

Hearing 98-202200552

**Decision**

Judicial Administration

Sharon Roulstone  
Ombudsman

22 June 2023

**Summary**

On 9 September 2022 the applicant made a request under the Freedom of Information Act (2021 Revision) (FOIA) to the Judicial Administration for video recordings of court proceedings he was involved in.

The Judicial Administration initially denied access on the basis that the President of the Court of Appeal had refused access. The Information Manager (IM) then formulated a response under section 3(5)(a)(i) of the FOIA, stating that the video recordings are part of the court proceedings and that the FOIA does not apply to the judicial functions of a court. The Court Administrator and Chief Officer (CO) confirmed this decision in the internal review, and an appeal to the Ombudsman was made. The appeal could not be resolved informally, and the matter was advanced to a formal hearing decision before the Ombudsman.

On the basis of the submissions received from both the Judicial Administration and the applicant, the Ombudsman decided that the video recordings were records of court proceedings, and as such they pertained to the judicial functions of a court. Therefore, section 3(5)(a)(i) of the FOIA was engaged, and the FOIA did not apply to the recordings.

The Ombudsman also made recommendations in regard to records management and the establishment of internal procedures for a legal hold on records scheduled for destruction.

## Statutes<sup>1</sup> considered

Freedom of Information Act (2021 Revision) (FOIA)

Freedom of Information (General) Regulation (2021 Revision) (FOI Regulations)

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### A. INTRODUCTION

[1] On 9 September 2022 the applicant made a request under the FOIA for video recordings of three court proceedings in a case in which he was involved. The proceedings consisted of hearings dated 2019, a consolidated hearing in the Grand Court (2021), and subsequent proceedings before the Court of Appeal. The applicant explicitly referred to the right of access under the FOIA in the request. The applicant had been provided with audio recordings but asked for the video recordings of the proceedings.

[2] The Registrar informed the applicant on the same day that the request was denied, quoting a decision of the President of the Court of Appeal, stating:

*[The applicant’s] request for a video recording, sent in a letter to the President, and passed to the Court, is refused.*

*Neither litigants nor the public have the right to film the proceedings in court or retain any copy of a film. The public right is to be present and no more and there is no reason why [the applicant] should be treated differently. The fact that exigencies of an epidemic or distance lead to remote video links does not alter that position. When the court permits a video link it is enabling a virtual presence in court not a filmed recording. The right to film and keep a record of proceedings requires legislation and is a matter for Parliament.*

*The President, Sir John Goldring, has seen the Court’s response and has nothing to add.*

[3] On 16 September 2022 the Judicial Administration’s Information Manager (IM) denied the request on the basis of section 3(5)(a)(i) of the FOIA which states that the FOIA does not apply to the judicial functions of a court since the video recordings were of court proceedings. The IM also stated that the applicant already had requested access to the video recordings from the court, and although audio

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<sup>1</sup> In this decision, all references to sections are to sections of the Freedom of Information Act (2021 Revision), and all references to regulations are to the Freedom of Information (General) Regulations (2021 Revision), unless otherwise specified.

recordings had been previously disclosed, the Court of Appeal had denied access to the video recordings. The next day the applicant requested an internal review under section 33 of the FOIA.

- [4] On 3 November 2022 the CO issued the internal review decision, which upheld the previous decision of the IM, explaining:

*... the records you are requesting, namely video recording of court proceedings are in fact records tied to court proceedings and accordingly constitute judicial proceedings and ... therefore cannot be released except with permission of the judiciary or by a prescribed court rule. An example of this can be found in PD 6 of 2022 – Access to Criminal Courts.*

*Accordingly, I do not agree that these records may be considered ‘administrative records’ as of right and are therefore subject to the FOI Act. Nonetheless, I note through the various chain of correspondence that you continue to pursue this request for release of the video records to the Court of Appeal and they have given the Registrar of the Court of Appeal a response to your request which I am made to understand that you have. This is the appropriate route to seek such records.*

- [5] Shortly afterwards, the applicant made an appeal to the Ombudsman, which was accepted on 11 November 2022.

- [6] As a routine part of our investigation of the appeal, we requested a copy of the responsive video recording from the Judicial Administration. In response, the IM stated that the record was no longer held, as follows:

*We were advised that once the audio recording is downloaded from the Zoom system, that we are currently using, after thirty days, the system deletes the video, audio, and transcript from the Zoom storage. All that currently exists is the hearing audio recording which has already been provided to the Applicant.*

- [7] After some delays, the Judicial Administration informed the applicant that the records were no longer in existence, and that one of the requested video recordings, in fact, never existed as no recording was made.

