

Timeline of Failure of ICO to enforce SARs

Mark Anthony Taylor – www.shyreman.com

I have in my Gmail box about 300 emails to and from the ICO with respect to two related Subject Access Requests – SARs. Only one SAR was enforced. This is the timeline of the first SAR, and it took almost six months for the ICO to get a response from the Ministry of Justice. The SAR was basic – to establish whether or not a transcript of hearing for my court case in 2015 existed, as it was necessary for an application to the European Court of Human Rights. The time limit for the ECHR to review cases is six months. The MoJ were clearly obstructing a simple request that showed that appeal judge Sir Ian Burnett was not in a position to ascertain judicial misconduct of former judge Simon Staley Brown, who was found guilty of misconduct in three separate appeals from independent third parties. The MoJ ultimately admitted no transcript ever existed.

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| 26/04/16 | I ask the ICO to confirm whether or not a court transcript exists for my hearing under Simon Staley Brown for B40BM021 after the former Lord Chief Justice Baron Thomas and Paul Kernaghan, head of JACO, both refused to admit or deny that such transcripts exists. I explicitly wrote <i>'I need the transcript to bring the claim to the European Court of Human Rights'</i> The letters to the Lord Chief Justice were attached in the email to the ICO. The ICO on the same day confirm receipt of the Subject Access Request. |
| 11 May 2016 | Wei Lynn Ng, case officer for the ICO writes back to say he is working on it and assigned to it case number RFA0626028 . |
| 17/05/16 | ICO write back to say they cannot act without proof I demanded a request from the Ministry of Justice. MoJ, even though I attached three letters in the first letter to the ICO. |
| 17/05/16 | I write back to the ICO and forward a request made to the MoJ. <i>'An email (in red) was sent to Steve Tai of the Court of Appeal on 18 Feb 2016.'</i> |
| 26/05/16 | One month after sending the first mail to the ICO, they write back to tell me it is not clear that I have submitted a valid SAR. ICO claim that personal data is not held on me in a transcript of hearing for the hearing in which I was litigant. |
| 03/06/16 | ICO have written to the MoJ to ask them a number of points including this critical info: Clarification on whether the transcript for reference B40BM021 exists; |
| 26/07/16 | Three months after the first letter to the ICO, and 7 weeks after the ICO said they would talk to the MoJ, the ICO write back to say they do not recognize the legality of the SAR. |
| 28 Jul 2016 | I sent a letter to my constituency MP, Steve Tai of the Court of Appeal showing that I asked the LCJ Thomas five times whether or not the Transcript of Hearing existed, and never got an answer. |
| 02/08/16 | ICO write to say they were review their treatment of my case. RCC RCC0640158 |
| 10/08/16 | Letter I sent the ICO with subject Ref Number IRQ0639050 showing why the SAR was essential. |
| 10/08/16 | ICO write back to say they will consider my mails to the MoJ as a new request. |
| 22/08/16 | ICO write to give me a letter they sent to the MoJ |
| 13/09/16 | ICO write to tell me they will enforce the SAR |
| 13/10/16 | ICO satisfied that the MoJ has responded to the SAR correctly |