

Independent Commission on Freedom of Information: Responses submitted by individuals to the Call for Evidence

This document combines responses from individuals to the Independent Commission on Freedom of Information's call for evidence.

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To note

A limited number of submissions may have been excluded from this document where, for example, they are in an inappropriate format or contain high amounts of personal data.

Amendments to this document:

There have been no amendments to this document since publication.

R H Wilson

Dear Sirs,

Keeping this crucial legislation intact is paramount in any civilized society so please, please let reason prevail despite the presence of several appointees to the commission having already shown open hostility to the public's right to know.

Yours faithfully

R H Wilson

R Patty

FOI is essential and vital to public safety and should always be available for public scrutiny!

R Threadingham

Dear Sir/Madam,

I would like to convey to you how concerned I am about any restrictions which may be placed on the Freedom of Information Act. Any such restrictions would be counter to a healthy democracy and would encourage corruption and bad practice now and in the future with any government.

Mr. R. Threadingham

Rachael Maskell MP

Dear Sir/Madam,

I am writing in response to the consultation issued by the Independent Commission on Freedom of Information: call for evidence. Whilst I am not opposed to the Government carrying out a consultation on the Freedom of Information Act, I am firmly in favour of the Act.

The act is not without its critics, but it provides a largely free and universal right of access to information, subject to legitimate exceptions, and it enables members of the public to hold the people responsible for running public services (and spending public money) to account.

I am concerned about the Government's plans to exempt universities from Freedom of Information. I believe that universities, together with all organisations in receipt of public money, should be subject to the Act. The public have every right to know how their money is being spent and the Government should accept responsibility for this. If the Government continues to plough public money into private companies then these companies (and institutions including universities) should also be subject to the Freedom of Information Act. I believe that transparency of our public institutions is vital to ensure effective scrutiny. The Freedom of Information powers do not extend far enough, and therefore I support their extension to **all** bodies who are delivering public services or are in receipt of state finance.

I hope you will take my views into account when you are considering the responses to the consultation.

Yours sincerely,

Rachael Maskell MP

Ray Milton

Dear Sir,

I am interested in my family history. It just so happens that I have a most interesting ancestor who was an oil pioneer in the beginning of the twentieth century. He spent time developing the large oil fields in Mexico and Venezuela.

There is a lot of information available about my ancestor in the academic press. A lot of people have published works about life in the oil fields. I thought that a good source of information might be available from his passport application- he first travelled to Mexico in 1908. His passport application would give his UK address before he started travelling, and might even have a photo. So, I approached the passport office and they have made it very clear that this information is not in the public domain. Contrast this response to the US government who are only too happy to help me to find information from his various US visas.

The government have introduced a Freedom of Information Act, but it is only a gesture and they only pay lip service to it. Civil servants still hide behind their old attitudes which makes their customer service the worst in the developed world.

Would you please pass this criticism to those who matter in your organisation.

Regards,

Ray Milton.

Roger Godsiff MP

Response from Roger Godsiff MP

I would like to raise several points which I hope may be considered by the Commission.

“Vexatious” information requests

I have no argument to make against the principle that public bodies should be protected from vexatious requests for information. However, I am concerned that at present it may be the case that multiple genuine requests for the same information may be being automatically rejected on the grounds that they are vexatious, without the merits of the requests being properly considered.

The Commission may recall that in summer 2015 disability rights campaigners attempted to gain access to statistics on the deaths of disability benefit claimants using an Fol request. This case went to the Information Commissioner and to the First-Tier Tribunal on Information Rights, and the decision was reached that DWP did not have to release these statistics on the grounds that the request was “vexatious”. The justification for deciding this principally comprised the fact that 24 people had requested this information.

I am unsure whether the Act itself supports the Commissioner’s contention that the fact that a number of people have requested certain information makes these requests vexatious. The decision itself in this case (number: EA/2013/0277) notes that there is no statutory definition of “vexatious”. Perhaps this is something that requires more clarity in legislation? It appears to me that there is no reason to automatically dismiss multiple requests as vexatious. The number of requests from different concerned citizens suggests instead that there was genuine interest in obtaining this information from a number of people and therefore that this is a matter of wide public interest. The request should therefore have given more weight because of the duplication of requests, rather than being refused because of this.

I am extremely concerned that DWP was therefore able to use this vague and nebulous concept to refuse to release information which it had available or could easily obtain, and in which there is a valid, widespread and perfectly legitimate public interest. That this information ought not to have been refused is demonstrated by the government’s announcement on 24 June that these data were being prepared for publication.

Confidentiality of lobbying by royals

I am also extremely concerned that at present the British taxpayer has no right to access lobbying letters sent by prince Charles to Government ministers. While I appreciate the arguments which protect Cabinet confidentiality during the Government’s decision-making process, I do not believe that these arguments can be extended to Charles’ ill-informed meddling. The reason for this is that decision-making by the Cabinet is accountable to the public in a number of ways—by votes in Parliament and by Parliamentary Question, by public and media scrutiny of the decisions made and, most importantly, directly at the ballot box. The public have none of these tools of accountability available to them where the royals are involved. The royal family receives a huge amount of public money and obviously still retains some influence with Government members. It is therefore crucial that the public are able to scrutinise royals’ attempts to lobby Government, otherwise where is the accountability?

Both these issues appear to me to represent cases where Government was able to avoid or delay disclosing information in which there was a genuine public interest but which had the potential to cause embarrassment. The entire purpose of the Freedom of Information Act is to ensure proper public scrutiny and accountability of those in power by the public, by ensuring that relevant information is made available. I therefore believe that the Act—although in general it works well—should be strengthened to avoid cases like these.

Confidentiality of public sector contracts

At present, councils and other public bodies can use the argument of “commercial confidentiality” to avoid releasing the details of contracts they enter into with commercial organisations to provide public services. These contracts are paid for by public money, and we should therefore have a discussion about whether commercial confidentiality—or in other words, these companies’ ability to protect their profit margins—should be permitted to trump the public’s right to know what their money is being spent on. I believe that all publicly-funded contracts should automatically be placed in the public domain and be subject to freedom of information legislation, in order to ensure greater scrutiny and accountability and the most effective possible use of public funds.

I would like to draw the following news article to the Commission’s attention:

<http://www.bbc.co.uk/news/uk-england-birmingham-34778671>

As you can see, here an egregious misuse of public funds was only made public because of the powers of FoI. It is absolutely essential that we retain powers of public scrutiny and accountability to ensure proper use of public funds.

Many thanks,

Roger

Roger Godsiff MP

Richard Drew

As I am sure that you are well aware, the Freedom of Information Act has made possible the unmasking of a number of recent scandals which might not otherwise come to light or only come to light when more damage had taken place. These scandals have included:

- The failure of the NHS IT project
- The part privatisation of the Commonwealth Development Corporation
- The scale of tax avoidance by individuals and corporations based or operating in the UK
- The scale of offshore ownership of UK residential and commercial property
- The use of hospitality by corporations to influence senior politicians and civil servants

most of which the previous and current governments have or are taking measures to address.

Therefore, despite its occasional misuse, the FoIA has been an outstanding example of the benefits of open government and its provisions should not in my opinion be curtailed or restricted.

Regards

Richard Drew

Richard Bruce

Submission to the Consultation on the proposed changes to the Freedom of Information Act

I write again, also enclosing my initial submission to the consultation because my email to Michael Odulaja was not acknowledged.

It is vitally important for the safety of our population and our country that Civil Servants and Ministers are never permitted to hide the decision making process from the public.

Have we learned nothing at all from the BSE Crisis, which triggered the supposedly more "Open" politics in this country?

Sadly the Seven Principles of Public Life are still more a dream than a reality with decision makers hiding behind a cloak of secrecy, used not to protect the public but to protect themselves. Only the other day I had a letter from a scientific adviser to the Industrial Injuries Advisory Council - part of the notoriously dishonest Department for Work and Pensions proclaiming adherence to the Nolan Committee standards but still failing to base decisions on accurate evidence.

It is understandable that those discussing the best way forward for policy makers should have some degree of privacy whilst the discussions take place but it is an affront to democracy to allow them to hide their policy-making decisions and advice AFTER the policy has been set. It is vital that the reasons for making the decisions should be open to scrutiny and be tested for honesty and accuracy for, if such detail is hidden, any lie used in the process could succeed in changing policy to the detriment of health, finance, security and the country, while those who perpetrated the deception remain protected by the system.

We are made only too aware of this in regard to the Chilcot Enquiry into the Iraq war, before which a mass of evidence was reported to have been supplied by Iraq to show that they no longer had any weapons of Mass Destruction.

All the reported 10,000 pages of it was ignored completely by those involved. The war was begun in the name of "Defence" but the reality is that it was an illegal act intent on regime change, as has been admitted frequently since.

The same happened in Libya and is happening now in Syria and was even initially the same in the Ukraine. They can hide the truth but that means they never learn.

It is a disgrace that Civil Servants and Ministers can hide dangerous truths behind a variety of dubious regulations and it is a bigger disgrace that the Freedom of Information laws have been allowed to be used by careful manipulation of exemptions to protect those who have made dangerously wrong decisions.

It is of interest to remember that the reporter who initially exposed the so-called "sexing up" of the document that led to war lost his job, as did the head of the BBC, but those who lied to bring about the chosen policy remain protected despite the high loss of life both in Iraq and for our own people.

It is hard enough for the ordinary member of the public to get justice now in this country but it is worse for them when the need to protect wrong-doers within government brings into play legal trickery designed to hide the truth.

The victims must pay to fight the very system that their taxes pay for, including paying the government's own lawyers, but worse they are denied access to all manner of information for which tax-funds enabled its creation.

The entire process is weighed against the public and now the government, controlled as it is by the same politics that resulted in the BSE Inquiry, is determined to close the doors to information access for those who need to know - unless they are rich enough to sacrifice funds in an all too often futile attempt to force the truth into the open.

Having had to appeal to obtain vital safety information on chemicals that was at first denied to me it became apparent that it is all too easy for information to be withheld and I have experienced this first-hand.

Knowing that instructions from the Chief Medical Officer to doctors ordering them to not make a diagnosis of organophosphorus poisoning I asked that all such notifications involving the safety of the chemicals released by the office be supplied. After some time eventually some were sent to me but nowhere amongst them was that sent to all GPs giving them the details regarding the tests involving those chemicals at Porton Down. Had I not been handed a copy by my GP I would never have known that the paper, like the specific one requested had been withheld. Even the one I asked for was never released.

Likewise I asked about the approval and dangers of another two chemicals in the group and received the official response that they had never been approved in the UK. Had I not had the 1984 list of approved chemicals that deception would also have gone unchallenged but eventually the Civil Servants had to admit that the information they had provided was completely wrong. Those very deadly poisons had been approved but had since been withdrawn for safety reasons.

These things do not happen by accident, just as it was no accident that successive Directors General of the Health and Safety Executive have Blacklisted me and instructed staff never to correspond with me simply because I was able to expose their deception and perversion of justice.