- [8] The matter was advanced to a formal hearing before the Ombudsman on the preliminary, jurisdictional question whether the requested records are subject to the FOIA by reason of section 3(5)(a)(i).

## **B. CONSIDERATION OF ISSUES**

### **a) Does the FOIA apply to the requested records pursuant to section 3(5)(a)(i) of the FOIA?**

[9] The first task before every decision maker is to satisfy herself of her jurisdiction over the subject matter before considering the merits of a case. The Judicial Administration asserts that I do not have jurisdiction in this matter because the requested records pertain to a judicial function of a court, and therefore the exclusion in section 3(5)(a)(i) is engaged.

[10] In the course of this appeal, some of the Judicial Administration's responses to my office's queries suggested that their claim that section 3(5) applied simply settled the matter, and there could be no further consideration, as doing so would, purportedly, "usurp the powers of the court, which [the Ombudsman is] not empowered to do".

[11] If I accepted this argument, I would have allowed the Judicial Administration to decide a question over which it has no legal authority and in which it has a direct interest. Under the FOIA, the Ombudsman has the power and responsibility to hear, investigate and rule on appeals filed under the FOIA, as stated in section 39(a). The question whether a record is subject to the FOIA lies at the heart of my jurisdiction, and it is properly the Ombudsman, not a public authority, who decides whether a matter falls within my jurisdiction.

[12] The Judicial Administration agreed that a formal decision of the preliminary, jurisdictional question whether the record was excluded from the application of the FOIA on the basis of section 3(5)(a)(i), was the appropriate way forward.

[13] The Judicial Administration appeared to base its views in part on the fact that most decisions to disclose records under the FOIA render the records accessible to the world at large, which, they argued, would not be reasonable for me to determine in regard to records of court hearings. As a minor point of correction, I wish to clarify that it is within my powers under the FOIA to order disclosure to a sole applicant, as I have done in a number of hearing decisions.<sup>2</sup>

[14] Section 3(5) states:

*(5) This Act does not apply to —*  
*(a) the judicial functions of —*  
*(i) a court;*  
*(ii) the holder of a judicial office or other office connected with a court;*

[15] Section 3(6) states:

*(6) This Act applies to records of an administrative nature held in a registry or other office of a court, the Cayman Islands Stock Exchange, or the Office of the Ombudsman.*

[16] Section 43(2) states:

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<sup>2</sup> See for instance: Ombudsman, *Hearing Decision 90-202000861/862, Ministry of Health and Wellness*, 19 April 2022, para 40.

(2) In any appeal under section 42, the burden of proof shall be on the public or private body to show that it acted in accordance with its obligations under this Act.

**The position of the Judicial Administration:**

- [17] The Judicial Administration states that there is, in fact, no record for the Ombudsman to examine or decide on, for the following reason:

*The Recordings were held on the Zoom platform. When the Public Authority sought to obtain the Recordings, it became aware that the platform deleted the videos after 30 days.*

- [18] The Judicial Administration refutes the applicant's contention that the video recordings were being carried out as an administrative function, quoting from several Practice Directions (PDs), as follows:

- a. Paragraphs 3 and 2(b)(iii) of PD No. 1 of 2014:

*The Guidance is consistent with the general practice of the Courts to prohibit the taking of photographs in court and the use of sound recording equipment in court unless the leave of the judge has first been obtained. In addition, there is the general requirement that nothing should be published which is likely to prejudice a fair trial.*

*(iii) Under the direction of the Judge, electronic communication linking an on-site electronic device to an off-premises receiving device or network may be specifically permitted for the purpose of assisting the Court in its duties consistent with the provisions of the Practice Direction and Guidance.*

- b. Paragraphs 2.1 and 2.2 of PD No. 2/2004 (emphasis added by the Judicial Administration):

**2.1. The Court's permission is required for any part of any proceedings to be dealt with by means of VCF.** *Before seeking a direction, the applicant should notify the listing officer or other appropriate court officer of the intention to seek it, and should enquire as to the availability of court VCF equipment for the day or days of the proposed VCF.*

