

**Tribunal Procedure (First Tier Tribunal) (General Regulatory Chamber)
Rules 2009:**

Application to publicise on the internet responses by Information Commissioner and second respondent - effect of rules 2 and 5.

TODD v INFORMATION COMMISSIONER and BBC

**Case Number: EA/2010/0107
6 September 2010**

Facts

The appellant sought a ruling that he could publish the responses of the Commissioner and the BBC on the internet in order to recruit advice and assistance from others in the conduct of his appeal.

Findings

(1) The Tribunal found that it had jurisdiction to give such a ruling under rule 5(1) which provides that the Tribunal “may regulate its own procedure” and 5(2) which enables it to give a direction and make rulings at any time “in relation to the conduct or disposal of proceedings” in accordance with the overriding objective.

(2) Since the appellant sought the ruling whilst the appeal is ongoing and as part of his conduct of the appeal and to assist him in its presentation and since it may affect the conduct of the proceedings it was within the jurisdiction of the Tribunal to make such a ruling in this case.

(3) Although the Tribunal did not find the appellant’s stated reason for the request that he wished to be on an equal footing with the other parties to be compelling in this instance, in the absence of any compelling reason for not allowing the request the Tribunal made the ruling sought.

(4) The Tribunal noted that in some cases publication of pleadings may detract from the informality of the proceedings by attracting attention to the case in a way which would inhibit unrepresented parties or witnesses.