



Neutral Citation Number: [2026] UKUT 344 (AAC)

**Appeal Nos. UA-2025-001788-GIA,
UA-2025-000372-GIA and
UA-2025-000373-GIA**

**IN THE UPPER TRIBUNAL
ADMINISTRATIVE APPEALS CHAMBER**

Between:

KEITH KENNAUGH

Appellant

v

**(1) INFORMATION COMMISSIONER
(2) FIRST-TIER TRIBUNAL (GENERAL REGULATORY CHAMBER)**

Respondents

**Before: Upper Tribunal Judge Stout
Decided on consideration of the papers**

Representation:

Appellant: In person
1st Respondent: Nicholas Martin and Elizabeth Malloch (Information
Commissioner's Office)
2nd Respondent: Anne Godwin (Ministry of Justice)

On appeal from:

Tribunal: First-tier Tribunal (General Regulatory Chamber)
Tribunal Case Nos: FT/EA/2025/0330, FT/EA/2024/0349 and FT/EA/2025/0008
Decision Dates: 27 January 2025 and 29 September 2025

SUMMARY OF DECISION

INFORMATION RIGHTS – practice and procedure (93.10)

With regard to practice and procedure in the First-tier Tribunal (General Regulatory Chamber) (**the GRC**), the Upper Tribunal holds that:

- (1) Prior to the coming into force of the Senior President of Tribunals' *Practice Direction: Use of Forms in the First-tier Tribunal (General Regulatory Chamber)* (dated 24 October 2025) there was no requirement in *The Tribunal Procedure*

(First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (SI 2009/1976) **(the GRC Rules)** for a party to use the GRC's standard forms for commencing proceedings or making applications within the proceedings. The position since 24 October 2025 is governed by the Practice Direction.

- (2) Rule 22(2)(a) of the GRC Rules requires a party to provide their ordinary residential address when commencing proceedings in the GRC. Where a party fails to comply with that requirement, the First-tier Tribunal may exercise its powers under rule 7(2), which include waiving the requirement, requiring compliance or striking out a party's case.

In these cases, the First-tier Tribunal had not materially erred in law when it: (a) allowed two of the appellant's cases to proceed notwithstanding his refusal to use the standard forms, but stipulated that in future cases he must use the standard forms; or, (b) made a direction under rule 8 that his appeal would be struck out if he failed to provide his residential address.

Please note the Summary of Decision is included for the convenience of readers. It does not form part of the decision. The Decision and Reasons of the judge follow.

DECISION

The decision of the Upper Tribunal is to dismiss the appeals. The decisions of the First-tier Tribunal did not involve any error of law.

REASONS FOR DECISION

Introduction

1. These appeals are concerned with two issues:
 - (1) Whether, prior to the coming into force of the Senior President of Tribunals' *Practice Direction: Use of Forms in the First-tier Tribunal (General Regulatory Chamber)* (dated 24 October 2025) **(the Practice Direction)**, a party could be required to use a form for commencing proceedings before the First-tier Tribunal (General Regulatory Chamber) **(GRC)**;
 - (2) Whether a party is required to provide a residential address when commencing proceedings before the GRC.
2. The parties were content for me to determine the appeals on the papers as permitted by rule 34(1) of *The Tribunal Procedure (Upper Tribunal) Rules 2008* (SI 2008/2698) **(the UT Rules)** and I am satisfied that it is appropriate to do so given the nature of the issues.

Issue (1): Use of forms in the First-tier Tribunal

3. This first issue arises in appeal numbers UA-2025-000372-GIA and UA-2025-000373-GIA. Appeal No. UA-2025-000372-GIA corresponds to case number

FT/EA/2024/0349/GDPR, which is an application brought by the appellant under section 166 of the Data Protection Act 2018 (**DPA 2018**). Appeal No. UA-2025-000373-GIA corresponds to case number FT/EA/2025/0008, which is an appeal brought by the appellant under section 57 of the Freedom of Information Act 2000 (**FOIA**).