**2.2 The application should be made to any of the Judges of the Grand Court.** *If all parties consent to a direction, permission can be sought by letter, fax or e-mail, although the Court may still require an oral hearing. All parties are entitled to be heard on whether or not such a direction should be given and as to its terms. If a witness at a remote site is to give evidence by an interpreter, consideration should be given at this stage as to whether the interpreter should be at the local site or the remote site.*

[19] The Judicial Administration states that the court permitted live streaming of hearings in the exceptional circumstances of the Covid-19 pandemic. However, “disclosure of the transcripts, notes, audio, etc. was a matter for a judge”, as per PD 8 of 2020:

- *Judges may direct that the transcript be made available at public expense where appropriate and public access to transcripts, notes or other information relating to court proceedings will, of course, be in keeping with applicable law and court rules.*
- *With the permission of the judge, an audio recording of a hearing can be made available to be listened to in a court building.*
- *With the permission of the judge, in courts where this is already done, the notes of the hearing can be made available on request.*

...

*Where parties or the press is allowed to observe a hearing remotely there [sic] are reminded that it will be a contempt of court to make unauthorised recordings of the proceedings or to use or to allow the use of such recordings to interfere with the administration of justice. Where proceedings are being broadcasted, a note will be included in the course of the streaming at the bottom of the screen to this affect [sic]:*

*This is a formal court proceeding in respect of which the formal rules as set out in Practice Direction 1 of 2014 (attached) will apply. No photographs, films or recordings may be [sic] except with the approval of the Court.*

[20] The Judicial Administration notes that in the 2019 proceedings, Kawaley J permitted the applicant to attend the 2019 directions hearing remotely as he was living abroad and the expense of attending in person would have been disproportionate. However, the applicant’s application to attend the subsequent substantive hearing remotely was denied on the basis that it was made too late. The judge noted:

*The primary purpose of the video conference was to facilitate the court proceedings.*

[21] The Judicial Administration draws attention to the decision of the President of the Court of Appeal, quoted above, and emphasizes that “neither litigants nor the public have the right to film proceedings in court or retain any copy of a film” (emphasis added by the Judicial Administration).

[22] The Judicial Administration submits that the same principles expressed by the President of the Court of Appeal also apply to “all recordings produced by the court during the course of a hearing”, and that the applicant is not entitled to a copy of the requested recordings.

[23] In concluding, the Judicial Administration’s submission states:

*The Practice Directions clearly state that video conference recordings is [sic] a matter for a judge. The President of the Court of Appeal has stated that there is no entitlement to the same as it is simply a platform to facilitate court proceedings. Accordingly, this request does not fall*

*within the FOI Act. The disclosure of the same is a matter for a judge in his judicial function per section 3(5)(a)(i) of the FOI Act.*

**The position of the applicant:**

[24] The applicant criticizes the responses he received from the Judicial Administration, in particular the internal review decision of the CO, as follows:

- PD 6 of 2022 relates to criminal matters, but the applicant's case is a civil matter.
- The applicant does not accept the argument that the use (or disclosure) of the recording would interfere with the administration of justice. If anything, he believes that it "may keep the steams of justice free and transparent", since there is a presumption in favour of providing access in a democratic society (para 3 of PD 6).
- Judicial officers "may refuse access where there are compelling reasons against it" (para 4 of PD 6), but a PD does not override the Cayman Islands Constitution.
- The request was an "administrative request" since there was no formal request through the courts, and no signed and sealed court order. There is therefore no court order to prevent the Ombudsman from making a decision.
- Especially in relation to one of the hearings, a failure to disclose would, in fact, "interfere with the administration of justice", since not even an audio recording has been released of that hearing, and the applicant contends that it "contains information that is incriminating of a judge".
- The applicant accepts that judges' deliberations should not be disclosed, in the same way that deliberations of civil servants and members of Cabinet are protected under the FOIA.

[25] The applicant asserts that the judiciary's decisions regarding the disclosure of recordings are administrative in nature, since "*There have been no judicial proceedings where [the applicant's request] has been argued in a court of law and judicial decision rendered on this specific point.*"

[26] According to the applicant, "the record was created by administrative staff in the exercise of an administrative function and not a judicial function." He believes this is akin to the compilation and disclosure of statistics and metadata relating to civil and criminal cases routinely published by the same administrative staff, even if they relate to a judicial function. Therefore, in light of section 3(6), quoted above, the recordings should be disclosed as they are administrative in nature.