Unsurprisingly they too are part of the Department for Work and Pensions.

It is clear that there is a "**Them and Us**" attitude and the public at large are most definitely outside the privileged group as far as knowing the correct information is concerned. It is an utter disgrace. A sham of a democracy where the people and MPs are deliberately kept in the dark by an unelected self-appointed elite.

I will attempt to respond to the questions in the consultation document but I think my views are plainly put in the above and in my initial submission below.

Any attempt to restrict access to vital information by increasing the cost for that access is wrong and to make excuses about the cost to the civil service is dishonest because they spend far more of tax payers' hard earned money trying to hide the truth than ever they would spend if the released it freely.

They forced me through several appeals, Commissioner's hearings, Tribunals and even to Judicial Review and all because they did not want to admit that they were duped by deception and, as they admitted internally, had lost too many cases.

Additionally their standards would improve very quickly if they really knew people were watching them carefully.

The Consultation document states

“The Commission will review the Freedom of Information Act 2000 (‘the Act’) to consider whether there is an appropriate public interest balance between transparency, accountability and the need for sensitive information to have robust protection, and whether the operation of the Act adequately recognises the need for a “safe space” for policy development and implementation and frank advice. The Commission may also consider the balance between the need to maintain public access to information, and the burden of the Act on public authorities, and whether change is needed to moderate that while maintaining public access to information.”

Clearly there may be different reasons why information is regarded as *“sensitive”* and it may simply be that if the information was released, as with the MP expenses shambles, then reputations would suffer. Of course some security information is always sensitive for good reason but there should be rules governing decisions made on that information and scrutiny to ensure accuracy.

The public should be able to see why decisions were made, once they are made.

The Official Secrets Act was supposed to protect us, not staff who would risk our lives and then hide behind the Act to protect their own lucrative positions.

Question 1: What protection should there be for information relating to the internal deliberations of public bodies? For how long after a decision does such information remain sensitive? Should different protections apply to different kinds of information that are currently protected by sections 35 and 36?

There is no doubt in my mind whatsoever that as soon as the deliberation on policy is complete and that policy is enacted then the public must be able to check to ensure that the decision process was correct without having recourse to such things as Judicial Review after the event when the errors or deliberate deception would make any challenge too late, as with the Iraq War. There is too much secrecy and when there are secrets someone has something important to hide which may work to the detriment of innocent parties.

Question 2: What protection should there be for information which relates to the process of collective Cabinet discussion and agreement? Is this information entitled to the same or greater protection than that afforded to other internal deliberative information? For how long should such material be protected?

I do not believe that Cabinet Discussion should be subject to any greater protection than any other discussion once the decisions are enacted. Then they should face the exact same scrutiny as anyone else so that any mistakes, or deliberate falsehoods, they made will be seen for what they are and for those who were involved identified.

Some of us worked in jobs where out every mistake could be seen for miles around and for months on end. Why should Civil Servants, and more especially politicians, be protected from their own errors of judgement?

Question 3: What protection should there be for information which involves candid assessment of risks? For how long does such information remain sensitive?

Perhaps this refers to assessments like the "45 minute" lie for missiles from Iraq reaching the UK? These were Ministerial decisions, plainly wrong, but still protected from scrutiny in order to protect the system, not the people.

If it really is a "*candid*" assessment of risk then the people should be told truthfully so that they can prepare and assist the authorities in neutralising the risk.
The secrecy merely endangers everyone and it is an unnecessary complication.

Question 4: Should the executive have a veto (subject to judicial review) over the release of information? If so, how should this operate and what safeguards are required? If not, what implications does this have for the rest of the Act, and how could government protect sensitive information from disclosure instead?

There should be no veto. Why should the Executive have greater protection than those it supposedly represents? There are too many exemptions weakening the Act already - and still truths vital to the safety of our people are hidden from them only in order to protect those who allowed the dangerous situation to develop.

Incidentally in my experience it is of interest to note that when a communication of dubious content is released to the public the documents are all too frequently unsigned so that the writer cannot be identified and challenged directly.

In many cases these documents are created by staff from numerous departments in order to provide the "safest" responses and in many cases even letters from MPs go through that process with instructions not to comment on certain paragraphs. The system uses deception to protect itself. It seems to work well but it also adds greatly to the costs caused by the deception.

Question 5: What is the appropriate enforcement and appeal system for freedom of information requests?

If the Civil Service really did comply with the Seven Principles of Public Life and did their duty by releasing requested information then there would be no need at all for the expensive appeals process. The fact that there is such a process is evidence in itself that information is being hidden from the public, which in a true democracy has the right to know. The disciplinary action should be internal but when the rot is in the very top level of management the rest soon follow.

In fact it appears to me from my experience that the instructions to hide the truth come from the very top, which would explain the all too frequent failure of the Information Commissioner's office to uphold the relevant laws and regulations.
The authorities are making life extremely difficult for those seeking the true facts.

Question 6: Is the burden imposed on public authorities under the Act justified by the public interest in the public's right to know? Or are controls needed to reduce the burden of FoI on public authorities? If controls are justified, should these be targeted at the kinds of requests which impose a disproportionate burden on public authorities? Which kinds of requests do impose a disproportionate burden?

What is this "*burden*"? Public Authorities are paid to do their job properly. It is when they do not do so that they find themselves subject to Freedom of Information Requests and those requests all too often expose wrongdoing.

The only "*burden*" they have to carry is the extra work they cause when they do something wrong. For that they deserve no sympathy and by rights they should be made to pay a financial penalty for their failure. Currently it is the victims who have to pay, often with their lives - example the shot Terrorist on the train who was innocent. But perhaps he saw something the authorities did not want him to see and that sealed his fate? Sadly because of secrecy we will never know.

I trust you will find my responses to the questions of some use and there follows a copy of my initial submission. A copy of this email is attached as a pdf file.

Yours sincerely,

Richard Bruce.

Original Message

For the attention of Michael Odulaja

I note with some concern that the Freedom of Information Commissioner is included in the proposals for fees for appeals on page 29 of the Consultation Document.

The reason for my concern lies in the fact that I was forced to frequently appeal decisions in respect of information in the public interest regarding serious matters of health and information withheld deliberately by government agencies who used false statements in blatant attempts to pervert justice.

In fact, were it not for the Freedom of Information Act it is very likely that I would never have discovered the deliberate attempts to damage not only my health but also that of the population by using deception to hide vital information from all interested parties.

If fees had been in place at that time it would have been easy for those officials involved to deliberately block access to that information, as they did, forcing appeals which I, as a disabled person, could never have afforded and so the deception would have been successful.

As it was, despite eventually obtaining the information required it came to my possession too late to prevent the perversion of justice due to blatant delaying tactics.

As a result justice was and still is denied to me. The deliberate delaying tactics had been successful.

I should add that I had the greatest respect for the legal profession and the courts but my experiences over the last 23 years have very much changed my view.

The weakest in society are now denied access to justice - no matter what claims are made to the contrary.

Perjury, Fraud and Perversion of Justice are now not merely condoned but they are encouraged by authority if they support current policy.

I have reported to the Police, to the courts, to judges, to MPs and even to the Lord Chancellor's office.

The Police identified a dozen criminal offences in writing, but refused to investigate.

The courts said that it was a matter for the Police but a judge would have to instigate an investigation.

The Judges ignored the information.

The Lord Chancellor's office declared that perjury and perversion of justice are still serious criminal offences and that the Police should be involved.

My MP stated categorically that the Police do not have to enforce any laws.

The Police suggested that they could not act on Fraud unless it was first reported to Action Fraud who would provide a crime number.

Those responsible for investigating fraud simply said that "*These people are obviously very well protected*" and refused to get involved.

Despite my disability and official attempts to deny a proven diagnosis supported by GPs, specialists and scientific evidence from experts in the UK and overseas I was forced by gross deception and false official reports to go before several appeals, reviews, Tribunals, Commissioner hearings and even to Judicial Review at some considerable cost and adverse effects on my health. I could not obtain proper legal representation at any point. In fact one solicitor, so horrified at the facts, volunteered to act as a witness to one Tribunal, was threatened with prosecution for taking notes and was then silenced.

Such is the power of officially sanctioned deception - as reported to the National Audit Office and others only to find no action taken.

All involved have been given incontrovertible evidence of the corrupt practices involved but none dare do anything about it. Judges in the High Court ignored it.

Were it not for the Freedom of Information Act I would never have discovered illegal acts done by my employer, false statements used by his staff and by officials of government, false safety information provided by officials and the chemical industry and a host of other vital facts that were being deliberately hidden in the efforts to pervert justice.

It is no surprise to me that Government now wants to make it even more difficult for the public to discover uncomfortable truths, even though they know that the public is powerless to do anything with the information so obtained. Our attempts to obtain true justice are slowly but surely being made impossible - a situation reminiscent of the tactics used by Nazi Germany.

I offer the following comments on these parts of the consultation document but suggest that Justice and Truth should not be sacrificed for a political financial target.

Question 14: Do you agree with the proposed fees for all proceedings in the General Regulatory Chamber: specifically £100 to start proceedings with a determination on the papers; and a further fee of £500 for a hearing? Please give reasons.

I do not agree with the introduction of fees for proceedings under the Freedom of Information Act in the General Regulatory Chamber, especially as in my experience those responsible for

enforcing the law all too frequently choose to ignore vital evidence presented to them in such proceedings in order to maintain their pre-determined position.

Many, if not most, Freedom of Information requests are made in the public interest and fees may deter people from attempting to obtain information that could be vital for public health, the environment and for Justice. Often successful refusal to release information will effectively protect those who have committed criminal deception that endangers life.

Question 15: Are there any proceedings in the General Regulatory Chamber that should be exempt from fees? Please give reasons.

Freedom of Information should be exempt from fees, which would deter those seeking the truth. Government agencies are always at an advantage and the public find themselves in the disadvantageous position of paying both to fight wrongful decisions of government and paying through taxes the very people who are fighting against them.

I might add that in my experience the Information Commissioner, as with other Commissioners, rarely, if ever, actually enforce the law to its fullest extent and any criticism of authority is always neutralised by the right of that authority to have any reports altered to their advantage before those making complaints ever see those reports. In my experience this gives the authorities the opportunity to re-inforce their deception unchallenged.

If the courts really do intend to ensure access to Justice for all then they must not allow the government to restrict access to vital information and to the courts in this way.

Justice must not only be done but it must be seen to be done - and in these times that I am afraid is a very rare thing indeed.

As I wrote to the National Fraud Investigation Bureau "Corruption is now not merely condoned but it is encouraged if it supports current policy"

From one who once had the greatest respect for our legal system I now regard it as a complete sham designed to enrich those involved in running the show at the expense of those wronged.

Yours sincerely,

Richard Bruce.

Richard Marsh

Hello,

I am concerned that the FOI review will result in less access to government documents.

There is currently not enough access to government documents, not least because some documents are not released due to 'commercial pressures', which is an outrageous situation.

Any attempt to reduce access to documents when the situation is that there is not enough access is not a good move.