4. The appellant did not wish, when commencing proceedings in these cases, to use the First-tier Tribunal's standard forms for doing so (GRC3 and GRC1, respectively). As he puts it, he has an objection to "mindless paperwork" and "the creation of extra work for no good purpose". He submitted his section 166 application and section 57 appeal by email.
5. By directions of 20 January 2025, Registrar Bamawo allowed the appellant's cases to proceed, but directed that any future applications would need to be made on the required forms. The appellant sought a review of those directions by a judge. By decision of 27 January 2025, District Judge Moan refused to vary the Registrar's directions, though on the misunderstanding that the Registrar's order had had the effect of requiring the appellant to re-submit these cases on the required forms.
6. A subsequent decision of District Judge Moan of 3 April 2025 clarified that the individual cases had been allowed to proceed without use of the standard forms, but that any future cases would have to be brought on the standard forms. Subsequent decisions of Judge O'Connor, the Chamber President of the GRC (dated 21 May 2025, 18 June 2025 and 15 July 2025), together made clear that: (i) the GRC recognises that under *The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009* (SI 2009/1976) (**the GRC Rules**) the use of forms is not mandatory; (ii) a Practice Direction had been drafted to deal with that perceived lacuna (that being the Practice Direction subsequently made on 24 October 2025); (iii) the underlying section 166 application and section 57 FOIA appeal would proceed notwithstanding the forms had not been used; and (iv) Registrar Bamawo's direction that the forms should be used by the appellant in future would stand.
7. The appeals to the Upper Tribunal were brought against the decision of District Judge Moan of 27 January 2025. The First-tier Tribunal refused permission to appeal on 28 January 2025 and the appellant renewed his applications to the Upper Tribunal on the same day. There was then unfortunately a substantial delay in them being processed by the Upper Tribunal for which I have previously apologised to the parties.
8. On 13 February 2026, I joined these two appeals with the third appeal (see issue (2) below) and granted permission to appeal in all three cases. In addition to giving the usual directions to the appellant and the Commissioner in respect of the further conduct of the appeal, I also directed the First-tier Tribunal to provide certain information and invited the Tribunal to say whether it wished to be made a party to the appeal. Given the issues raised in the appeal, the First-tier Tribunal considered it appropriate to be made a party and I so directed on 3 July 2026.

9. When I granted permission to appeal in these cases, I was unaware of District Judge Moan's decision of 3 April 2025, and the subsequent decisions/directions of Judge O'Connor, as a result of which it had become clear that the first issue raised in these appeals was academic so far as these particular proceedings are concerned. Indeed, the underlying proceedings in these two appeals have since been substantively determined in the following decisions:
 - a. The section 166 application in FT/EA/2024/0349/GDPR was finally determined by the First-tier Tribunal in a decision promulgated on 1 May 2026 under the neutral citation [2026] UKFTT 00648 (GRC);
 - b. The section 57 FOIA appeal in FT/EA/2025/0008 was finally determined by the First-tier Tribunal in a decision promulgated on 29 May 2026 under the neutral citation [2026] UKFTT 00790 (GRC).
10. The issue has also become academic so far as concerns future cases because, since 24 October 2025, the use of forms by the First-tier Tribunal has been governed by the Practice Direction. The Practice Direction is made under section 23 of the Tribunals, Courts and Enforcement Act 2007 (**TCEA 2007**). By paragraph 1 it "applies to parties without representatives in the same way as it does to parties represented by lawyers". Its effect, in summary, when read together with rule 22(2)(g) of the GRC Rules, is to require parties to use specified forms when starting proceedings before the GRC, and when making applications in proceedings. By paragraph 12 of the Practice Direction, parties may request to be excused from the requirement to use the specified form(s). Requests will be determined by a Judge, Registrar or Legal Officer and will be dealt with taking account of the Equal Treatment Bench Book.
11. Given that the issue in these appeals has become academic, I can deal briefly with the appellant's remaining arguments in relation to these appeals:
 - a. I agree with the GRC's view that, prior to the introduction of the Practice Direction, the use of forms was not mandatory under the GRC Rules. Rule 22(1) stipulates that an appellant "must start proceedings before the Tribunal by sending or delivering to the Tribunal a notice of appeal...". Rule 22(2) stipulates that a notice of appeal must include certain information, including an address for the appellant (as to which see Issue (2) below), but it does not state that it must be submitted on a particular form. "Notice of appeal" itself is defined in rule 1(3) simply as "a document which starts proceedings". The GRC Rules do not therefore require a form to be used.
 - b. The appellant argues (in short summary) that the directions of Registrar Bamawo and District Judge Moan unnecessarily required forms to be used in future for no good purpose and no good reason other than that it is the norm. I disagree. Both Registrar Bamawo and District Judge Moan started, reasonably, from the position that the use of forms both assists an appellant to comply with the requirements of rule 22(2) and makes it easier for administrative staff to process applications. They both also

