



**IN THE MATTER OF AN APPEAL TO THE FIRST-TIER TRIBUNAL  
GENERAL REGULATORY CHAMBER  
INFORMATION RIGHTS**

**Appeal No: EA/2012/0065**

**BETWEEN:**

**LAMIN DARBO**

**Appellant**

**and**

**THE INFORMATION COMMISSIONER**

**Respondent**

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**RULING**

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1. Mr Darbo lodged an appeal with the Tribunal on 21 March 2012 against a decision of the Information Commissioner dated 27 February 2012 (FS 50422240) (“DN”).
2. His Notice of Appeal (“NOA”) did not provide proper grounds of appeal so the Tribunal asked him to provide such grounds by email dated 21 March giving a time limit by which to respond. This was followed up by similar emails on 30 March and 11 and 18 April explaining what he needed to do and directing that he provide such grounds. He responded only once on 10 April by email in effect leaving it to the judge to sort out the grounds from the many pages of exhibits accompanying the NOA, which in any case pre-dated the DN and did not appear to address the findings of the Commissioner and why he considered they were wrong.
3. The Tribunal then gave him a last chance to comply with the direction which was sent to him by email on 10 May pointing out that failure to comply with the direction by the time limit provided might result in his appeal being struck out. He has not responded.
4. Under rule 22(2)(g) of the Tribunal Procedure (First-tier Tribunal)(General Regulatory Chamber) Rules 2009 as amended “the notice of appeal must include

– the grounds on which the appellant relies.” Although Mr Darbo provided his reasons for appealing these did not address the finding by the Commissioner that s.12 of FOIA applied. Although given the opportunity a number of occasions to provide proper grounds he failed to do so.

5. Under rule 8(3)(c) “the Tribunal may strike out the whole .....of the proceedings if .....the Tribunal considers there is no reasonable prospect of the appellant’s case succeeding.
6. I have considered the NOA and the email exchanges and find that there are no grounds of appeal which would provide an arguable case that the Commissioner’s decision was wrong. Therefore I conclude there is no reasonable prospect of the appeal succeeding.
7. I strike out the appeal.

John Angel  
**Principal Judge**

**Date: 22 May 2012**