

Society of Editors

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Independent Review of the impact of the Freedom of Information Act - October 2006

As you may have gathered from the last meeting of the Information Users' group, editors would find it difficult to accept your suggestion of merely providing practical objections to the proposed changes in the working of the Act rather than questioning the principles behind the proposals.

We believe that the proposals on charging and attempts to reduce the level of information requests are fundamentally flawed. They would undermine the ideas behind the legislation and interrupt valuable progress.

We have always believed, and the Government has previously shared the view, that the Freedom of Information Act was simply an essential but relatively small step towards a change in culture from one of pervading secrecy to one of openness in public affairs.

Against that background, the sum of £24 million which the Frontier Economics 'Independent Review of the impact of the Freedom of Information Act' attributes to the working of the Act in central government and the £11 million in the wider public sector, including local government, represents a relatively small use of public funds. That is a surprisingly low level of investment in what the Prime Minister once described as the cornerstone of constitutional reform.

The society has always maintained a view the government previously appeared to endorse, that greater openness is crucial for greater public involvement, engagement in politics and decision making at national and local levels. Achieving such change need not be expensive but it does require adequate investment.

The proposals aimed at reducing the number of requests for information under the Act are, therefore, also at odds with stated policy aims. Encouraging participation in the political

process surely implies an increase in public questioning. Indeed it should be welcomed rather than restricted.

You raised the issue of the cost to some public bodies of answering requests for information and suggested that answering questions interfered with their core activities. On a practical level that may indeed be the case but, given the aims described above, both the Government and those public bodies should be ensuring there is proper investment in the system for dealing with requests for information.

The Information Commissioner's own report provides a useful model in this. One of the issues undermining progress towards greater openness has been delays in decisions on information requests by the commissioner. He reports that relatively modest investment in extra resources has enabled his office to make significant progress on this issue.

Public bodies generally could benefit similarly by the allocation of modest extra resources to the provision of information in response to FOI requests. That would enable them to meet those requests without interfering with their important work.

Again that would be an investment in public participation that would bring direct but probably immeasurable benefits to the public bodies themselves.

The Frontier Economics review referred to information requests from commercial organisations. Such requests could be specifically targeted where there is a clear and direct commercial benefit to be gained. Requests by the media are made on behalf of the public and while parts of the media are commercial organisations it would be wrong to argue that there is a direct commercial benefit from asking for information on behalf of readers, listeners and viewers.

You may see all of this as an objection to the proposals in principle. We would argue, however, that these comments are aimed at the practical issues surrounding the working of the Act and, more importantly, the sentiments and policy targets behind it.

Best regards,

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