considered whether the appellant had advanced any good reason, other than personal preference, for not using the forms. As he had not, it was in my judgment reasonable for them to require him to use the forms in future. That was an exercise of case management discretion that was open to them. The Upper Tribunal would not have interfered with it on appeal even if the Practice Direction had not subsequently been issued. The later Practice Direction is consistent with the approach they adopted.

- c. The fact that District Judge Moan misunderstood the effect of Registrar Bamawo's directions was not a material error because District Judge Moan's decision simply upheld Registrar Bamawo's directions.
 - d. The appellant's arguments about the lawfulness or reasonableness of the Practice Direction are not matters for the Upper Tribunal on this appeal. The Practice Direction post-dated the decision under appeal and a challenge to the Practice Direction itself would need to be brought by way of judicial review in the High Court.
12. For these reasons there was no material error of law in the decision of the First-tier Tribunal in relation to these appeals, which must be dismissed.

Costs

13. The appellant's suggestion in his notice of appeal that he should be entitled to costs or damages from the First-tier Tribunal for the confusion and delays in the First-tier Tribunal's handling of his cases is not a matter he can pursue by way of appeal to the Upper Tribunal. The First-tier Tribunal was not a "party" to the proceedings before the First-tier Tribunal and so could not have made an order against itself under rule 10 of the GRC Rules (which appeared to be what the appellant was suggesting should have happened when he commenced these appeals).
14. In his email of 15 February 2026, responding to my grant of permission, the appellant seeks costs against the First-tier Tribunal in respect of its conduct as a party to the proceedings before the Upper Tribunal under rule 10(3)(d) of *The Tribunal Procedure (Upper Tribunal) Rules 2008* (SI 2008/2698) (**the UT Rules**). That application is hopeless. By rule 1(2) the UT Rules apply only to proceedings before the Upper Tribunal. Under rule 10(3)(d) the Upper Tribunal may only award costs if it considers that a party or its representative has acted unreasonably in bringing, defending or conducting the proceedings, i.e. the proceedings before the Upper Tribunal. The First-tier Tribunal was not a party to the Upper Tribunal proceedings until my directions of 3 July 2026. Far from acting unreasonably in relation to these appeals, the First-tier Tribunal has been helpful in responding to the Upper Tribunal's requests for information and in seeking to be joined as a party (at the Upper Tribunal's invitation) in order properly to participate in the proceedings. The application for costs is therefore refused.

Issue (2): Requirement to provide a residential address when commencing proceedings before the GRC

