

Department for Communities and Local  
Government  
1 NW Fry Building  
2 Marsham Street  
London  
SW1P 4DF

Telephone: 030 3444 2222

Mr Ismail Bhamjee  
Via WDTK

Date: **8 March 2016**

Dear Mr Bhamjee,

**Internal review under the Freedom of Information Act 2000 - 1855864**

Thank you for your request for a review received on 16 February 2016. I am sorry that you are dissatisfied with our attempts to handle your request under the Freedom of Information Act 2000.

I am the review officer appointed to undertake the internal review and I am writing to provide a response. I had no involvement in the original decision.

**Background**

On 21 January 2016, you wrote to the Department for Communities and Local Government (DCLG) requesting:

*1. You are aware of the Judgment given in the Court of Appeal on the 7th May 2014 Before Lord Justice Richards, Lord Justice Underhill and Lord Justice Floyd.*

*<http://www.bailii.org/ew/cases/EWCA/Civ/2014/566.html>*

*The Secretary of State had been ordered to pay the Costs of £22,700.00 for Mahfooz Ahmed.*

*2. You do have the Archbold of 2006 XIV The European Court:*

*European Law.*

*European Community Law is part of the United Kingdom Law*

*European Communities Act 1972 Section 2.*

*Any question.*

*3. The Evidence (European Court) Order 1976 (SI 1976 NO 428) applies Section 1 to 3 of the Evidence (Proceedings in other Jurisdictions) Act 1975 to the European Court of Justice thus enabling evidence for Proceedings before the Court to be taken in the United Kingdom.*

*When shall you make some changes to Section 174, 177, 179, 195, 288, 289 of the Town and Country Planning Act 1990*

*4. Does The Secretary of State for Communities and Local Government does have the details of British Citizens who are on the Electoral Roll to vote in the Republic of Malawi, Republic of Zambia. Since there is an Offence under the Criminal Justice Act 1948 Section 31 Jurisdiction and Procedure in respect of certain Indictable offences committed in Foreign Countries*

*(1) Any British Subject employed under Her Majesty's Government in the United Kingdom in the United Kingdom in the service of the Crown who commits, in a Foreign Country, when acting or purporting to act in the course of his employment, any offence which, if committed in England, would be punishable on Indictment, shall be guilty of an Offence..... and subject to the same punishment, as if the Offence had been committed in England.*

*Since many Chief Executive in the United Kingdom except Chichester Council are directly or Indirectly Discriminating me by way of Collective Harassment.*

On 21 January 2016, my colleague Ben Heathcote wrote to inform you that he was dealing with part 4 of your request under the Freedom of Information Act 2000. On 16 February 2016 Mr Heathcote provided a formal response to this request. He stated that only requests for recorded information held by a public authority are covered by the Freedom of Information Act 2000 and provided a link to a webform for the submission of other enquiries or comments to the Department. He informed you that following a search he had established that the Department for Communities and Local Government does not possess a record of the details of British Citizens who are on the Electoral Roll in the Republic of Malawi or the Republic of Zambia and, as such, the information you had requested was not held by the Department.

### **Request for review**

On 16 February 2016 you requested an internal review of the handling of your request, the full text of which is included in Annex 1 to this letter.

### **Appeal Officer's response**

I am of the opinion that Mr Heathcote was correct in his initial assessment that only part 4 of your email to the Department falls under the Freedom of Information Act 2000 as it contains no other requests for recorded information. Mr Heathcote gave the reasoning for this decision in his official response and also demonstrated a willingness to assist by providing an appropriate channel for communicating comments such as those contained in the bulk of your email. I am also of the opinion that Mr Heathcote's response that the requested information was not held was correct and in accordance with the Freedom of Information Act 2000.

### **Conclusion**

Having reviewed this case, I have concluded that the Department's original response was correct and in accordance with the Freedom of Information Act 2000.

If you are unhappy with the outcome of this internal review, you can ask the independent Information Commissioner to investigate. The Information Commissioner can be contacted at email address [xxxxxxx@xxx.xxx.xx](mailto:xxxxxxx@xxx.xxx.xx) or use their online form at [ico.org.uk/concerns](http://ico.org.uk/concerns) or call them on 0303 123 1113.

