

Freedom of Information

Volume 12, Issue 3

January/ February 2016

Headlines

- Campaign group calls for FOIA to apply to prisons and parking tickets — even if contractors hold the information, p.18
- Order extending the FOI Scotland Act has been set, p.19

Contents

<i>Expert comment</i>	2
<i>FOI in the Isle of Man — FOIA upgraded?</i>	3
<i>The research exemption — what's new?</i>	7
<i>A licence to fish? Disclosure and information requests in judicial review</i>	10
<i>Recent decisions of the Commissioner and Tribunal</i>	13
<i>FOI news</i>	17

Planned FOIA extension a 'blunderbuss' says charity chief

The Chief Executive of charity leaders' network Acevo, Sir Stephen Bubb, has described the government's planned FOIA extension to the charity sector as "a blunderbuss that would do nothing for transparency but ultimately harm good causes."

The comments come after Liberal Democrat MP Tom Brake launched a bill under the 10 minute rule in Parliament calling on charities, private companies and the royal household to be fully covered by the Act.

Charities are currently exempt from FOIA despite

receiving tens of millions of pounds in grants from the government. This has resulted in controversy, for example last year when Kids Company, a high profile charity run by Camila Batmanghelidjh, collapsed despite being handed tens of millions of pounds grants over the past decade.

Matthew Hancock, the Cabinet Office minister who is leading the FOIA review, is in favour of the changes. He said: "I have campaigned for transparency in many different ways and driven the open data agenda, because transparency brings accountability and improves

value for money, so we should look at ways that FOI should be extended."

The new powers would be bought in via a FOIA amendment and could be in place as early as 2017.

Although lambasted by Bubb, the plans were welcomed by campaigners for greater transparency in the charity sector.

Gina Miller, founder of the True and Fair Foundation said: "There is no denying that the charity sector plays a pivotal role in ensuring a true and fair society."

[\(Continued on page 17\)](#)

FOIA review update — government backtrack 'likely'

Government ministers are backtracking on plans to weaken FOIA as part of their review of the functioning of the legislation. Only 'minor technical amendments' to the law will be made, it is understood.

The FOI review Commission has been taking oral evidence sessions from a total of 17 groups and individuals, including the Campaign for Freedom of Information, the

Information Commissioner, the National Police Chiefs Council and Liberty. A variety of (mostly anti-change) perspectives were heard at the sessions, which were open to the public and happened towards the end of January.

The editor of the Press Association said that introducing charges for FOI requests would 'strangle' journalistic investigations.

Giving his evidence, Sam Hawke, an FOI specialist at Liberty, said the Act had in fact saved money by highlighting inappropriate uses of public money. "Discussion of burden is inappropriate," he said.

"This is simply what a government pays for, to remain open, transparent and accountable, and it's a very, very small cost overall," he added.

[\(Continued on page 17\)](#)