R

Richard Palmer

Dear Sir

I am very concerned that the Government is planning to weaken the FOI Act and introduce charges for responses to requests.

If anything, the Act needs to be strengthened, to bring it more into line with that in the USA. They don't seem to have any problems so why does our Government want to meddle?

Yours faithfully

Richard Palmer

Richard Pilling

Dear Sirs,

I believe it would be wrong to reduce the availability of proper responses to freedom of information requests from any source. The Fol Act has shown itself to be extremely valuable in recent years in the exposure of corruption in official circles as well as the private sector. The public has a right to information. £9m per year to fund the cost of Fol is trivial in the context of Government spending.

Sincerely,

Richard Pilling.

Richard Scott

To: The Independent Commission on FOI, Post Point 9.54, 9th Floor, 102 Petty France, London, SW1H 9AJ.

From: Richard Scott

Date: Thursday 19 November 2015

Dear FOI Commission Chairman and Members,
Re: Public Consultation UK Freedom of Information

1. I write, pursuant to the 'Call for Evidence' currently open, to offer you the following views, which I sincerely hope will receive your most careful consideration.
2. In a democratic society, which I believe a strongly majority of UK citizens which ours to be, I respectfully contend that employment in, or election to, 'Public Service' must mean exactly that – those 'in power', at whichever level of influence or of decisionmaking, must constantly be aware that they are paid by the citizenry to serve us, and not to rule us.
3. What seems to flow inescapably from that proposition is the much-used work 'Accountability'; fine-sounding but sadly, for a number of reasons (including the quasiwithdrawal of civil legal-aid funding), seriously under-implemented. FOI (gratis!) seems therefore to be a powerful and economical way for the citizenry to hold their 'Public Servants' to account (inter alia by the use of information which taxation has already for!).
4. Indeed, I see maximising FOI (together with 'Subject Data Access' under the DPA) as forming an excellent and economical way of improving the performance of public bodies. Good staff will take a pride in operating with 'Clean Hands', proud to open their filing-cabinets to anyone; whilst the 'Duckers and Divers' (which every large organisation has) will come to realise that there is 'No Hiding Places' anymore, thus leading to improved organisational efficiency.
5. It seems that almost month-by-month the world is achieving ever-greater levels of internet access to data (the unification of Gov't Departments' websites into the uniform, and excellently plain-vanilla 'Gov.UK' website, appears to be an organisation and technical triumph of which all concerned should be very proud!). Thus the UK needs to become a leader in transparency – obfuscation has had its day, surely?
6. So, in the context of 'Open Data', it appears to be self-evident that, rather than introducing charges for FOI, the current 'ceiling' (of about £600) needs to be raised perhaps to £5000, in order to encourage public bodies to maximise digitisation of their 'Information Assets'. Such a situation is desirable both for staff of the body, and of other bodies engaged with it, as well as for the general public; as much more information is then available on a 'Self Service' basis, no minimising any need for possibly expensive internal searched to meet FOI requests.

Yours Sincerely,

Richard Scott

Richard Stainton

Dear Sir/Madam

I am opposed to any weakening of the Fol Act (or associated guidelines) that make it more difficult or expensive for people to use this important legislation/right. Open democracy and the greatest transparency possible should be the aims. Already it often remains difficult for people to find out how and why decisions have been taken and there should be steps taken to ensure fewer restrictions on Fol requests.

The absence of Fol only encourages abuses of power and opens up avenues for greater risk of corruption.

Of course, many of those in power want to restrict Fol - we all know knowledge is power - but they should not be allowed to for the health of UK democracy.

Yours faithfully

Richard Stainton

Robbie Griffiths

Dear FOI Commission,

As a member of the public and journalist I would like to give my support for the access to information that is in the public interest allowed by FOI requests over the past 10 years, and give my view that very little about the act needs to be changed.

It is useful for the public to be able to request information about Government departments to which they pay their taxes, and their internal doings. Though it may be irritating for civil servants, many issues have been turned up to the public good by the act and I applaud it in our democratic society. I hope that cost, or in particular the proposed need for 'deliberative space' (Governmental decision making should be made as much in public as possible) do not mean a limit is set.

Sincerely,

Robbie Griffiths,

Robert Binks

I don't want the law changed regarding the Freedom of Information Act.

I do want the press to be able to continue to expose such matters as MP's expenses, the extent of tax dodging in the UK, New Labour's spending on management consultants, etc.

It appears to be acceptable for the government to gather information on private citizens but not for the general public to know about government failures.

Please protect Britain's reputation in the civilised world as a free country by protecting freedom of information.

Robert Binks

Robert Hunter

Dear Sir / Madam,

I believe that that the Freedom of information Act of 2000 has become an essential part of our democracy.

In 2009 President Barack Obama said "The way to make Government responsible is to make it accountable, and the way to make Government accountable is to make it transparent". Any rolling back of the Freedom of Information act reduces the accountability of the Government to the people. This can lead to bad decisions, corruption and abuse. It also limit the ability of voters to make an informed decisions at the polls.

The act has lead to scandals, some of witch are uncomfortable for those in power. But if we are truly a democracy then we must ware such scandals with pride. As an example of our ability to face our own flaws knowing that in doing so our honesty makes us stronger.

Sincerely,

Robert James Hunter

Robert Nicholson

Dear FOI Commission,

I am concerned by proposals to alter, water down or otherwise hamstring the freedom of information act. However burdensome the government and its officials may find the practice of transparency, it is not in the same league as the burden that can be placed on the people when those in positions of power find themselves unscrutinised and unaccountable.

Yours Sincerely,

Robert Nicholson

Robin & Pat Benians

Please leave the FOI Act alone!

Of course it costs tax payers' money to deal with requests made under the Act. But if Government at every level were more transparent, there would be fewer requests.

ROBIN & PAT BENIANS – an ordinary working couple & taxpayers.

Roger Young

Rumour has it that there is a consultation on the governments proposal to neuter the FOI Act, which like this consultation seems largely to have been slipped beneath the radar.

The justification for the recent increase powers of surveylance was " if you have nothing to hide you have nothing to fear ". EXACTLY the same applies to the FOI Act. So clearly by seeking to neuter this act, politicians and administrators are admitting they DO have something to hide. It is therefore crucial to open democratic government that this law remains untouched.

Of course those with power don't want cock-ups and dodgy dealings to be made public but this all the more reason to leave this act as it is.

The cost of administering this is tiny considering it's importance and to say otherwise is simply a smoke screen the hide the real reason which is - to hide things !

If money is that short, why not scrap the Police and Crime Commissars who nobody wanted and serve no useful function in the maintainence of law and order and cost a great deal more.

Roger Young

Sylvia & Ronald Kipps

Sylvia and Ronald Kipps

We value the present Fol legislation as a means of access to information and for official bodies to be held to account. We urge you not to restrict this access in any way as a result of your deliberations.

Yours,

Sylvia and Ronald Kipps

Ross Anderson

Dear Commissioners,

Consultation on the Freedom of Information Act 2000

The recent Green Paper on education suggests that the Freedom of Information Act should cease to apply to universities. I strongly support this proposal and am writing to you as well to argue the case.

I am Professor of Security Engineering at Cambridge, and as such my work impinges in many ways on both data protection and freedom of information; these are both in different ways about ensuring that information flows to the right people and not to the wrong people. Both intermingle policy and technology in interesting ways.

In addition to this professional expertise, I am involved in digital-rights NGOs. I chair the Foundation for Information Policy Research (fipr.org) in the UK while overseas I am one of FIPR's representatives on European Digital Rights (ERDi.org) as well as being an advisory council member of the Electronic Privacy Information Centre (epic.org) in the USA.

My third perspective is involvement in university administration. I am a member of the Council of the University of Cambridge, its governing body, where I am an elected representative of the professors and readers. I write today in a private capacity rather than as one of Cambridge's trustees, but am confident that my views are widely shared.

It has long been my view that including the universities in the Freedom of Information Act was a mistake. Most universities are not public-sector bodies; Cambridge University is typical, being a private charity. Every year our Finance Committee takes the trouble to certify that we are not a public-sector body for the purposes of EU purchasing regulations by verifying that less than half of our income comes from the public purse. Most of our income comes from research grants and contracts; teaching is less than a quarter of it, and even there most of the income now comes from student fees. In the department where I teach, we now get essentially no government subsidy for teaching.

Second, the uses made of the Freedom of Information Act vary from the tiresome to the abusive. We get journalists sending requests to our central administration for such things as "all the research the university does on climate change", to which the stock response is something like "look at the websites of the relevant researchers – it's our policy that all research outputs are placed in the public domain."

While such an inquiry is typically just a journalist being lazy, some are decidedly malicious. For example, in 2003 we were the target of a campaign by animal rights extremists who attempted to terrorise my Council colleagues by doing noisy property damage at their homes in the small hours of the morning; some of the activists ended up in jail. At the same time as that campaign, there were concerted efforts to find out the names of academics, postdocs and even students involved in research with animal subjects. Identified targets were then bombarded with offensive and sometimes threatening emails from the activists' supporters; the ones I got had gruesome pictures of monkeys with electrodes in their brains, and they were also sent to dozens of my colleagues at the Computer Lab in an attempt to put social pressure on me. (They had the opposite effect; my colleagues were

strongly supportive.) Now some information about researchers is publicly available in any event, as scientists put their names on their publications, and they may be findable in the electoral register or via social media. Yet Freedom of Information re-quests were used as one of the tools of their trade by this extremely unpleasant (and occasionally violent) group.

I am aware of similar techniques being used to harass medical researchers whose work is objected to on other grounds by activists of various kinds. I understand that Professor White of Queen Mary will be writing to you separately.

Finally I would like to state that I am personally a strong supporter of freedom of information. Given the nature of power in human societies and organisations, information will tend to flow from the weak to the strong and from the poor to the rich, making them stronger and richer still. Information has also been the foundation of new fortunes and new monopolies; the study of information economics is thriving, and is increasingly important to my field, as to yours. Data protection law exists to ensure that the weak don't have to hand over everything, while freedom of information exists to ensure that the weak can still find out something about government bodies that have some kind of coercive power over them.

Universities are not coercive bodies. We are self-governing communities of scholars, run by committees most of whose minutes end up being published online (except where this is impossible for reasons such as commercial confidentiality or personal privacy). We exercise no monopolies and have coercive power over no-one. Our mission is the manufacture and distribution of knowledge, and we hand it out freely to all. There are only a few exceptions, such as history professors who expect you to pay the bookstore for the books that they write; in my own case, my 'Security Engineering' textbook can be downloaded for free from my website as well as being on sale in Heffers for cash. (No doubt my historian colleagues will catch up with technology in due course.)

In short, there is no case for applying Freedom of Information law to universities, and it does real harm (albeit this is thankfully rather rare). I therefore strongly support the proposal by the Secretary of State for Business, Innovation and Skills to exempt us and ask for your support too.

Yours sincerely,

Ross Anderson

Ruedi Welti

For the serious Press, as the fourth power in a civilised, modern State, it is essential that Freedom of Information is guaranteed. We Citizens depend on the serious Press to inform us.

