to the 31st December 1993.
- Twentieth request from the 1<sup>st</sup> January 1994 to the 31st December 1995.
- Twenty-first request from the 1<sup>st</sup> January 1995 to the 31st December 1996.
- Twenty-second request from the 1<sup>st</sup> January 1976 to the 31st December 1976.
- Twenty-third request from the 1<sup>st</sup> January 1996 to the 31st December 1997.
- Twenty-fourth request from the 1<sup>st</sup> January 1997 to the 31st December 1998.
- Twenty-fifth request from the 1<sup>st</sup> January 1999 to the 31st December 1999.
- Twenty-sixth request from the 1<sup>st</sup> January 2000 to the 31st December 2000.
- Twenty-seventh request from the 1<sup>st</sup> January 2001 to the 31st December 2001.
- Twenty-eighth request from the 1<sup>st</sup> January 2002 to the 31st December 2002.
- Twenty-ninth request from the 1<sup>st</sup> January 2003 to the 31st December 2003.
- Thirtieth request from the 1<sup>st</sup> January 2004 to the 31st December 2004.
- Thirty-first request from the 1<sup>st</sup> January 2005 to the 31st December 2005.
- Thirty-second request from the 1<sup>st</sup> January 2006 to the 31st December 2006.

I have refined these requests to specific dates to help you with my request. If it is still to [sic] I can refine it to every six months as I have requested above, or to every three months, or to every month as above, or to every week as above.”