

## **Dealing with vexatious correspondents**

The guidance below describes how we identify and deal with Ministerial correspondence which is vexatious. It is for policy divisions to deal with any such correspondence which is addressed to them directly. In doing this, however, you may wish to apply the general principles outlined below.

Please note this guidance does not deal with Freedom of Information requests (including any requests for information contained within Ministerial Correspondence) and you must direct any queries on FOI requests to Access to Information Unit. Similarly, if you are dealing with a letter from a vexatious correspondent, and you are unsure if it does contain a FOI request, you should discuss with Access to Information Unit.

### **Identifying vexatious correspondence**

An exact definition of vexatious correspondence is hard to come by. However, it can be said to be correspondence that:

- clearly does not have any serious purpose or value; or
- is designed to cause disruption or annoyance; or
- can fairly be characterised as obsessive or manifestly unreasonable.

Generally, vexatious correspondence will develop over the course of several letters where the writer is continually returning to the same point that has been answered, or where they refuse to accept our answers to their points.

Deciding that correspondence is vexatious can only be done on a case by case basis and must be a last resort. It should only be done with the agreement of the relevant private office. It is important to note that declaring correspondence vexatious does not mean that we will not answer any further correspondence from that individual, just not any correspondence from that individual on that topic.

We are still obliged to answer new queries, to deal with additional information, and to properly consider any FOI requests (though you will need to speak to Access to Information Unit), so if they write in again on a different issue then it will be treated in the same way as any other correspondence.

If you consider any Ministerial or TO correspondence sent to you to be vexatious you should e mail the relevant Correspondence Mailbox and explain why. Private office will consider and let you know if they agree.

### **Replying to vexatious correspondence**

Once it has been agreed that correspondence is vexatious the writer must be informed that the Welsh Government (and not your Minister/Cabinet Secretary or your department) will not be answering any more correspondence from

them on that subject matter.

A suggested form of words you can use is:

*“Thank you for your letter of [date]. We have nothing further to add to our previous reply on this issue. In the absence of any new information from you the Welsh Government will not be responding further to you on this topic.”*

You must copy Correspondence mail into your response for their records. This will also ensure that the standard acknowledgment is not issued to further letters and raise expectations of a reply.

Cabinet Division maintain a list of vexatious correspondents and will send any further letters to you to consider, and if they are vexatious, for filing. Any vexatious letters sent direct to you can also be filed.