R Welti

Ruth Greaves

Chris Grayling...get back in your box!!!

We need to keep the Freedom of Information Act.

The people who do not want it must have something to hide!!

Ruth

Greaves

Ruth Hobson

Dear Sirs

Freedom of Information Act Consultation

I would like to express my support for the Freedom of Information Act, and my concern at the prospect of its partial repeal.

Freedom of information is surely part of any free society and there are many crucial issues that would never have come to light without it. I actually think the Act should be extended to cover all contracts between public bodies and private companies. It is outrageous that we are not allowed to see how our own money is being used. The concept of commercial confidentiality should not extend to public contracts and information about the use of tax payers' money should be available under the Act.

Please do not dismantle this cornerstone of democracy just because it doesn't suit those sections of society who would prefer their activities to remain secret.

Yours faithfully

Ruth

Hobson

S Blair

Dear Sir/Madam,

I would like you to note my support for the expansion of freedom of information as it currently stands as it has become an essential tool in getting information about failing legislative/government departments from local to national level, this allows us to improve rather than cover up these failures and by expanding the existing FOI legislation will allow for greater scope of improvement benefitting everyone.

Sincerely

S Blair

Sarah Manley

I work for the NHS and i receive between 2-3 FOIs to answer every week which i've done so since the act was introduced. I would say 95% of these are commercial organisations looking to increase their business and, in my opinion, is a lazy way of researching business opportunities.

I would say i spend at least an hour of my working week responding and it would be interesting to know how many NHS employees do the same and what the associated cost/time burden is on the NHS.

I believe in the NHS being open but in my view the FOI is the same in an information context as writing a blank cheque and I believe that there should be some kind of filter to prevent commercial organisations from accessing information from the NHS in this way.

Sarah Manley

Sebastian Gosden

Dear Independent Commission on Freedom of Information,

Demonstrably, the current Freedom of Information system is working extremely well, because in the last five years a layman such as myself has learned about dishonesty, junketing, expense scandals, more junketing and all the kind of things that the British public have a right to know about and informs our understanding of the fitness of specific people in government, elected or not.

I am not a journalist, never have been and never intend to be. But I am dependent on them and their work to understand how my country's government functions. Any reduction of their right (and any citizen's, for that matter) to make Freedom of Information requests is genuinely an attack on our democratic system (a term quite overused, but entirely applicable in this case).

If the price of holding the powerful to account is £9m a year, as the latest FOI cost estimates suggest, this is extraordinarily reasonable. If £9m not a good price for holding officials to account in a £2 trillion economy, I don't know what is.

I respectfully ask you not to curtail Freedom of Information requests.

Kind regards,

Sebastian Gosden.

Shanti Varmana

Dear commission,

For the sake of justice and fair play, Freedom of Information needs to continue!

Please leave this act as it is.

Thanks

Shanti Varmana

Sheila Freeston

We need to keep the foi to maintain the standards of transparency and honesty essential for our democracy. Any watering down of its provisions will lead to a lessening of confidence in public institutions and our public servants from government downwards and enable wrongdoing not to be exposed and punished.

Yours,

S. Freeston.

Simon Bertram

Dear Lord Burns and FOI committee,

In reviewing FOI legislation, you have a chance to demonstrate your sense of right and wrong and your belief in a government accountable to the electorate.

There are suggestions that your committee is set up to water down FOI rules, cover up the actions of government and make opaque the transparency FOI offers the public. I will read your committee's report with interest and, like others, I will judge you and the other committee members on its content. It will represent a fascinating window into your character and your views on government accountability. I sincerely hope that you show yourself on the side of the public rather than the corrupt, incompetent, venal, self-serving lowlifes who lurk among you in the corridors of power.

In your attempts to hide facts about the government from the press and the public, I'd like you to know that I believe you are doing your and the governments reputations, and the people of this country grave damage. The standing of politicians in the eyes of the public is already in the gutter, but one way to soil it further would be to suggest FOI legislation be weaker and less inclusive.

There are some sordid, dishonourable people and practices in politics, but you, should you show yourself keen to cover up your and your fellow MPs actions, would demonstrate why politicians are so powerfully hated.

As a rule, you would do yourselves a favour if you kept in mind the opinion of the public in your discussions behind closed doors. For what are you, if you speak in a different tongue in your committee than you would at a public appearance?

Members of your committee have soiled and satirise the term 'right honourable.' If you have the gall to suggest preventing the public from learning of your or your colleagues self-serving, immoral or incompetent behaviour, then you deserve the contempt people will feel for you.

Jack Straw, through his actions in government as foreign secretary and in his money-grubbing corrupt prostituting of his position, should have no part in any committee or government role. Its level of absurdity nears Tony Blair's role as Middle-East peace envoy and makes a mockery of your committee.

In your attempts to cover up information, you represent the very worst of politics and some of the disgusting creatures currently sucking at the public teat.

With any honour and with any sense, you will leave the FOI legislation alone. Vandalise these FOI rules, and you prove how low politics can be.

But, ah, you have a chance still. Look into your own souls and for once in your sordid lives, do the right thing. Maybe you've so lost your moral compass you don't even know what that is. Try this: the people of this country should be able to hold its government to account, that is the principle you will support or attack. FOI laws must be undamaged by your vandal natures. Villains or honourable people, your committee's advice will mark you as one or the other. Remember also, that you might still have public appearances, and people will know the dirty little secret of how you advised the government to cover up it's incompetence, waste, and

corruption. The recommendations of your committee will speak volumes about your characters, and should you seek to cover up information from the press or public, I would actively campaign against you, if indeed you are elected, in your constituencies and if you sought election or re-election in the future.

You might imagine the actions of your committee will escape scrutiny. Wrong. The public sees what you do and will see who you are if you recommend changing FOI.

Be a principled person. Stand up for the right of the public to hold the actions and effectiveness of its government to account. The Labour government might have made many mistakes, but in enacting FOI legislation it put the country before politics and honourably established some transparency and accountability. As Blair would say, history will judge you. How honourable will you prove?

Yours sincerely,

Simon Bertram

Simon Easton

Dear Sir,

Regarding the future of the Freedom of Information Act, please do not recommend any changes to it.

In my view, it works well and is vital to the functioning of a strong democracy.

Kind regards.

Simon

Easton

Simon Fowler

Dear Sir or Madam

I would like to make a short submission to the Commission.

I believe strongly that the present FOI Legislation works well and should be continued unchanged. The release of information in this way is one way of keeping ministers and civil servants on their toes and ensuring that the administration is carried on efficiently.

The number of vexatious enquiries is a burden that departments should be willing to accept as being part of a democratic society.

Ideally I would urge the Commission to extend the legislation more widely, particularly to the Security Services and the Royal Family. As taxpayers we should know what these bodies are doing in our names.

Over the past decade I have used the legislation to get a number of files released early at The National Archives for clients and for articles I have been writing.

Yours faithfully

Simon

Fowler

Stan Smit

The FOI act is essential to open government and should therefore NOT be watered down.

Regards

Stan Smit

Stefan Heale

Sirs,

It is quite wrong to consider any 'watering down' of the effectiveness of the current FOI legislation or to discourage its use by introducing financial charges for requests.

It is the only vehicle of control available to the public to expose and curb the excesses of dishonourable people on the public payroll, of which, unfortunately, there are many.

For that reason, the commission cannot be regarded as being 'independent' while former cabinet ministers have a place on it.

Any interference with the current terms of the Act will only serve to further erode the level of public trust in government and in democracy in this country.

The latest estimate of £9m cost to central government of operating FOI is as a drop in the oceans of the world when compared to the £billions wasted by government and civil servants on exactly the kind of ruinous spending, of no benefit to the taxpayer, which the Act was introduced to control.

Yours faithfully

Stefan

Heale

Stephen Critchley

Dear Sir or Madam,

Re. Freedom of Information Act

I am writing to register my concerns about the government's potential moves to further limit access to, and/or make charges for gaining access to documentation or other records which the public should have free access to under the Act. If anything, information on the activities of our government (especially with respect to its interface with advisory/lobbying agents) should be as open and public as possible. This and only this ensures that British government remains as accountable and as transparent as it claims to be to the rest of the world.

The Freedom of Information Act is also at heart drawn from EU-wide enacted legislation, and I believe as such should not be tampered with further by law-makers/lawyers at the national level to further twist interpretation until it is rendered toothless. So please leave it alone and concentrate more on using your collective energies in more positive activities for the country and its citizens.

Thank you in advance for reading this message and for taking my position into account.

Yours faithfully,

Mr SM Critchley

Stephen Davis

Dear Sir/Madam,

I think it is absolutely essential that we maintain, at least, the levels of FOI access that we now have.

I find it appalling that the government (i..e. elected PUBLIC servants) would want to make their actions and deeds less transparent than they already are.

The duty of an MP, and indeed, any public servant/employee is to act with honour and integrity in executing their duties. They are, after all, in their positions to serve us (the general public) and not us here to serve them.

The recent appointments to the "independent" commission to decide on the future of the Freedom Of Information (FOI) act is, frankly, appalling. Not one member is actually a campaigner for more openness. Indeed, 2 recent appointments are of two characters who have everything to hide and are, in my opinion, quite odious characters; quite characteristic of the modern political "elite".

As an ex-member of the british armed forces (army) of quite a few years service, I find the attitude, commitment (unless it's for their own/family/friends benefit) and moral decency very lacking indeed on our "honourable" members. In fact, I find nothing even remotely, honourable about them.

If it were not for the FOI act then there are many many instances that would have remained out of the public eye. The main one being the abuse of MPs expenses to enrich themselves using public money.

This FOI act, rather than watered down for the benefit of these self-serving autocrats, should be further enhanced to allow full public access to the activities of their "elected" members of parliament. After all, as previously stated, they are elected and, as such, their duties are to serve the very people who elected them. To use their positions and power and privilege wisely, sensibly and with integrity and honour.

Qualities very much lacking in modern society, particularly amongst our "honourable" elected members who seek only to enrich themselves and their friends/family at the expense of the public who pay their [public] salaries. Which frankly, to most MPs, is merely "pocket money".

I sincerely hope (and trust) that the FOI rules remain as they are with no relaxations in favour of public officials/members hiding things they don't want revealed.

Indeed, I would suggest that we need even more transparency and the act should be amended to allow complete access to the activities of our MPs, and indeed, Lords.

You have my permission to print/publicise this letter and my name.

Thank you and best regards

Stephen Davis

Stephen J Henwood

Please don't mess with the Freedom of Information laws

To do so would b a major step backwards in accountability, transparency, democracy and the development of British Society

yours

Stephen J Henwood

concerned taxpayer

Stephen Plowden

This submission is based on the hope that my experience following a Freedom of Information request that I made to the FCO in February 2010 will be of interest to the Commission. I finally lost the case in January 2014.

