

IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE UPPER TRIBUNAL
ADMISTRATIVE APPEAL CHAMBER
[2018] UKUT 441 (AAC)

BETWEEN

DEREK MOSS

Appellant

- v -

INFORMATION COMMISSIONER

Respondent

ORDER

UPON the Upper Tribunal, on 12 February 2019, granting the Appellant permission to appeal the Upper Tribunal’s decision dated 21 December 2018, in which it upheld the First-Tier Tribunal’s Order dated 21 December 2017 refusing the Appellant’s application for anonymity in the underlying proceedings brought by the Appellant under section 57 of the Freedom of Information Act 2000;

AND UPON Singh LJ granting the Appellant anonymity in respect of this appeal (Case No. C3/2019/0585) on the basis that to do otherwise would defeat the purpose of the appeal and that such anonymity was “subject to any further order of the court”, in an order dated 24 May 2019;

AND UPON the Appellant having made further applications at a hearing on 18 March 2020 for this court to seal the file; prevent copies of any documents used in the appeal from being provided to non-parties; and to impose reporting restrictions (“the further applications”) (Case No. C3/2019/0585/A);

AND UPON the court having considered the Appellant’s application to hold the hearing of the appeal in private and decided not to sit in private;

AND UPON hearing from the Appellant (acting in person) and Counsel for the Respondent;

AND UPON on 30 April 2020 the Appellant applying for permission to appeal this Court’s judgment on his appeal to the Supreme Court and for continuing anonymisation pending the outcome of any appeal of the same (the “Appellant’s consequential applications”);

AND UPON on 7 May 2020 the Respondent applying for an order that the Appellant do pay its costs of the appeal pursuant to CPR 44.2 (the “Respondent’s consequential application”);

AND UPON considering the Appellant’s and Respondent’s consequential applications

IT IS ORDERED:

1. The appeal be dismissed and the Appellant be referred to in this appeal and the underlying proceedings by his name “Derek Moss”.
2. The Appellant’s further applications be dismissed.
3. The Appellant’s consequential applications be dismissed.
4. The order of LJ Singh dated 24 May 2019 be discharged.
5. The Appellant do pay the Respondent’s costs of the appeal, summarily assessed at £6711.00.

DATED this 15th of May 2020.