15. This second issue arises in Appeal No. UA-2025-001788-GIA, which is an appeal against the decision of Judge Armstrong-Holmes of 29 September 2025 in case number FT/EA/2025/0330, which was an appeal the appellant brought under section 57 of FOIA.
16. When commencing that appeal to the First-tier Tribunal, the appellant did not complete all parts of the standard GRC1 form. By case management directions of 15 September 2025, he was directed by the Registrar to do so and notified that failure to do so could result in the matter being struck out for non-compliance under rule 8 of the GRC Rules. He was further directed that any application to extend time for submission of the appeal would require completion of a GRC5 application form. The appellant did not comply. He sought a review of the Registrar's directions (without completing a GRC5 form). In his application he stated his objection to using forms, referred to being discriminated against on the ground of his 'belief' (but did not state what his belief was) and maintained that the GRC rules did not require an appellant to provide a postal address as an email address would suffice.
17. In a five-page reasoned decision, Judge Armstrong-Holmes decided that the appellant did not need to complete the GRC1 form because he had provided most of the necessary information already, but determined that the GRC Rules did require the appellant to provide a residential address and that the appellant had not provided any good reason why he should not do so. Judge Armstrong-Holmes directed the appellant to "provide the Tribunal with an address where he resides within the United Kingdom, including his full postcode" by 14 October 2025, in default of which his appeal would automatically be struck out under rule 8(1) of the GRC Rules.
18. Permission to appeal was refused by Judge Armstrong-Holmes on 17 October 2025. The application for permission to appeal to the Upper Tribunal was received on 17 November 2025 (in time). In granting permission to appeal on 13 February 2026, I observed:

"The grounds of appeal challenge the lawfulness of Judge Armstrong-Holmes' directions on various grounds, including bias. I do not consider there is any merit in the allegation of bias, but there is a point of law of general importance here, which concerns whether or not it is permissible for an appellant to bring proceedings before the First-tier Tribunal without providing a residential contact address and, if so, whether the judge erred in requiring the appellant to provide a residential contact address in this case.

Although aspects of the grounds of appeal (in particular the bias allegation) are not arguable, I do not consider it would be proportionate in this case formally to limit the grant of permission to appeal. All issues

can be dealt with together at a final hearing. I therefore grant permission on the appeal generally.”

19. In the light of my observations, the appellant has confined his submissions to the point I identified as arguable.

The parties' submissions

20. In his submissions in response to my grant of permission, he states that his objection to providing a residential address “was primarily because the Registrar appeared to be looking for an excuse to not process the application”. He adds that his “second objection is simply the application of the General Data Protection Regulations [*sic*] which require explicit and specific reasons for processing personal information”. He says it is not sufficient justification for requiring a residential address “just in case” his conduct is so unreasonable that costs are awarded against him. His “tertiary objection is on behalf of the homeless”. He asks: “if an applicant must provide a residential address in order to access the service, then what are the homeless supposed to do? A similar point applies to those of nomadic habit”.
21. In response, the First-tier Tribunal takes a neutral stance, while the Information Commissioner resists the appeal. In summary, the Commissioner submits that the references in the rules to the requirement for an “address” to be provided have been properly interpreted by the First-tier Tribunal as requiring a residential address to be provided. The Commissioner submits that a residential address is necessary for two main purposes: (1) the service of physical documents on the party if required; and (2) the enforcement of any costs sanctions that may be awarded during the relevant proceedings. The Commissioner acknowledges that, since the relevant appeal rights under both the DPA 2018 and FOIA are not subject to any residency status in the United Kingdom, the address, provided that it is the individual’s main residential address and accurate, does not need to be within the United Kingdom. The Commissioner recognises that a residential address outside the United Kingdom might present a particular challenge in respect of both service and costs applications. However, the Commissioner does not consider that to be a sufficient reason to interpret rule 22(2)(a) as not requiring a residential address to be provided. The Commissioner refers to a First-tier Tribunal decision in *William Thackeray v IC and BBC* (EA/2011/0045 and EA/2011/0035) (**Thackeray**) which determined the issue that arises in this appeal consistently with the submission of the Commissioner.

My analysis and conclusion

22. As already noted above when dealing with Issue (1), rule 22(1) requires an appellant to start proceedings before the GRC by sending or delivering to the Tribunal a notice of appeal. By rule 22(2):
- (2) The notice of appeal must include—
 - (a) the name and address of the appellant;
 - (b) the name and address of the appellant's representative (if any);

- (c) an address where documents for the appellant may be sent or delivered;
- (d) the name and address of any respondent ...

