Ministry of Justice

The Right Honourable Lord McNally
Minister of State
102 Petty France
London SW1H 9AJ

T 020 3334 3555
F 020 3334 3669
E general.queries@justice.gsi.gov.uk

www.justice.gov.uk

Maurice Frankel
Director
Campaign for Freedom of Information
Unit 109 Davina House
137-149 Goswell Road
London
EC1V 7ET

18 November 2013

Dear Maurice,

CONSULTATION ON THE REVISION OF THE FREEDOM OF INFORMATION ACT

I am writing in response to the letter of 29 October addressed to the Prime Minister which was co-authored by the Campaign for Freedom of Information and 76 organisations. I am replying as the Minister responsible for freedom of information policy.

In your letter you asked the Government to commit not to bring forward proposals to restrict the Freedom of Information Act (FOIA). As you know the Government committed in its response to the Justice Select Committee's (JSC) Post Legislative Scrutiny report on the FOIA to consider how best to reduce burdens of FOI without undermining transparency or impacting negatively on legitimate requesters.

I share your view that our work to reduce the cost of the FOIA to public authorities should not lead to any significant retraction in transparency. The FOIA has made a considerable contribution to openness and accountability and it is vital that this should continue to be the case. As I made clear my letter to you dated 5 June 2013, our intention is not a widespread reduction in transparency but to focus on the small minority of requests which are disproportionately burdensome.

The response to Post Legislative Scrutiny outlined a series of potential options for reform. We have not committed to implementing all of them. I recognise that they have differing levels of potential to affect transparency. It is with this in mind that we are taking great care to ensure that the options for burden reduction are fully considered. It is however right that we should seek to ensure that the costs the FOIA imposes on public authorities are not excessive, especially in the current economic climate, and are proportionate to the many benefits that the FOIA brings.

The development and assessment of these various options is ongoing and we intend to go out to public consultation on those options that we consider will strike a proportionate balance in the near future. We will listen carefully to the evidence received during that consultation process very carefully, before finally deciding what measures to implement. My officials will keep you updated on the timings for the consultation.

I hope that you and your co-authors will be reassured by this letter, and I look forward to discussing the development of FOI policy with you in the future.

Yours Sincerely,

Tom McNally

TOM MCNALLY