



**FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
Information Rights**

Tribunal Reference: Request for appeal
Appellant: Alan Dransfield
Respondent: The Information Commissioner
Judge: NJ Warren

DECISION NOTICE

1. Mr Dransfield has asked for a decision of the registrar dated 29 October 2014 to be considered afresh by a judge.
2. His request has been referred to me in the ordinary course of Tribunal business.
3. Mr Dransfield specifically requests that the application should be considered by a someone other than me. He refers to my “usual Cavalier/Bully boy Attitude” and says that he fervently believes that I am “devoid of any honesty or morals”.
4. I am not satisfied that these are proper grounds on which to recuse myself. See, for example, Dobbs v Triodos Bank N.V. [2005] EWCA Civ 468 at paras 6 and 7.
5. Mr Dransfield made three requests under the Freedom of Information Act (FOIA) to the information commissioner (ICO). They were concerned with the date from which the ICO was likely to run a paperless office; final pension details for senior staff; and the ICO premises in Cheshire. The requests were refused on the ground that they were vexatious and the ICO confirmed those rulings in statutory decision notices dated 18 September 2014. Mr Dransfield asked the ICO to review those notices but on 23 September 2014 the ICO advised him that he must lodge an appeal with the Tribunal if he wished to challenge them.

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6. On 11 October 2014, before the time limit expired, Mr Dransfield copied the Tribunal into an email which referred to all three decision notices. He included the words “I am purposely not appealing this decision in the interest of the public purse and of course my own financial circumstances”.
7. On 23 October 2014 there was a hearing of an appeal which Mr Dransfield had lodged in June. Mr Dransfield says that he attempted to add the three ICO decisions dated 23 September 2014 to the hearing but was debarred from doing so. On 28 October 2014 he asked the Tribunal for a hearing date in respect of the three decision notices. He confirmed that he knew the correct procedures for appealing to the Tribunal and said that he had been trying to save thousands of pounds of public funds by attaching these three cases to his hearing the previous week. Tribunal staff pointed out that they had not received any notice of appeal in respect of the three cases quoted. He replied to say “that is not the case and I sent the relevant appeal papers to the three earlier case. (sic) Surprise me and say the appeal time has now lapsed. That being the case please accept this email as a request for extension of time”.
8. The registrar refused to extend time.
9. I should deal first with Mr Dransfield’s assertion that he had sent in the “relevant appeal papers”. I do not accept that Mr Dransfield lodged an in time appeal against any of the three decisions. It is Mr Dransfield’s habit to communicate by email and it is in my judgement very unlikely that any such appeals were received and not acted upon. Appeals are normally receipted automatically and Mr Dransfield has produced no such receipts. Moreover, the suggestion he lodged appeals is quite inconsistent with his statements elsewhere to the effect that he had deliberately not done so and that he wanted to “add” the three decision notices to the Exeter appeal.
10. I turn then to the question of whether time should be extended. It is true that the applications to extend time were received only a few days after the time limit and the Tribunal will generally look kindly upon difficulties that lay litigants have. Mr Dransfield did not supply the registrar with any indication of what grounds of appeal he might have. She referred to this omission in her own decision. His

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application to me does not make things any clearer. Mr Dransfield knows the procedures very well. He has exercised his rights of appeal to the Tribunal on several occasions. On this occasion I am satisfied he took a conscious decision not to appeal and allowed the time limit to expire. I do not consider it would be right to allow him to revise his stance and I therefore refuse to extend time for the appeals to be lodged.

NJ Warren

Chamber President

Dated 13 November 2014