[27] The applicant observes that "not everything a judge does is in furtherance of 'judicial functions'". The applicant states:

*... If [the Ombudsman] were to decide that [she] had no jurisdiction, then it would effectively mean that the judiciary was above the law and even above the Constitution.*

[28] The applicant is of the opinion that the judiciary does not want to see this matter resolved judicially:

*Right now, I cannot appeal the administrative decision in the judicial system since it is not part of the order of the court. It was not a signed and sealed order of the court. In other words, they are claiming that there is a legal back hole since you cannot decide I and I cannot appeal their administrative decision.*

[29] According to the applicant, the courts recognize that the demeanor of a witness may be important in assessing the credibility of that witness. In parallel, the applicant believes that: “the demeanor of the judges in all these cases, especially the Court of Appeal” is relevant and can only be shown on a video recording.

[30] The applicant alleges that various judges involved in his ongoing case have misrepresented the timing of his request for a remote hearing in 2019, and “sometimes not kept records, suppressed records, and even destroyed some records”. The applicant claims this contravenes sections 24 and 122 of the Constitution, and section 55 of the FOIA, as well as the Anti-Corruption Act and the Penal Code.

[31] The applicant believes I should require detailed affidavits from the judiciary involved in his cases, in order to verify whether any offences were committed, and to describe the circumstances in which the recordings took place and were subsequently deleted, particularly in the light of the requirements of the National Archive and Public Records Act (2015 Revision)(NAPRA), and to counter the notion that,

*... the power of the Ombudsman would be virtually meaningless if a public authority can undermine the jurisdiction of the Ombudsman by merely stating... that the record is not available.*

[32] Finally, the applicant contrasts the Cayman Islands courts’ practice, of only streaming some proceedings online, with the approach of the Judicial Committee of the Privy Council and the Caribbean Court of Justice, which, he says, make recordings of proceedings and disclose them as a matter of routine.

**Discussion:**

[33] The applicant seeks to raise a number of constitutional arguments. However, I will not address these points, as it is not within my remit to make decisions on the constitutional validity of legislation, and I do not consider that the compatibility of the FOIA with the Bill of Rights is unclear or ambiguous.

**1. Administrative or judicial function**



- [34] The term “judicial” is not defined in the FOIA or the Interpretation Act (1995 Revision). Therefore, it should be given its ordinary meaning, in accordance with the principles of statutory interpretation. This approach was adopted by the UK Information Tribunal:

*...the common sense application of the ordinary meaning of the word to the actual circumstances of an individual case must be the correct approach to adopt.<sup>3</sup>*

- [35] The Merriam-Webster Dictionary defines the terms “judicial” and “function” respectively as:

*of or relating to a judgment, the function of judging, the administration of justice, or the judiciary*

*the action for which a person or thing is specially fitted or used or for which a thing exists:  
PURPOSE*

- [36] As noted above, the applicant draws a parallel between: (a) the act of recording judicial proceedings, which he believes takes place “in the exercise of an administrative function and not a judicial function”, and (b) the provision of “statistics and metadata relating to civil and criminal cases routinely published by the same administrative staff, even if they relate to a judicial function”. The applicant concludes that, for this reason, the recording should be disclosed as it falls under section 3(6) as a “record of an administrative nature”.

- [37] I disagree with this reasoning. Undoubtedly a record of a judicial function may be created, copied, transcribed, handled, analyzed, used, and managed by administrative staff, but that does not turn it into an administrative record.

- [38] Statistics may indeed be about judicial matters, for instance how many criminal and civil cases were heard, their general outcomes, etc. However, it seems to me that such a statistical record is a separate record from the judicial records it is based on. It is created for other purposes than “the function of judging” or the “administration of justice” (in the sense of “dispensing justice”). A statistical record therefore would seem to be “of an administrative nature” and would not have a judicial purpose, in which case section 3(6) would apply to it, and it would not be subject to the exclusion in section 3(5)(a).