The Italian Non-violent Radical Party invited me to describe my experience at a two-day conference the Party organised in the Parliament building in Brussels in February 2014 on the theme of *raisons d'état* versus the rule of law. They invited me to speak again at a conference in the House of Commons hosted by Norman Baker in October 2014. (I knew nothing about the Non-violent Radical Party, indeed I had not heard of it, before I made my FoI request, but they had been following the Chilcot Inquiry and in that connection had come across my request.) I think the best way I can help the Commission is by sending the notes of the talks I gave on these two occasions. These notes are attached. The most relevant paragraphs for your purposes are paragraphs 11 and 18 to 21 of the Brussels notes and paragraphs 8 to 12 of the HoC notes. However, the rest of these notes may also be of interest in setting the context.

All of the Commission's first three questions ask about the length of time for which material should be protected. It seems to me, for the reasons given in these notes, that the question of when disclosure could be permitted must take account of changing circumstances as well as simply the passage of time. In this case, circumstances had changed completely by the time that the Information Tribunal made its final decision. By then, the only risk that might have been posed by the disclosure of the one document still in dispute was that of causing some annoyance to the American administration and hence jeopardising future relations between the two governments. As you will see, I do not believe that was a serious risk at all, and certainly did not outweigh either the right of the British public to know more about why Britain participated in the invasion of Iraq or the need for all concerned, whether public or parliamentarians, to learn lessons for the future. (I have found that even now, more than 12 years later, very few people are aware of the British government's misrepresentation of the French position on how to get rid of the weapons which most people believed that Saddam had.)

There is a certain irony about the Commission's second question, since in this case most members of the Cabinet were kept in the dark (see paragraph 7 of the Brussels notes).

In paragraph 18 of the Brussels notes, I suggested that David Cameron should order the Cabinet Secretary to allow the Chilcot Inquiry to quote whatever classified documents or extracts from them that it pleased. As I have since discovered, Mr Cameron does not have the power to intervene in this way, although there seems to be some question whether Gordon Brown, in his capacity of the Prime Minister who set up the Chilcot Inquiry, could do so. (Incidentally, I retain my faith in the integrity of Sir John Chilcot and his colleagues, and I believe that, unfortunate though it is that their report has taken so long, they are now quite right to delay so as to minimise any risk of legal action against them.)

Most of the documents that the Commission may wish to see about this case are on the website of the Information Commissioner or the Information Tribunal. One exception is the transcript of the Tribunal hearing in March 2012. I can forward this to the Commission if it is of interest.

Please let me know if there is anything else I can do to help the Commission.

I shall be forwarding a copy of this submission to the Campaign for Freedom of Information and also to the Non-violent Radical Party.

Stephen

Plowden

Steve Hall

I would like to state that I feel any further restriction on Freedom of Information Requests would be disastrous for democracy, it would seem entirely counter productive to a government that currently seeks to implement further and more invasive powers allowing agencies to gather evidence from electronic communications.

Whilst I fully understand the requirement for counter-terrorist information collection, it is clear to me that any increased powers should be granted ONLY in conjunction with an open government that is clear in its respect for privacy on the one hand and transparency on the other. The hypocrisy of further attempts at obfuscation under the guise of clarity demonstrate a superiority over democracy that is abhorrent.

FOI requests have, and continue to, uncover misdeeds of government, local councils, hospitals and private companies.

Crucially, FOI requests have demonstrated examples of systemic radicalisation in faith schools in particular and waste in education in general. It seems clear to me that, as with banking, government must demonstrate a clear policy of honesty and straightforward speaking rather than hiding behind legislation in order to regain any trust from the population. This would apply equally to British born voters as well as immigrant residents.

For instance, the Muslim community will find it difficult to accept greater intrusion into their private, family business from a government which seems intent on raising barriers to journalists and others who wish to establish that government and other public bodies are above reproach in their own actions.

Kind regards,

Steve Hall

Steve Illingworth

W. I. M. C.

An old cliché currently being trotted out by proponents of increased surveillance is to the effect that 'if you have nothing to hide then you have nothing to fear.'

Perhaps your commission could help to persuade us that no one in the Establishment is afraid.

Strengthening rather than weakening the Freedom of information Act would be a good start.

I for one will be influenced in my future voting decisions by the outcome of your enquiry.

Steve Illingworth

Steve Povey

I see that you are seeking views on changing rules regarding the Freedom of Information act.

It is essential that we maintain a scrutiny of possible misdemeanours through the Foi act.

If it is scrapped, or limited, then the general public are going to be suspicious of why this has been done.

Do not let the act be emasculated by devious people who have something to hide.

Yours,

Steve Povey

Steve S

Sir/Madam

I fully support the current FOI laws & believe it essential they are left in place & not suppressed. FOI are a good way of keeping national & local government & public bodies to account. If organisations fear investigation under FOI then perhaps good & open running without dodgy background deals are the best way forward. FOI has produced some good examples over recent years of these dodgy deals & stands as a good example of democracy & press freedom

Of course, opponents of FOI always have the chance to move to many of the less option regimes around the world if they prefer.

In summary, please leave FOI as it is

Steve S

Steve

Adjust the threshold and allow more information to be provided following reasonable requests and accelerate the process for challenging reasons for information not being disclosed.

Stewart Purvis

Evidence from Stewart Purvis, formerly Editor-in-Chief and Chief Executive of Independent Television News (ITN), President of EuroNews, Ofcom Partner for Content and Standards, Advisor to the House of Lords Communications Committee, Visiting Professor of Broadcast Media at Oxford University and Professor of Television Journalism at City University London. I am currently a Non-Executive Director of Channel Four and a member of the committee advising the Secretary of State for Culture, Media and Sport on BBC Charter Review.

My evidence is based on my experience as the co-author of 'Guy Burgess-the Spy who Knew Everyone' to be published by Biteback Books on 28th January 2016 <https://www.bitebackpublishing.com/books/guy-burgess>. The book attempts to combine investigative journalism with academic scholarship and my co-author, Jeff Hulbert, and I have made extensive use of FOI requests in the UK and USA and we have also had access to a number of official and private archives around the world.

Our evidence about access to historical document held by Government departments and agencies is in four parts.

1. The first concerns 'The Advisory Council on National Records and Archives'. According to the National Archives website; 'The Advisory Committee is an independent body. It advises the Lord Chancellor on issues relating to access to public records and represents the public interest in deciding what records should be open or closed. It was established by the Public Records Act 1958 as a non-departmental public body. It is chaired by the Master of the Rolls, a senior judge, and has 16 members including historians, archivists, information management professionals, former civil servants and journalists'.

The site offers a link through to the 16 members but this link did not work today <http://www.nationalarchives.gov.uk/PageNotFound/PageNotFound.aspx?url=http://www.nationalarchives.gov.uk/our-role/advisory-council/membership/> so we are unsure of the current membership.

The most recent available list of members, the annual report for 2014-15 <http://www.nationalarchives.gov.uk/documents/advisory-council-12th-annual-report-2014-15.pdf> does not include any current or practising journalists, merely only one former journalist who is a 'communications and media consultant' and has worked in public relations for an official body.

It is misleading for the Council to say its members include journalists when, on the available evidence, they do not. The current members, who appear to be tasked with representing the public interest and deciding what information the public can access, do not adequately represent journalists or journalism. This needs to be remedied as soon as possible.

2. The second part of our evidence concerns the releases of the files of Government departments and agencies to the National Archives.

Some of the previously unpublished research in our book on Guy Burgess has been discovered in more than 400 files released to the National Archives (TNA) by the Security Service (MI5), The Foreign and Commonwealth Office (FCO) and the Cabinet Office in October 2015 <http://www.nationalarchives.gov.uk/about/news/file-release-cold-war-cambridgespies-burgess-and-maclean/>. The vast majority of the files relate to events more than

half a century ago and none of the principal figures are still alive. The release of the material is very welcome if long overdue and my co-author, Jeff Hulbert, has so far taken over seven thousand photographs of individual pages in the files. But our detailed approach to the material has created concerns about the proportion of available material which has actually been released to the National Archives.

We deal here with FCO files because the MI5 files are exempt and the Security Service can choose to release whatever it wishes. We calculate from the available paperwork that approximately 25% of known FCO files on this subject are still closed; and we have no idea how much further material in yet to be known about files are still withheld by the FCO's 'Special Collections' Archive at Hanslope Park . All of the withheld files are either marked 'retained by the department' or 'closed for'. Sometimes a date for release is given, as far ahead as 2073, but more often no date for eventual release is entered and the rest of the field is left blank. Even when documents are retained with a defined release date it is not always the case that they are added to the files when their restriction dates have passed, possibly because of clerical error.

3. A series of problems which have arisen during FOI cases in the UK during research for our book over the past five years.

- Some of our FOI requests might be met with 'File(s) not retained' or 'destroyed' responses. This has occurred even when we have subsequently discovered that the material is available in other publicly accessible archives e.g the BBC Written Archive at Caversham near Reading in the case of certain files about the 1956 Suez Crisis.
- FOI releases seem to provide the barest minimum. This makes it difficult to establish what the relevance and context of the historical material is. It prompts follow-up correspondence that inevitably further overloads the machine.
- Documents being released without relevant (and referred to) flags and attachments. This prompts follow-ups taking up more time at both ends.
- Where several copies of extracts from the same document are supplied (our experience in 2013) the redactions can vary from copy to copy. In addition, documents have been redacted where the original is already in the public domain. For example the Foreign Office's own transcript of the statement made in Moscow by Burgess and Maclean on 12 February 1956 was redacted even though the original was distributed internationally by Reuters (whose correspondent was present) and printed unredacted in, for example, The Times .Likewise, some documents supplied with redactions by one Government department are unredacted in another Government Department file in TNA. All this suggests confused and conflicting approaches to redaction across Government.
- 20 working day deadlines are virtually never met. FCO tends to delay, Attorney General, likewise. Only where a Department says that the FOI should be addressed to another Department does one get a very swift response- 'try them'.
- FCO starts the clock running on FOI requests from the time of receipt by a desk officer, whereas it should be the time of electronic receipt. Working days are not defined in the Act.
- Mistakes occur which have grave implications for deadlines. For instance, the Metropolitan Police FOI officer told us clearly that a file had been released to TNA four years before our FOI request for a file was submitted. A check with the TNA catalogue and archivists established that (a) the file was not there, (b) had never been there, (c) was not lost, and (d) that the file number passed to us by Met Police was wrong, because it was numerically over 50 files beyond the current end of that class or series of files. The Metropolitan Police apologised, and one month later are still searching for that file.

4. Our experience in the United States.

We tried to obtain on both sides of the Atlantic a sound recording which Guy Burgess had made in 1951 in New York before he returned to London and onwards to Moscow. We knew from official documentation that this audio tape had been shared between the intelligence services of the UK and US and had been played to British Government officials. (This fact is corroborated by files we have recently seen at TNA).

We were unsuccessful with our FoI request in the UK but successful in the US. The full story and audio of the recording is at <https://www.city.ac.uk/cambridge-spies-the-guy-burgess-files>

I hope this evidence will be helpful to the Commission.

