

The Campaign for Freedom of Information

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Note to Protection of Freedoms Bill Committee

The Protection of Freedom Bill's provisions amending the Freedom of Information Act are helpful and welcome. However, we think some of these provisions should be extended. For example:

- the proposed measure to prevent copyright being used to block the reuse of datasets should also prevent restrictions on the reuse of other information relating to an authority's policies, decisions and performance;
- the proposed change to section 11 of the FOI Act should be extended to allow applicants to specify that they would like to be supplied with photocopies of original documents containing requested information;
- the definition of a 'publicly owned company' in section 6 of the FOI Act should be extended to companies where one or more public authorities are the *majority* owners;

We welcome the provision to remove the government's power to reappoint the Information Commissioner, but think if the Commissioner is to be limited to a single term it should be longer than 5 years.

We also think (a) the Bill should be used to impose specific time limits for responding to requests involving the Act's public interest test (currently an unspecified 'reasonable' extension is permitted under section 10(3)) and for carrying out internal reviews (b) the 6 month time limit for prosecuting a section 77 offence involving the deliberate destruction of a requested record should be extended to 3 years (c) the Bill may need to address a potentially serious issue of statutory interpretation, highlighted by a decision of the Information Tribunal, which may prohibit the release of fully anonymised statistics if they have been derived from information about people's health, criminal records or other types of 'sensitive personal data' as defined under the Data Protection Act.

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