- [39] The PDs quoted by the Judicial Administration clearly place decisions relating to recordings of court proceedings in the hands of the relevant judges, and, as the judge in the 2019 proceedings stated, “The primary purpose of the video conference was to facilitate the court proceedings.” Although I have not had the privilege of viewing the recordings myself, as further explained below, they clearly formed an integral part of the court proceedings and of “the function of judging”. In the later proceedings, remote access by video link was facilitated because important matters such as court proceedings had to continue, even as pandemic conditions prohibited large gatherings of people. All

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<sup>3</sup> First Tier Tribunal (UK,) *Heather Graham v Information Commissioner*, EA/2011/0133 and 0134, para 12

the recordings facilitated the court process, and therefore had a judicial purpose and were part of the “function of judging”, i.e. they clearly formed an inherent part of the court proceedings and fulfilled a judicial function.

[40] **Therefore, I conclude that the recordings requested by the applicant are records of the judicial functions of a court and are subject to section 3(5)(a)(i) of the FOIA. Consequently, the FOIA does not apply to the records, and I have no jurisdiction to consider or powers to order the disclosure of these records under the FOIA.**

## **2. The absence of a responsive record**

[41] The Judicial Administration states that there is in fact no record for me to examine or decide on. This is because the recordings were made on the Zoom platform, and “When the Public Authority sought to obtain the Recordings, it became aware that the platform deleted the videos after 30 days.” There were significant delays in communicating these facts to the applicant.

[42] It is not clear to me exactly which video or audio recording of the three proceedings existed at what time and for how long. However, it is a fact that, at least in regard to the most recent recording of the Court of Appeal proceedings, the applicant made the request very shortly after the actual proceedings had finished.

[43] The important point here is not that no record exists today, as the Judicial Administration indicated, but that the responsive record did exist at the time the request was made, and it appears to have been deleted after the applicant made his request under the FOIA.

[44] Section 44(2) of the FOIA grants me certain powers regarding records management in the public sector, as follows (emphasis added):

### ***Implementation of decision***

***44. (1) The Ombudsman may, after giving a public authority an opportunity to provide its views in writing, decide that the public authority has failed to comply with an obligation under this Act.***

***(2) In the Ombudsman’s decision pursuant to subsection (1), the Ombudsman may require the public authority to take such steps as may be necessary or expedient to bring it into compliance with its obligations under the Law, and in exercise of this power, may —***

***(a) order the publishing of certain information or categories of information;***

***(b) recommend the making of certain changes to the practices of the public authority concerned in relation to the keeping, management and destruction of records, and the transfer of records to the National Archive, but such recommendations shall not be at variance with any law for the time being in force in relation to such matters;***

- (c) *recommend the provision of training to the public authority's officials on the right of access to records; or*
- (d) *refer a matter to the appropriate disciplinary authority where there has been an egregious or wilful failure to comply with an obligation under this Act.*

*(3) The Ombudsman shall serve notice of that person's decision on the public authority concerned and the person who was seeking access to records, which notice shall include a statement of the right of appeal.*

[45] Unlike the FOIA, the NAPRA fully applies to the courts. Section 2 of the NAPRA defines a "public agency" as, *inter alia*:

- ...
- (f) a court or tribunal;*
- ...

[46] A "public record" and a "record" are respectively defined as:

*"public record" means information, in any form, created, received, or maintained by a public agency in the course of, or as evidence of, a transaction or activity effected or undertaken in the conduct of its business or affairs;*

*"record" means information -*

- (a) that is inscribed, stored or otherwise maintained on a tangible medium; or*
- (b) that is stored in an electronic or other medium and is accessible in a perceivable form,*

*"and" includes a public record; and*

[47] Section 6 of the NAPRA states:

*6. (1) Every public agency shall make and maintain full and accurate public records of its business and affairs, and such public records shall be managed and maintained in accordance with this Law.*

*(2) It shall be the responsibility of the most senior officer in every public agency to ensure that public records of that public agency -*

- (a) are maintained in good order and condition; and*
- (b) are created, managed and disposed of in accordance with records management standards and disposal schedules drawn up under this Law.*

[48] The physical format of the record is irrelevant in this regard, as a "record" is very broadly defined in the NAPRA. A digital video recording of court proceedings clearly is a "public record" within the meaning of section 2 of the NAPRA.