23. There are corresponding requirements in rule 23(2)(a)-(c) for the respondent to provide its name and address, and the name and address of its representative (if any) and an address where documents for the respondent may be sent or delivered.
24. In *Thackeray*, the appellant had provided a residential address on his notice of appeal, and an email address, but refused to confirm whether the residential address provided was his home address. As he had previously expressly refused to provide his home address, the Information Commissioner and BBC objected to the notices of appeal, arguing that they were invalid for non-compliance with rule 22(2). The Tribunal (Judge A Dhanji) determined that the notice of appeal was invalid. I set out the relevant part of her decision in full as it is thorough, and illuminating. Having set out the relevant parts of rule 22(2), she reasoned as follows:
15. These requirements apply to all appellants. Sub-paragraphs (a) – (c) clearly distinguish between three addresses, namely, the address of the appellant, the address of the appellant's representative, and the address for service of documents. They do not have to be three different addresses, however. For example, the address for service could be the same as the representative's address or the appellant's address.
16. The key issue in the present case is what is meant by "address of the appellant" in sub-paragraph (a). The term is not defined, but the fact that Rule 22(2) distinguishes between the "address of the appellant" and "an address where documents for the appellant may be sent or delivered", leads to the inescapable conclusion that the former must be the Appellant's own address, whereas the latter can be any address. This interpretation is reinforced by the reference in sub-paragraph (a) to the address "of" the appellant, in contrast with sub-paragraph (c) which refers simply to "an address".
17. In most cases "address of the appellant" will be the appellant's home address. There may be cases, of course, where matters are not that straightforward, for example, where an appellant has multiple residences. In some cases, it may be necessary to look more closely, for example, at whether the appellant is registered at a particular address for tax and other official purposes, how many days he resides at that address or whether he has any legal status as owner or occupier of the premises. However, those are not issues that arise to be addressed in the present case. I have already found it likely that the address the Appellant has given is the address of a third party. As such, it can meet the requirements of Rule 22(2)(c), but not Rule 22(2)(a).

18. The Appellant has put forward a number of arguments as to why this is not the conclusion the Tribunal should reach. I have not found his arguments to be persuasive. In particular, he has said:
- that the Council on Tribunals' document headed "Guide to Drafting Tribunal Rules" (page 198, draft rule 106), provides useful context for the proper meaning of the term "address". However, as the Appellant acknowledges, the Guide does not form part of the Rules. Even if it did, I consider that it would not assist the Appellant. The provision which the Appellant relies on reads as follows:

(5) The proper address of any person, body or authority to whom any document is required or authorised to be delivered is-
(a) in the case of a secretary or clerk of an incorporated or other body registered in the United Kingdom, that of the registered or principal office of the company or body;
(b) in the case of the person authorised to accept it on behalf of a company or other body incorporated outside the United Kingdom, the address of the principal office or place of business of that company or other body in the United Kingdom;
(c) in the case of the Registrar or the Tribunal/the appellate tribunal, the address of the office of the Tribunal/the appellate tribunal; or
(d) in the case of any other person, the usual or last known address of that person.

This provision deals with the address for delivery of documents. The equivalent is Rule 22(2)(c) not 22(2)(a). Also, it refers, in the case of an individual, to his "usual or last known address". In my view, this implies the address where the person lives or usually lives, or if his address is not known, then the last known address where he lived. This is not what the Appellant has provided (leaving aside the fact that "last known address" has no applicability in cases where it is an appellant himself who is required to provide the address rather than where documents may need to be sent by another party to him).

- that "address" should not be taken to mean a residential address or a home address, since if the appellant was a corporate entity, there would be no such address. However, a corporate entity would be required to provide the equivalent, namely its registered office address, or at the very least, a business address. It does not follow from this, that a natural person can satisfy the Rules by providing the address of a third party.
- that the FOIA regime is intended to be applicant – blind so the identity of the applicant should not matter. I would note that a requester does not have to provide his address when he is making a request for information to a Public Authority. Section 8 of FOIA requires a requester only to provide his name and "an address for correspondence".