Stewart Purvis

Stewart Graham

13 November 2015

Dear Sir or Madam,

It is concerning that this process is taking place barely three years after the Justice Select Committee thoroughly scrutinised the FOIA. Chairman Sir Alan Beith said at the time: "*The Act was never intended to prevent, limit, or stop the recording of policy discussions in Cabinet or at the highest levels of Government, and we believe that its existing provisions properly used, are sufficient to maintain the 'safe space' for such discussions.*" He also dismissed concerns about cost, saying: "*Evidence we have seen suggests that reducing the cost of FOI can be achieved in the way public authorities deal with requests is well-thought through. Complaints about the cost of FOI will ring hollow when made by public authorities which have failed to invest the time and effort needed to create an efficient freedom of information scheme.*" Indeed, the right to access information under the FOIA is already subject to practical restrictions, including an exemption where the cost of complying would exceed the 'appropriate limit'.

The Committee's comprehensive report addresses all the concerns which, according to the Government, its new review has been established to consider. Why, then, the sudden pressing need for another one?

It is also concerning that the Commission has people sitting on it with good reasons for keeping things hidden. Jack Straw is on record as being unhappy with the current act. He has recent issues which he would prefer to remain hidden. Michael Howard struggled with the act during the expenses scandal. Lord Carlile pontificates regularly on security matters and is a fan of secrecy. So much so he forgets to mention that he makes a good living running a security company.

Government and politicians are not trusted. A government which lied its way to power appears to this observer to want to shut down scrutiny.

Question 1: What protection should there be for information relating to internal deliberations of public bodies? For how long after a decision does such information remain sensitive? Should different protections exist for different kinds of information that are currently protected by sections 35 and 36?

All decision on sensitive issued should be judge lead. The principle should be transparency unless that can be shown to be potentially harmful to the country.

Question 2: What protection should there be for information which relates to the process of collective Cabinet discussion and agreement? Is this information entitled to the same or greater protection than that afforded to other internal deliberative information? For how long should such material be protected?

Current provisions seem to be working.

Question 3: What protection should there be for information which involves candid assessment of risks? For how long does such information remain sensitive?

Over recent years there has emerged several accounts of government malpractice – treatment of Mau Mau prisoners – events in Northern Ireland – some aspects of the Iraq War – paedophilia. The establishment's default position is to keep embarrassing or politically controversial decisions under wraps for as long as possible. This also has the dubious advantage of protecting those involved until longer after they are dead. The principle should be transparency not protection.

Question 4: Should the executive have a veto (subject to judicial review) over the release of information? If so, how should this operate and what safeguards are required? If not, what implications does this have for the rest of the Act, and how could government protect sensitive information from disclosure instead?

No to the idea of a veto. See earlier remarks about lack of trust. Again, the use of an independent judge is preferable to vested interested.

Question 5: What is the appropriate enforcement and appeal system for freedom of information requests?

Current provision is not exactly stretched or over-burdened.

Question 6: Is the burden imposed on public authorities under the Act justified by the public interest in the public's right to know? Or are controls needed to reduce the burden of FOI on public authorities? If controls are justified, should these be targeted at the kinds of requests which impose a disproportionate burden on public authorities? Which kinds of requests do impose a disproportionate burden?

The costs in time and expense are well worth it. Democracy is cheap. The running costs are tiny as a proportion of annual expenditure. Many local bodies have adapted their behaviour with FOI in mind so the costs are minimal. It is more a matter of core values and belief in transparency being central to the day-to-day running of organisations.

Conclusion

It is very worrying that this governments wants to attach two significant parts of our democracy – FOI and the Human Rights Act – at the same time. It speaks volumes about their values and the lip service they pay to 'transparency' and 'rights'. Reducing the effectiveness of the FOI would be a very bad move. This at a time when the latest attempt at a 'Snoopers Charter' begins its progress through Parliament reinforces the need for vigilance. It seems the current government wants a 'no privacy for you, no scrutiny for us' model of operating.

Yours Sincerely

Stuart Graham

Power of Islay – a campaigning organisation which has used FOI to good effect.

Stuart Punnett

Dear Sir/Madam,

I just want to express my concern that the freedom of Information (FOI) rules may tightened up to make it more difficult to obtain information under an FOI. In a free and open democracy, the FOI act gives an important mechanism for members of the public to shed light on the actions of government, both local and central, and on all public bodies. It gives fuel for the public to hold these bodies and organisations to account. It already appears to be all too easy for a government (or public body) manager to bat away an FOI request to cover up embarrassing information. To claim that these are a burden on public finances seems a little steep, considering this government spent well of £4bn reorganising the NHS (data available thanks to FOI).

It would seem pertinent to remind you that as the organisations are paid for by tax payers, they are ultimately answerable to the UK public, and the U.K. public has the right to know what is going on and how it's money is spent

Many thanks

Stuart Punnett

Stuart Reynolds

Dear Sir / Madam,

It is with some horror that I read of the proposals to reduce or alter the scope of the Freedom of Information Act. This single piece of legislation has done more for transparency and open government in the UK than any other. It has allowed all individuals - not just those with access to sources "in the know" - to see for the first time the activities of their elected representatives. It has allowed campaigning organisations, newspapers, journalists, and ordinary members of the public to draw correct, and often very troubling, conclusions from disparate data. It has allowed the public access to the information that they want to have access to, rather than simply that information that government thinks we deserve to be allowed to see.

Many of the biggest new stories of recent times have been the result of FOI requests. The well known investigative magazine, Private Eye, has recently published maps of UK land owned by offshore companies; the wholesale selling of the UK to foreign companies must surely be of concern to every Briton. The enforced publication of hospitality registers can be traced back to initial FOI requests, as can the scandals over the influence of lobbyists and the "revolving door" between government and commerce. It is equally doubtful that the extent to which HMRC were wined and dined by large companies, who were then let off large amounts of Corporation Tax, would ever have seen the light of day without FOI.

Many public bodies, though, are still far from open. There are myriad stories of refusals to provide data on what turn out to be entirely spurious grounds. Bodies that operate in the shadows would much prefer to stay there, would much rather that the public didn't know the influences that were exerted behind the scenes. Government and politicians in the UK are today reviled as never before, and reining in the powers of the FOI Act would just reinforce the impression that there is something to hide. If anything, there is a case for making the act stronger, for removing veto powers, for beefing up the role of the Information Commissioner, for including more bodies within the scope of the Act, and for ensuring that information is made public sooner rather than later.

On the final point about charging, it is perhaps right that a small charge should be levied in order to produce the information. But small is the key word. Nominal. It should not be something that prevents an individual from applying. Nor should the fact that an individual makes many requests necessarily be grounds for refusal, or "blacklisting", either - often the individual doesn't know exactly where the information resides, or in what form, or which requests will be granted and which refused. Yet it is the individual, often with a singular interest or goal, who can bring to light things that would rather stay buried, especially in Local Government.

So I urge you not to reduce the scope of FOI, but instead to recommend strengthening it. An open government is a strong government, one which is not afraid to make its decisions public, because it knows that they have been arrived at fairly and equitably and without undue influence. The other way leads to suspicion, indifference, and ultimately weak governments elected by a few without a mandate from the many.

Yours faithfully,

Stuart Reynolds

Susan Welch

If you curtail the Freedom of Information Act, you will be proving, without any doubt, that the commission is not in the slightest bit interested in justice for the general public. It will also prove that you cannot be trusted. I know that you would prefer 'dirty dealings' to remain secret, but you are not paid (or are you?) by MPs, but by taxes from the people of Britain.

If you do change the rules in favour of keeping important information from us you will prove, once and for all, how corrupt our political system is. Please do not make the mistake of thinking ordinary people are stupid.

Waiting, with interest.

S. Welch

Terence Bowen

Sir,

I should just like to say that I regard the current government's intention to curtail the scope of the Freedom of Information Act as quite disgraceful. It is all the more shameful in the light of the government's intention to introduce the so called "snoopers charter". It seems that it is perfectly all right for the government to know everything that the electorate is doing, but not all right for the electorate to know what the government is doing. As several ministers have smugly told us " if you have nothing to hide you have nothing to fear".

Yours

Terence

Bowen

Tess McHugh

The FOI Act needs to be protected because it is used to hold the Government to account on the public's behalf.

I am concerned about the Government's planned changes to the Freedom of Information Act because I believe that information needs to be made available to the public as a matter of principle, honesty and transparency. A great deal of this information is already freely available in many other countries.

Journalists have used the Act to uncover and publish important information that the public have a right to know. I believe that we will all benefit as a result of this transparency. If anything, I believe that the Act should be strengthened rather than weakened.

It is outrageous and completely unacceptable that the Government's Independent Commission on Freedom of Information isn't covered by the Act it was created to examine. How is it ethical that we don't know what they are discussing or when they meet.

As I understand it, the Government wants to overhaul the Act because it would rather operate in secret – TOUGH, that is not their decision or their right – they are there to serve US. The argument, from politician Chris Grayling, that the Act is "misused" to "generate stories for the media" clearly reveals that the Government wants to water down the Act because it would rather be free from public scrutiny or any accountability.

In my opinion, any attack on FOI is an attack on the idea and practice of having an 'open' government.

Tess McHugh

Tim Garbutt

Dear Sir/Madam

I wanted to write on the FOI review by Jack Straw.

Page 37 of today's Private Eye eloquently lists the outcomes of various FOI investigations: MP expenses., offshore companies, Saudi/MOD arms bungs etc.

I would particularly cite though here similar Kent outcomes:

- * Infratil secretly removing airport monitors at Manston with the council thus contaminating 100k people
- * Ostend gunrunning and secret IranAir flights
- * Pleasurama tax haven corruption by council
- * Greg Clarks gardening review
- * 0% TDC salary fraud - declaring no pay increases but secretly providing 10% increases
- * KCC salaries the most over £100k in UK etc
- * Southern Water sewage and faeces in the drinking water

Also the failures:

- * Environment Agency refusing an EIR request by citing the Public Interest Test - but without detailing what that involved
- * Kent Fire Brigade similarly on salaries etc

One constant theme that emerges with FOI is delay, partial information often requiring further requests and sometimes those being classed as vexatious.

And certainly a theme of seeking exemptions rather than prioritising disclosure.

I would amend the UK FOI law simply to that of EIR with perhaps one clause for national security - but such exemptions having to be approved by a Cabinet Minister.

The UN has recommended FOI since 1948 so the UK introducing it some 70 years later is absurd - as are wiggles such as draft documents not being released, meetings not minuted or written on post-it notes to circumvent FOI.

We need more not less FOI eg routine monthly publication of dept staffing and salaries which DFDI already does and to prevent waste such as the Daily Mail revealing one Scottish Deputy Constable on £737,000.

And restricting secret court sessions eg Judge Smith's suitcases or GlickGate.

After 10 years, FOI has highlighted the British Disease of Secrecy and much of government being to protect the salaries of those in government: a Rolls Royce civil service but up on bricks.

Please advise if you need any info.