- [49] The Zoom app offers a number of options for the retention of recordings, and it is the session host, or the staff member with administrator privileges on the Zoom app, who exercises control over it. When the Judicial Administration arranges for a Zoom recording of court proceedings, it has a responsibility to retain control of that process, and not let an app decide how long a record is kept or when it will automatically be deleted. The duty of managing, maintaining, retaining, and deleting a “full and accurate record” falls squarely on the shoulders of the Judicial Administration as the responsible “public agency” under section 6 of the NAPRA.
- [50] Our research shows that Zoom users with administrator privileges can set the number of days that a recording is retained in the cloud or on local storage. After this initial period, depending on the settings selected in Zoom, the recording is deleted from the active folders, but it remains recoverable from the “trash” for 30 days before it is permanently deleted.<sup>4</sup> A user with administrator privileges can also exempt selected recordings from being auto-deleted, for instance where new circumstances require that a record be retained, rather than deleted as originally planned.
- [51] The Judicial Administration’s explanation of the circumstances of the deletion is also problematic because it suggests that the status of the responsive record was not confirmed until the initial retention period plus the 30 days “in the trash” had already passed. This is surprising, since two initial responses to the applicant’s request were provided within a week after the request was made, and the Judicial Administration must have been aware of the FOIA request.
- [52] As soon as the Judicial Administration became aware of the FOI request, it should have taken immediate steps to prevent the destruction of the responsive recording(s). This is so, whether or not the Judicial Administration, the IM or any other staff member thought that the recording represented a “judicial function” and that the FOIA would not apply to it. As explained above, it is the Ombudsman who has the power to decide if a record falls under the jurisdiction of the FOIA, and until that question is settled, a public authority is duty-bound to preserve the responsive record.
- [53] In those circumstances, a legal hold should have been put in place, so that no evidence was destroyed before any ruling by the Ombudsman. The “legal hold” principle, also known as “litigation hold”, derives from the common law of spoliation of evidence. It applies equally in the context of court proceedings and appeals to the Ombudsman under the FOIA. Irrespective of the outcome of the present appeal, it is disappointing that the Judicial Administration did not put a legal hold on the disputed video recording, in order to keep all options open.
- [54] **For the above reasons I recommend that the Judicial Administration seek the assistance of the Cayman Islands National Archive in order to ensure its compliance with the legal requirements for the management, retention and disposal of the records in its custody and control under the NAPRA.**

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<sup>4</sup> Locally stored zoom recordings that have been deleted may be recovered from the Windows recycle bin, and cloud-stored recordings from the Zoom “trash”. [https://support.zoom.us/hc/en-us/articles/360048488451-Deleting-local-or-cloud-recordings#h\\_01FWPBXP8SKSRG71N2HT4TY3T9](https://support.zoom.us/hc/en-us/articles/360048488451-Deleting-local-or-cloud-recordings#h_01FWPBXP8SKSRG71N2HT4TY3T9) and: <https://support.zoom.us/hc/en-us>

[55] I also require that the Judicial Administration develop and implement internal procedures for instigating a legal hold in respect of records requested under the FOIA and in other appropriate circumstances.

**Procedural matters:**

[56] Section 34(3) of the FOIA states (emphasis added):

(3) A person who conducts an internal review —

- (a) may take any decision in relation to the application which could have been taken on an original application; and
- (b) **shall take that decision within a period of thirty calendar days after the date of receipt of the application.**

[57] The applicant requested an internal review of the IM's decision on 17 September 2023. The internal review decision was made on 3 November 2023.

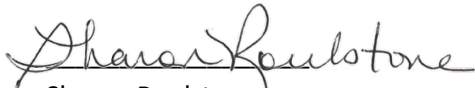
[58] **Consequently, since the FOIA does not provide for an extension of the time period allowed for an internal review, the internal review in this case was done outside of the statutory time limit of 30 calendar days.**

**C. FINDINGS AND DECISION**

Under section 43(1) of the Freedom of Information Act, for the reasons outlined above I make the following findings, decisions and recommendations:

- The recordings requested by the applicant are subject to section 3(5)(a)(i) of the FOIA because they are records of a judicial function of a court. Therefore, the FOIA does not apply to the requested records.
- I recommend that the Judicial Administration seek the assistance of the Cayman Islands National Archive in order to ensure its compliance with the legal requirements for the management, retention and disposal of records in its custody and control, in particular recordings of court proceedings, as required under the NAPRA, and send me a progress report within three months.
- I require that the Judicial Administration develop and implement internal procedures for putting a legal hold on records requested under the FOIA.

- The internal review decision in this case was not taken within the statutory timeline of 30 calendar days provided in section 34(3) of the FOIA.

A handwritten signature in cursive script that reads "Sharon Roulstone".

Sharon Roulstone

Ombudsman