

Tuesday, 6 March 2007

Department for Constitutional Affairs
Information Rights Division
6.16 Selborne House
54-60 Victoria Street
London SW1E 6QW

Dear Sir or Madam,

I write as someone who has used Freedom of Information legislation on several occasions both in my personal capacity and in my work for various pressure groups and charities. This is one of the most important laws passed in this country for many decades and I am astounded that before it has even settled on the statute book moves are being made to pull its teeth.

My use of the legislation has enabled me to retain a public right of way which my local authority and Network Rail sought to unlawfully close.

It has provided me with evidence indicating that the Scottish Executive is illegally issuing licenses to allow the culling of birds. This evidence has been essential to my submission to the current public consultation on the issue of these licenses.

Freedom of Information gave me access to papers which showed that, despite being given nearly £4 million of public money, Merlin Entertainments (the company involved in the £1028 million take over of The Tussauds Group) had not honoured their agreement to allow free public access to an £18 million public funded building they lease on Loch Lomondside. That right of free access has now been restored.

On another occasion information obtained under the Act helped me secure the six week suspension of a local councillor after the Standards Commission found her guilty of eight counts of breaching the Councillors' Code of Conduct.

The Act has proven extremely useful to me on many instances and, knowing that their actions can be monitored, I believe it makes those in public service a bit more careful in their actions.

I wish to register my total opposition to any initiative seeking to introduce restrictive changes to Freedom of Information legislation. If charges were introduced or restrictions made on the number of times one can seek information under the Act this would greatly reduce the open government which we deserve in this country. I personally would find it hard to pay the basic photocopying costs of the material I have been supplied with under the Act and the pressure groups and charities I work for are working on tight

budgets with little in reserve to pay for the information they need to do their work properly.

It is regrettable that some people have misused the Act for frivolous reasons but, in a democracy, that is one of the things we have to put up with if the majority of the population are not to have their newly won right to freedom of information restricted. Would it not be possible to allow individual requests for information to be refused if they appear to be frivolous, with the person making the request given the right to appeal that decision to the Commissioner or other body?

What I am far more concerned about is, that to avoid creating material which can be retrieved under the Act, more business may now be conducted by telephone instead of e-mail, letter or minuted meetings. If any changes are to be made to the Act I would suggest inserting a clause requiring that all telephone calls from local and national government offices be recorded and retained for future reference.

I give permission for this submission to be published or otherwise circulated as you see fit and I would appreciate an acknowledgement of its safe receipt. I look forward to hearing the outcome of this consultation in due course.

Yours faithfully,

John F. Robins,
Making this submission as a private citizen and as Secretary to the pressure group Animal Concern and to the charities Save Our Seals Fund and Animal Concern Advice Line.