

ENGLAND AND WALES / JUDGMENT

Anton Priestman v Information Commissioner & Anor

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NCN: [2026] UKFTT 00708 (GRC) In the First-tier Tribunal (General Regulatory Chamber)
Information Rights Case No. Before: Judge Appellant: Respondent(s): Anton Priestman

(2) Ministry of Justice Determined on the papers Decision given on 18 May 2026 Decision:

1. The appeal is struck out under rule 8(2)(a) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 on the basis that the Tribunal has no jurisdiction to determine it.

REASONS

2. By directions dated 23 April 2026, the Tribunal required the Appellant to confirm whether “Anton Priestman” is his real name and not a pseudonym by 1 May 2026.
3. The Appellant did not confirm whether “Anton Priestman” is his real name. Instead, he indicated that he would provide his identity to the Tribunal only if necessary and sought to withhold that information from the Respondents suggesting that an order pursuant to rule 14 would be appropriate. There is no application made for a Rule 14 anonymity order in this case. 4. I am satisfied from this response, taken together with the evidence before the Tribunal provided by the Second Respondent, that the name “Anton Priestman” is not the Appellant’s real name but a pseudonym.
5. The Freedom of Information Act 2000 (“FOIA”) defines a valid request for information in section 8(1). In particular, a request must “state the name of the applicant”. The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 can be found online at <https://www.gov.uk/courts-tribunals/first-tier-tribunal-general-regulatory-chamber>
6. The requirement to provide “the name of the applicant” is a requirement to provide the applicant’s real name, not a pseudonym. A request made using a false or assumed identity does not satisfy section 8(1) FOIA.

7. Where a request does not meet the requirements of section 8, it is not a “request for information” for the purposes of FOIA. In those circumstances, the statutory scheme is not engaged, no valid request is made to the public authority, no valid complaint can be brought before the Information Commissioner under section 50, and any decision notice issued is made without jurisdiction.
8. The Tribunal’s jurisdiction is derived from section 57 FOIA and depends upon the existence of a valid decision notice. Where there has been no valid request, there can be no valid decision notice capable of appeal.
9. The Appellant’s failure to confirm his identity, and his indication that his true identity differs from the name used, cannot retrospectively cure this defect. A request made using a pseudonym is invalid at the outset and remains so.
10. The Appellant’s reliance on rule 14 does not assist. Rule 14 permits the Tribunal, in appropriate circumstances, to restrict the disclosure or publication of information. It does not permit a party to pursue proceedings without providing their true identity to the Tribunal, nor can it cure the absence of a valid request under section 8 FOIA. The issue in this case is one of jurisdiction, not confidentiality.
11. In those circumstances, the Tribunal has no jurisdiction to determine this appeal and it must be struck out under rule 8(2)(a).
12. In any event, and in the alternative, the Appellant has failed to comply with a clear direction of the Tribunal requiring confirmation of his identity, with express warning that non-compliance may result in strike-out. That failure is itself a sufficient basis to strike out the proceedings under rule 8(3)(a).
13. Accordingly, the appeal is struck out due to lack of jurisdiction (and alternatively for non-compliance with Tribunal directions). Signed: Judge Date: 11 May 2026 2

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