This is in contrast with Rule 22(2)(a) which requires an appellant to provide his address in the Notice of Appeal (as distinct from an address for service). This does not mean that Rule 22(2)(a) brings a requester's motives into play. Rather the distinction highlights the fact that when lodging a Notice of Appeal, a person (and of course it will not always be the requester who is appealing), is embarking on a different process. He is initiating legal proceedings and quite properly, different considerations apply. (This is something I will address further below).

- that the BBC has acted contrary to the overriding objectives set out in Rule 2 by applying, on various grounds, to have the Appellant's appeal struck out. The Tribunal has not yet ruled on any other application. but in my view, there is nothing on the face of them to suggest that they are spurious or that by making them, the BBC is acting contrary to the overriding objectives
- that it is not practical for the Tribunal to check the "validity" of an appellant's address, particularly since it need not be in the UK. That is clearly right, but it does not follow that such **information** does not therefore have to be provided. There are many pieces of **information** put forward by any party in proceedings that are accepted at face value, unless an issue arises, as it has here, which calls for closer examination. If it were otherwise, the judicial process would grind to a halt.
- that to require an appellant to disclose his address discriminates against those who do not have a permanent residential address. However, the Appellant is not being asked to provide a permanent address and there is no suggestion that he does not have a residential address.

19. In short, I find that the Appellant's Notices of Appeal do not comply with Rule 22(2)(a). I am not persuaded otherwise by the arguments the Appellant has put forward.

Implications of Non-Compliance

20. The question that then arises is as to what the implications are if a Notice of Appeal does not comply with Rule 22(2)(a). The BBC and the **Commissioner** say that non-compliance renders the Notice of Appeal invalid. I do not agree that that is automatically the effect. Rather, it is a matter for the Tribunal's discretion under Rule 7(2).

21. Rule 7(2) provides as follows:

- (2) If a party has failed to comply with a requirement in these Rules, a practice direction or a direction, the Tribunal may take such action as the Tribunal considers just, which may include-*
 - (a) waiving the requirement;*
 - (b) requiring the failure to be remedied;*
 - (c) exercising its power under rule 8 (striking out a party's case);*
 - (d) exercising its power under paragraph (3); or*

(e) barring or restricting a party's participation in the proceedings.

22. It is clear from this the Tribunal has the discretion to do a number of things, including to waive the requirement for the Appellant to provide his address. The question is whether it should do so.
23. The Appellant says that technical rules should not be allowed to derail an otherwise valid FOIA appeal. In my view, however, there are strong policy as well as practical reasons for why a party seeking to avail himself of the jurisdiction of a Court or Tribunal should identify himself. A name, email address, or even an address for service, does not do this. An appeal by Mr John Smith with an e mail address of John.Smith@hotmail.com and a post box for where documents are to be sent, does not identify who Mr John Smith is from amongst the many thousands of John Smiths there may be. It is the combination of the name with a personal address that identifies a party in any meaningful way.
24. By initiating legal proceedings (which is what lodging a Notice of Appeal does), an appellant is submitting to the jurisdiction of the Court or Tribunal in question. He is seeking the remedies it has the power to grant, and is agreeing to comply with its rules of procedure and to abide by its decisions, even where they are adverse to his interests. If his identity is not known, the risk is that a party can initiate proceedings, but can easily escape the responsibilities and liabilities that may follow. In the example above, were a Court or Tribunal to find Mr John Smith to be in contempt, or to make a costs or other order against him, it is not hard to imagine the difficulties that could arise in enforcement if there is no certainty as to which John Smith the appellant is. Such a situation would have the effect of undermining both the dignity and effectiveness of the judicial process. The Appellant says that those situations would not arise in the present case. However, the issue is not whether, in the circumstances of an individual case, those scenarios are likely to arise. It will often be very difficult in any event to know that at the time a Notice of Appeal is lodged.
25. It is also necessary to consider the position of the other parties. Initiating legal proceedings against a party is a serious step. The defendant or respondent, as the case may be, has no choice in the matter. Once proceedings are initiated, with few exceptions the defendant or respondent becomes subject to the jurisdiction of the Court or Tribunal, and becomes involved in what can be protracted and costly proceedings, having to defending himself against any claims made against him. It is only right and proper that such party should know the identity of the person at whose behest those proceedings have been brought.
26. I have considered the reasons the Appellant has given for why he does not want to provide his address. He says that has a legitimate concern for the personal safety of himself and his family. As already noted, the