Kindest regards

66

Tim
Tim Llewelin

Dear colleagues,

In response to the questions below I would suggest;

Q1 Protection within FOI should include information that can be proven to hold precise commercial value to a competitor that does not enable the generic label of "commercial information" to be generically applied. For example in the procurement of ICT systems the FOI should enable a post procurement review that enables the public to realistically assess that the procurement process was diligent, fair, un-bias and clearly evaluate confidence in the outcome, but without exact breakdown of cost that could be used by competitor at future procurement events.

Q2 – no greater protection, as an employee of the tax payer (my example is NHS, but I have also worked in local government) I believe that public scrutiny of meeting I have contributed to, decisions I have made has been a reassurance, a checkpoint to ensure that at all times I can account for my decisions and actions. Where I have made mistakes (and we all do) this should be a matter of public record, that enables transparent assessment of my continued value to the organisation, and the greater public good.

Q3 – I am currently involved in a project to deliver an IT project to our department, there are risks in any business change, and should an incident occur as a product of this project I would welcome public scrutiny of the decisions made, risks assessed, it would ensure that at the pre project stage risks are not dismissed by those in authority who may be overly keen to ensure project delivery.

Q4 - As an external observer of closed doors evident at Plymouth University, suspicions of inappropriate use of public funds are only enhanced where public disclosure is not evident, and for this reason organisational veto of a request is inappropriate, I would go further to add, where I private organisation holds a public contract the same FOI responsibilities should then apply. Public money = public knowledge.

Q5 – Independent peer review.

Q6 – I have had to supply information for FOI, sometimes it is self-evident that a commercial organisation is simply data gathering, where there is good cause to believe this is the case then that should constitute inappropriate use.

Thank you for asking, and if you would like further elaboration please get in touch.

Regards

Tim.

The Commission is also interested in the balance between transparency and the burden of the Act on public authorities more generally. The Commission is particularly focused on the following questions:

Question 1: What protection should there be for information relating to the internal deliberations of public bodies? For how long after a decision does such information remain sensitive? Should different protections apply to different kinds of information that are currently protected by sections 35 and 36?

Question 2: What protection should there be for information which relates to the process of collective Cabinet discussion and agreement? Is this information entitled to the same or greater protection than that afforded to other internal deliberative information? For how long should such material be protected?

Question 3: What protection should there be for information which involves candid assessment of risks? For how long does such information remain sensitive?

Question 4: Should the executive have a veto (subject to judicial review) over the release of information? If so, how should this operate and what safeguards are required? If not, what implications does this have for the rest of the Act, and how could government protect sensitive information from disclosure instead?

Question 5: What is the appropriate enforcement and appeal system for freedom of information requests?

Question 6: Is the burden imposed on public authorities under the Act justified by the public interest in the public's right to know? Or are controls needed to reduce the burden of FoI on public authorities? If controls are justified, should these be targeted at the kinds of requests which impose a disproportionate burden?

Tim Llewelin

Timothy Brown

I write to the commission in order to defend the concept of Freedom of Information, as it seems to be under challenge from both the government, and from this investigation you are undertaking. I wish to deal with each of the six questions you will deal with in your investigation, as laid out in the consultation document (*Independent Commission on Freedom of Information: call for evidence*).

Question 1: What protection should there be for information relating to the internal deliberations of public bodies? For how long after a decision does such information remain sensitive? Should different protections apply to different kinds of information that are currently protected by sections 35 and 36?

If an issue is in the public interest, it appears clear to me that even the *internal* deliberations of public bodies should be made available. The public deserves to know if there have been any inappropriate interferences with the process of decision-making, and the best way to do that is to make the information available through FOI. How long the information remains protected very much depends on the circumstances of the decision, but as a rule, it would be better to make the information available as soon after the decision was made as possible. However, documents critical to national security should be kept out of the public domain, for obvious reasons. I believe that the protections provided by the existing laws are adequate for the purpose of keeping matters of national security, which are one of the few things that should be protected by the law, out of the public domain, and therefore out of the hands of the terrorists.

Question 2: What protection should there be for information which relates to the process of collective Cabinet discussion and agreement? Is this information entitled to the same or greater protection than that afforded to other internal deliberative information? For how long should such material be protected?

I believe that the public has the right to view at least most information and documents relating to the processes undergone during the Cabinet. Cabinet decision-making is a key part of government, and one that should be more accessible to the public. Of course, the government should have the right to reserve matters that are critical for defence and security matters, and other matters that may be beneficial to the enemies of this country. However, I believe that cabinet minutes should be available for FOI requests (if not released anyway), although amended to remove confidential information such as national defence, as stated above. My recommendation is that Cabinet minutes should be made available 6 months after the meeting takes place, in order to give a proper time for information to become slightly less topical, as cabinet discussions should probably be more protected than debate in parliament.

Question 3: What protection should there be for information which involves candid assessment of risks? For how long does such information remain sensitive?

The public deserves to know the risks of government undertakings. They are done using money paid for with our taxes, and (supposedly) for our benefit. Therefore, I think it can only be fair that information involving any assessment of risks should be subject to the same rules as other information. However, this cannot be true in all cases. Matters involving the military, most especially the Trident nuclear weapons system, should be kept much more guardedly. Publicising risks related to these areas is a gift to our enemies, and therefore I think those pieces of information should remain more confidential. Other information, however, for example relating to the risks involved in Benefits schemes or financial laws, should be just as accessible as other information. These are things the public has the right to know about.

Question 4: Should the executive have a veto (subject to judicial review) over the release of information? If so, how should this operate and what safeguards are required? If not, what implications does this have for the rest of the Act, and how could government protect sensitive information from disclosure instead?

In the interests of a fair release of data, it is vital that the government does not get a veto over the release of information. The release of information should be adequately covered by the law, in order that inappropriate information, such as that pertaining to our safety as British citizens and the security of the realm. Government ministers, regardless of party affiliation, cannot be trusted to choose what is in the public interest over what is in their own interest. Some information released following FOI requests can be rather embarrassing for members of the executive, so they should not have the power to prevent this information – clearly in the public interest – from becoming available for such citizens as should want it.

Question 5: What is the appropriate enforcement and appeal system for freedom of information requests?

I would propose an appeal system using an independent committee. This independent body would not be answerable to, or influenced by the government, therefore giving it an important neutrality. It is vital to the fairness of Freedom of Information that it should be policed by an impartial body, as this would (at least in theory, in practice if run well) not be influenced by the whims and feelings of our politicians. It should be comprised of figures from across public life, including editors/sub-editors of newspapers, lawyers & judges, as well as figures from politics – all on an equal footing, although one of the judges should chair the committee. Appeals against the release of documents, or *to* release documents, should be heard by this committee, which should hear appeals from anyone from high-ranking politicians to members of the public. A decision by this committee should be final, unless the appellant wishes to take the issue to the high court.

Question 6: Is the burden imposed on public authorities under the Act justified by the public interest in the public's right to know? Or are controls needed to reduce the burden of FOI on public authorities? If controls are justified, should these be targeted at the kinds of requests which impose a disproportionate burden on public authorities? Which kinds of requests do impose a disproportionate burden?

In short, no. The public interest clearly evident in FOI heavily outweighs the minor inconvenience placed on public authorities. Public authorities exist to serve the public, and as this is in the interest of that very same public, it is their job and responsibility to comply with the wishes of the people they serve in their job. I do not think Freedom of Information requests represent a disproportionate burden. On the contrary, it is a crucial part of the job done at public authorities, and they should cease their complaining and get on with their job.

So, I have made my positions clear (I think) in this document, and I would appeal to your common sense. The public has a vested interest in the goings on within public bodies, and Freedom of Information allows them to have access to it. It is a key tool in our democracy. The people of this country would not like to see it weakened.

A final appeal – consult your consciences, do not be influenced by politicians and their opinions, and take into account the views of the people.

Sincerely,

Timothy Brown

Tina

Please do not change the Freedom of Information Act 2000 or any associated rules in any ways. The governments should be accountable to people and the way people can see what decisions are made is transparency which you are now trying to limit.

Tina

Tom Dobbs

Dear Sirs,

We, the ignorant general public, have so few untainted sources of information on what the government does in Her Majesty's name that we need to be able to ask them directly.

Please don't let them take FOI away.

Yours pleadingly

Tom

Dobbs

Tony Edkins

Sir/Madam

The Freedom of Information Act is a valuable tool in ensuring transparency and accountability in our democracy and must be maintained in its current form.

Despite having the opportunity to respond to questions from citizens about policy and operational matters, many public officials and representatives decline to provide information voluntarily that enable those citizens to properly assess the effectiveness of work carried out on their behalf. The result of any lack of openness risks the citizens being unable to properly hold to account their representatives and, therefore, risks compromising the democratic process.

The Act provides a framework within which representatives are able to gauge whether their actions and decisions are carried out in the best interests of citizens when they are aware that those actions and decisions are open to comprehensive scrutiny, thereby encouraging approaches for the wider benefit of society.

That the leader of the Commons complains that the law is being used by the media to "generate stories" as a reason to reconsider the scope of the Act is, in itself, an indication of exactly why the Act must not be amended. Citizens have a right to know what their representatives do in their name and if the press, or any other interested party seeks to communicate to the wider society that information, then that facility must be available.

Yours faithfully

Tony Edkins

Tom Killick

I am very concerned at possible restrictions to the Freedom of Information Act. From what I have read, the Government appears to have in mind a number of restrictions on its scope, including introducing charges which will make it harder for campaigning groups to get information which should be in the public domain. I am strongly opposed to any restrictions on the Act's scope, which I believe should be widened, for example to include private firms supplying services funded by the public sector.

Tom Killick

Tony Morris

Dear Sir/Madam,

I am firmly of the view that there must be no changes to the Freedom of Information Act that will restrict the public's right to know, or impose charges on members of the public. My experience of using the Act demonstrates both the importance of the legislation and the problems that would result from imposing charges.

I was prompted to make use of the legislation when I suspected that West Sussex County Council was making false claims about planned cuts to their fire & rescue service. I was also concerned that they were concealing important information. My FOI requests have revealed that there have been false claims and that information, which should have been in the public domain, was being concealed. I am retired and reliant on pension income, so would not have been able to pay for those FOI requests, despite them clearly being in the public interest.

The Council Leader often claims that she wants the Council to be open and honest, and the Council's published 'Promise', states that they want to make 'it easy for you to access information'. However, my experience with regard to their fire & rescue service is the exact opposite, with significant efforts being made to prevent the disclosure of information (The fire & rescue service is a department of the County Council).

I have had to appeal to the Information Commissioner on three of my five requests. On two of those appeals the Commissioner found that West Sussex County Council was in breach of the Act, and the outcome of the third is pending. Of the two that I did not appeal, one was satisfied and the other was only partially satisfied. They used the cost exemption to avoid making that information public.