Yours sincerely,

Timothy Granville  
Knowledge and Information Access  
Department for Communities and Local Government  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

## **Annex 1**

Dear Department for Communities and Local Government,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Department for Communities and Local Government's handling of my FOI request 'RE:-Mahfooz Ahmed Respondent and SSCLG and London Borough of Hackney Appellant 7th May 2014'.

I, Ismail Abdulhai Bhamjee request for a Review of the decision made on the 16th February 2016 under reference Number 1855864.

1. The First Point is that on the 25th October 2000 in the High Court of Justice Administrative Court, there were about 16 Barristers and 3 Litigants in Person which did include me, Ismail Abdulhai Bhamjee, as by Paragraph 2 and 3 of the Order, I had been given Leave of the Court to amend my Pleadings and Serve on the Respondents within Seven Days; The Words Section 11 (a) (b) of the Human Rights Act 1998 and Section 2 (1) of the European Communities Act 1972 had been left out on the Court Order which was drawn and sealed by the Court Associate Officers. Since the Treasury Solicitors does normally represent many Government Ministers and Departments, whilst they hold the documents and Information on behalf of the Government Ministers and Government Departments.

2. The European Communities Act 1972 Section 2 (1), 3 (1) and Statutory Instrument 1976 No 428,  
The requested Information is no Longer Exempt Information under the Public Records Office Act 1958 which is more than 30 Years.  
Section 78 of the Freedom of Information Act 2000 does state it is for the Public Authority to disclose.

3. When there is Mal-Administration in any Government Minister or Department, There is a Legal Right to make a complaint to the Parliamentary and Health Services Ombudsman Commissioner's Office through a member of Parliament.  
You should have provided such a decision Notice Letter whilst you are aware the Member of Parliament for Ilford North has recently been changed.

4. In the Judicial Review Proceedings Number CO/2429/2001- It is the Barrister who had applied for a Greep & Loam Order against me, when the Supreme Court of Jurisdiction and Consolidation Act 1925 had been repealed under Schedule 7 of the SCA 1981, as It was only the HM Attorney General who could authorise an Application for a Section 42 of the SCA 1981 Order,  
Whilst the TCPA 1971 had been repealed.

5. The Case of Bhamjee versus David Forsdick and Others and Bhamjee versus the First Secretary of State has been published in the Public Domain where many Judges in the United Kingdom they do have reasonable access, whilst the SSCLG has a Statutory Duty of Candour. I have lost my Son Mohamed Ismail Bhamjee who had committed suicide in Leicestershire as He had no where to make his complaints.

6. The Former Vice President of the Republic of Zambia, The Late Mr Mainza M. Chona SC, He was my Lawyer when He was practising as a Lawyer in Lusaka, Republic of Zambia. Since He couldn't write a letter to confirm about the Marital Status, as The International Covenant for Civil and Political Rights signed at the United Nations in 1966 does also apply-  
There is a Breach of Article 27 of the 1966 Treaties.

7. You do have the House of Lords decision on the 6th May 2004  
Kerr (App) Respondent  
and  
Department of Social Developments (Appellant) (Northern Ireland)  
[2004] UKHL 23.  
Since I have not made a claim with regards to my Son the Late Mohamed Ismail Bhamjee,  
Why do you directly or Indirectly Discriminate me against my Religion Rights, Political Opinion and also the Rights given under the Town and Country Planning [use Classes] Order 1987 NO 764 Class B8 Storage, and Class B1 AND B2 Statutory Instrument 1995 No 297.  
Whilst I do have Children, Grand Children and Relatives.  
There is the Word "Associated Person"

8. There is the Legislative Reform Act 2006 where the Ministers are required to reduce Burden on the Individual Citizens, but you are creating unnecessary Stress, Distress and Inconvenience to me, my Family, and also many other Citizens, whilst my request is in the Public Interests.  
One Man One Vote

A full history of my FOI request and all correspondence is available on the Internet at this address:  
[https://www.whatdotheyknow.com/request/re\\_mahfooz\\_ahmed\\_respondent\\_and](https://www.whatdotheyknow.com/request/re_mahfooz_ahmed_respondent_and)

Yours faithfully,

Ismail Abdulhai Bhamjee