Tribunal has not sought to make any specific findings on whether those concerns are well- founded. However, even if they are, the appeal can still proceed if the Appellant were to provide his address only to the Tribunal. I consider that it is within the Tribunal's powers under Rule 7(2) to permit this, even where the other parties object, as the BBC has done here. The Tribunal is, of course, accustomed to handling confidential information. The Tribunal would hold any such address in confidence and not provide it to the other parties unless a situation arose causing the Tribunal to consider it appropriate to disclose the Appellant's address, whether on application by the parties or for any other reason. The Tribunal would, in such a situation, give the Appellant an opportunity to make submissions before any such disclosure is made, and if appropriate, to appeal against the Tribunal's ruling, if it is adverse to the Appellant. Thus far, however, the Appellant has not sought to avail himself of the opportunity to proceed on this basis.

25. I cannot improve on Judge Dhanji's analysis and I agree with her conclusion. For the reasons that she identifies, the requirement for the appellant to provide their address in rule 22(2)(a) is a requirement for them to provide their ordinary residential address. A notice of appeal that does not include the appellant's ordinary residential address does not comply with rule 22(2)(a). Failure to comply does not, however, necessarily mean that the case cannot proceed. As Judge Dhanji noted, the First-tier Tribunal has a number of powers under rule 7(2) that it may exercise in response to the non-compliance, including waiving the requirement, requiring the failure to be remedied, exercising its power under rule 8 to strike out a case or barring or restricting a party's participation in the proceedings. Those powers must be exercised in accordance with the overriding objective in rule 2. In the case of a nomadic or homeless person (to use the examples given by the appellant), the First-tier Tribunal could therefore waive the requirement, subject perhaps to requiring the provision of **an** address for correspondence (i.e. compliance with rule 22(2)(c)).
26. In the appellant's case, Judge Armstrong-Holmes properly directed himself that rule 22(2)(a) requires the appellant to provide his ordinary residential address and rejected the appellant's submission that an e-mail address will suffice. The judge's reasoning in this respect was very similar to that of Judge Dhanji, and thus recognised the good reasons why a residential address is required. However, the judge also recognised that the requirement could be waived and considered (especially at [5] of his reasons) whether the appellant had advanced any reason, other than personal preference, as to why he should not be required to provide a residential address. As the appellant had not done so, it was in my judgment plainly open to the judge to make the direction under rule 8 that he did, requiring the appellant to provide his residential address, in default of which his appeal would be struck out.
27. It follows that there was no error of law in the First-tier Tribunal's decision and this appeal must also be dismissed.

28. I add that it was also reasonable for the judge to specify that the appellant should provide a residential address “within the United Kingdom”, since the provision of an address within the United Kingdom will best facilitate the purposes for which an address is required, as the Commissioner notes in his observations. I do not have to decide for the purpose of this appeal whether rule 22(2)(a) itself implicitly requires the provision of a residential address in the United Kingdom. However, on the basis of the material before me in the present case, I would have been inclined to accept the Commissioner’s submission that, since the rights afforded to individuals under the DPA 2018 and FOIA to bring proceedings before the First-tier Tribunal are not limited to persons in the United Kingdom, the provision of a United Kingdom address is not a requirement of the GRC Rules.

Conclusion

29. All three appeals are therefore dismissed.

**Holly Stout
Judge of the Upper Tribunal**

Authorised by the Judge for issue on 4 September 2026