Among the many things that have been identified as a result of these FOI requests are:

- Failures to carry out health & safety risk assessments in relation to fire crew changes.
- Inaccurate information given to Councillors by a Cabinet Member.
- Procurement of a new types of vehicle without a proper business case and without adequate project management.
- That they are not monitoring the cost of calling out part-time firefighters to cover crewing deficiencies. In fact they do not even have figures for the number of times that is done.
- That Councillors were given inaccurate incident statistics, including the number of fire deaths in West Sussex.

Even County Councillors have faced obstruction when requesting performance information. After written questions in February 2015 (minutes attached), they were told that the information would be published monthly. None of that performance information has yet been published.

The National Audit Office has recently highlighted the lack of an independent inspectorate to monitor fire authorities for their performance and value for money. The Freedom of Information Act is the only thing left to enable the public to hold them to account, so it is vital that it is not weakened in any way.

The answer to reducing the cost of complying with FOI requests is simple, make sure more information is published and available on websites. The complaints from public bodies about the cost of complying is rather like complaints from motorists about speed cameras being used to extract money from them. Their answer is simple, don't speed and it will cost you nothing. The answer for public bodies is, the more information you publish, the less you will have to spend on FOI requests.

Yours faithfully,

Tony Morris

[Retired fire service manager]

Tony Vincent

I am writing against any proposal to restrict the provisions of the current legislation.

All of us should be accountable and answerable to those whom our actions do or might affect. This is especially true for anyone working in any sphere of government - there should be no barriers or secrecy available to those we may elect and all of us pay for.

While there may be costs in supplying information that is requested, they are small in the greater scheme, and to restrict this freedom appears akin to refusing legal justice on a similar basis.

Openness is as civilised and democratic as freedom of speech.

Sincerely

Tony Vincent

Tony Wood

I am very strongly opposed to any modification of the Freedom of Information Act. Simple really! Not least when I see the people considering modification and their decision to curtail press freedom.

You are quite wrong.

Tony Wood

Tony

Clearly the £9m spent on the operation of the Freedom of Information Act is insignificant when set against the amount of £290m spent on peddling propaganda.

This proposed curtailment of the freedom of the press is clearly designed to allow the cosy cover-up of all manner of nasties in the woodshed that ministers and civil servants would prefer to stay buried.

Come along chaps.....if you've nothing to hide, you have nothing to fear. I mean, that's what you're telling the public about snooping on their emails....so it's goose and gander time.

tony

Tracey Lanfranchi

My view is that it would be a travesty for the government to make itself less accountable to the public at a time when it is itself seeking greater powers of surveillance over the public. Surely the mantra "if you have nothing to hide then you have nothing to fear" can be applied in both cases?

Regards

Tracey Lanfranchi

Trevor James

I would ask the Committee to recognise the beneficial effects in making information available to all and not just to the few. The quote from Animal Farm "All animals are equal but some are more equal than others" is a reminder of the dangers inequality can bring.

Our society is stronger if the ordinary citizen is treated as an equal rather than someone who can be kept "in the dark". Accountability can sometimes be painful when things don't go as expected, but those making decisions in our name should be wise, as well as humble, in making as much information as possible to the ordinary citizen. This will make society more inclusive and encourage greater participation in our democratic processes.

To curb FOI might be convenient for the few but detrimental to the many and make a mockery of us all "being in this together".

I wish the Committee well in its deliberations.

Trevor James

Trina Hardiman

Dear Madam or Sir

I am concerned to hear that the Freedom of information act is under threat. It could seem sinister how the government is eroding our rights via such work, whilst undermining the Trades Unions, whilst giving themselves power to snoop on our private communications. Britain has a historic reputation for freedom of speech, tolerance of differing opinions and fairness. These qualities all seem under threat by the Tory Government. Is this your intention?

Yours

Trina Hardiman

Una Hodgkins

Dear Sirs,

I am writing to record my support for the FOI Act 2000 in its present form and to urge you not to make any changes to it. "If it ain't broke, don't fix it!"

The Act was extensively debated in its passage through Parliament (May 1999 to November 2000) (https://en.wikipedia.org/wiki/Freedom_of_Information_Act_2000).

I am not a specialist in this area but I accept the view that the balance at present is about right. The conclusion of the Justice Committee, which reviewed the Act in 2012, was that the Act has been '*a significant enhancement of our democracy*'. You have only to read the broadsheets regularly to realise how so many instances of poor management or downright corruption were only discovered as a result of FOI requests. The Freedom of Information Act is essential in ensuring the openness and accountability of public authorities and informing the public about the performance of public services. The cost of FOI requests is variously measured between £9M and £39M in 2014/15, but this cost is far outweighed by the benefits in exposing and deterring wasteful public spending.

So please do not:

- impose charges for requests
- make it easier to refuse requests on cost grounds
- make it more difficult to obtain public authorities' internal discussions, or excluding some from access altogether
- strengthen ministers' powers to veto disclosures □ change the way the Act is enforced.

It should be noted that the case for strengthening the Act is not on the agenda. Perhaps it should be.

Yours sincerely

Una Hodgkins

Vanessa Smith

Dear Sirs,

I wish to place on record my opposition to any changes or interference with the current legislation covering the Freedom of Information Act.

This piece of legislation has enabled quite a few of us who live in the London Borough of Hounslow to be able to get answers to what our local authority and the elected members of it have done in various circumstances.

I was able to ascertain that one of my local councillors who had denied all knowledge of something that had happened and caused real concern locally, had lied. As upon making the

FOI request the information supplied told me it was indeed that particular person who was behind the whole sorry mess.

That is just one example of how useful and informative this Act is. People need to understand that an open transparent society is a healthy and desirable thing to have, after all - as politicians so often tell us, if you have nothing to hide, you have nothing to fear, that cuts both ways.

It is clear that we would never have found out about M.Ps expenses, the 'tax gap', the amount spent on 'management consultants' and on, and on. It is scandalous and a worrying development that former cabinet ministers who have been implicated in various matters that they had rather stayed in the dark, have been appointed on to the commission.

If we truly live in a free and democratic society then the FOI Act is something to be cherished and valued, it is vital for the continuing scrutiny of government and governmental departments and so many public institutions by a free press and concerned individuals. No-one has to like that but it does ensure that there can be a reckoning and a holding to account for certain actions and decisions that are taken.

Trying to say that it costs too much to administrate is just rubbish, what price Freedom? If the government can spend £290M on advertising what are they complaining about at the £9M of operating the FOI?

Politicians don't get a good press now, if they persist in going ahead with any proposal to water-down or weaken this legislation in any way, that will only confirm what so many people think, just in case they forget they are elected by us to represent us, while this Act exists in its current form we can be reasonably confident that we can keep tabs on them if we are doubtful about something, what would be amazing is to open it up even more to allow even more scrutiny.

Yours sincerely,

Mrs. Vanessa Smith

Veronica Kahn

The current regulations on foi requests should not be more restrictive than they currently are. If Central Government is happy to spend £290m on annual advertising, they should refund local governments the "estimated" £9m regarded as so burdensome.

Viv Moriarty

I submit that these proposals are unconscionable for the UK. The model should be more akin to the USA where FOI requests are expedited more effectively.

I am a citizen who has invoked FOI to request documents from Lambeth Local Authority who are to be held into account over decisions concerning housing, health care, libraries and business tax. Our Tenants' and Residents' Association has no funds available for obtaining public documents for scrutiny and I must, therefore, oppose these changes to the Act.

Regards

Viv

Moriarty

W A Johnston

This government is attempting to restrict the freedoms of its citizens and at the same time ensure that its own freedom from scrutiny is removed. I urge you to not only retain all current FOI avenues but to open up more. Anyone taking actions in my name must be made answerable.

Regards,

WA

Johnston

Warwick Peak

Dear Sirs,

I am most concerned that you are contemplating weakening the powers of the Freedom of Information Act. I really must insist that it is kept at the strength it is today.

Yours sincerely,

Warwick Peak

William Davy

1. It's not a very "Independent" commission, is it?
2. Investigation of GCHQ by the parliamentary committee was pathetically weak and it was only Snowden who opened our eyes to their legal but wrong-headed behaviour.
3. With businesses doing more work for (or as) government, they need to be more open. You only have to look at the recent VW debacle to see the dangers. When working for/as government, businesses should have the same responsibilities.
4. I was pleased that Prince Charles' letters were revealed. What harm has it done?

Regards,

Rex William Davy

William Edwards

Dear Sirs & Madams,

The F.O.I. is one of the greatest steps toward a more inclusive democracy since the end of WW2.

The F.O.I. Commission should be looking to strengthen and expand the act, not in any way try to weaken or make it more select or difficult to use.

Quite honestly, an awful lot of ordinary folk, like myself, feel the only reason that a Government would try to reverse or weaken this law is because they have something to hide?

A true democracy is one where those elected by the people can be held responsible to the voters and taxpayers who pay their salaries. The Freedom of Information Act is one of the most important of those instruments and should not be tinkered with unless it is to broaden it's scope and make it easier to use.

Yours faithfully

William

Edwards

William Helm

Dear Sir/Madam

I am writing to express my strong support for leaving intact the vital freedoms inherent in the Freedom of Information Act.

The law should not be repealed or have amendments made that restrict the right of citizens to obtain information that is important for 'clarity' in the way the public money is spent.

Sincerely,

William Helm

William Henderson

I believe that the existing Fol legislation has worked fairly well so far and is not in need of radical overhaul. I think there are two areas for potential improvement.

1) There could be more clarity around, and more definition of, the justifications for refusing Fol requests.

2) “Quasi-Governmental” organisations and other taxpayer-funded bodies should be brought into the scope of the Fol legislation. Some of these unelected bodies run at significant cost to the taxpayer, but taxpayer access to see how their money is being spent is limited. Of course, if they are being well run in the public interest they can have nothing to hide but we should be able to check.

Bill

Henderson

William Hobson

All branches of the government must be held to Freedom of Information requests and must continue or increase their ability and willingness to be open to public inquiry. Whether it is the shameful abuse of MP expenses, excessive spending on consultancy, flawed bidding processes and other such acts of inequity and petty corruption within our government. It has also been key to stopping further acts of incompetence and malfeasance in public services from the NHS to the Met and local councils.

The current government came to power following promises of transparency, pledging to conduct public affairs openly. It also pledged to bring corporate involvement and ownership within the UK into public view.

Without the FOI, or an even stronger legal responsibility, the Government and its ministers cannot be simply trusted to uphold these pledges and conduct the UK's affairs. Without public access there can be no public scrutiny, and without scrutiny there is no accountability.

This commission is deeply flawed in its original premise and its selection. Every single member of the board has expressed negative opinions of FOI requests and there is no balance to this view among its members. It is rank hypocrisy of the worst kind, and I hope that the members will put their office above their own interests and feelings of entitlement to perform the public service required by their office - and keep public affairs in the view of the public.

If there is a central budget for £290 million of advertising in 2015, then there is clearly a budget for the current £9 million cost of FOI - a cost which is largely fabricated, as the only real costs come when local and central government bodies try to obstruct FOI requests, largely in a bid to suppress information about the waste of public funds on political or nepotistic decisions.

Yours,

William Hobson