

Freedom of Information Internal Review decision

Internal Reviewer	Legal Advisor- BBC Information Rights
Reference	RFI20180150/ IR2018025
Date	25 April 2018

Requested information

By a request dated 26 January 2018, Mr Ismail Abdulhai Bhamjee (the Applicant) sought the following information under the Freedom of Information Act 2000:

We, Ismail Abdulhai Bhamjee and Mrs Sahera Ismail Bhamjee have seen the Transcript of the Judgment before Mrs Justice Rose in the High Court of Justice Business and Property Courts of England and Wales. Business list (Chd)

<http://www.bailii.org/ew/cases/EWHC/Ch/2018/104.html>

Neutral Citation Number: [2018] EWHC 104 (Ch)

Appleby Global Group LLC Claimant

and

(1) British Broadcasting Corporation

(2) Guardian News and Media Ltd

Can you provide the details of the amount that has been paid to the Solicitors and the Barristers with regards to the claim and hearing on the Hearing date.

2) Section 63 and 78 of the Freedom of Information Act 2000 does apply whilst Financial Information are no Longer Exempt information.

3) Do you have Section 11 (1), and 119 of the Courts and Legal Services Act 1990 with the Orders made by the Lord Chancellor for Lay Representatives small claims.

4) From the Transcript of the Judgment in Paragraph 11. Section 64 of the Senior Courts Act 1981. This is self-explanatory.

5) Do you have Schedule 7 Repeals of the Senior Courts Act 1981 and for what grounds and reasons do you rely on the Repealed Parliaments Act and cause injustice to many other Citizens as other Citizens does pay for the Television Licence every year.

The BBC acknowledged the request, confirming it had been received by the Information Rights team on 29 January 2018.

On 27 March 2018 the Applicant wrote seeking an internal review advising that the response was overdue.

Issues on review

The issues to be considered upon this review are:

- i. Did the BBC comply with its obligation under s10(1) of the Act to respond to a valid request “promptly and in any event not later than the twentieth working day following the date of receipt”?; and



- ii. Did the BBC comply with its obligation under section 16 of the Act to provide advice and assistance to the Applicant?

Decision

The BBC failed to comply with its obligations under the Act, in particular under s10(1), in respect of this request. I apologise to the Applicant for this delay, and for the BBC's failure to adequately update the requester as to the progress of the request.

I note that the BBC has not yet provided a substantive response to the requester. I have spoken with the relevant division today can confirm that the BBC's is processing the request, and a response will be provided within 10 working days.

Appeal Rights

If you are not satisfied with the outcome of your internal review, you can appeal to the Information Commissioner. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF; Telephone 0303 123 1113 or <https://ico.org.uk/>