



Appeal number: EA/2019/0341P

**FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
(INFORMATION RIGHTS)**

PAUL ASTLE

Applicant

- and -

THE INFORMATION COMMISSIONER

Respondent

**Before:
JUDGE C L GOODMAN**

Sitting in Chambers on 7 April 2021

DECISION

1. The application for an order prohibiting publication of the Decision made on 26 March 2021 is refused.
2. The application for correction of the Decision made on 26 March 2021 is refused.

REASONS

3. On 26 March 2021, I refused the Applicant's appeal against the Information Commissioner's Decision Notice FER0813282. The Applicant was sent a copy of the Decision and informed that it may be posted on the Tribunal's website in due course.

4. On 31 March 2021, the Applicant requested that the Decision not be published on the website or that it be revised. The Applicant submits that the Decision discriminates against him on grounds of disability because he has a mental health condition and the Decision refers to a letter from Mansfield District Council to the Applicant about its Unreasonable Behaviour Policy. The Applicant submits that the Decision should have noted in this context that the Applicant has autism and that the Unreasonable Behaviour Policy was not implemented. The Applicant further submits that the letter from the Council is not relevant to the appeal.

5. I have treated the Applicant's request as an application for an Order prohibiting disclosure and publication of information relating to the proceedings under Rule 14 of the First-tier Tribunal (General Regulatory Chamber) Rules. Taking into account the overriding objective, I find that it is not fair and in the interests of justice to make an Order prohibiting publication of the Decision. Open justice is a fundamental principle of the English legal system. With very few exceptions, hearings in Courts and Tribunals take place in public and decisions are published. I have considered the submissions made by the Applicant but find that there are insufficient grounds to make an exception in this case.

6. Correction of a Decision is only permitted under Rule 40 where there has been a clerical mistake or other accidental slip or omission. That is not the case here.

**Signed digitally by:
Judge CL Goodman**

DATE: 26/03/2021

Promulgated

DATE: 12/04/2021