



Information Commissioner's Office
Promoting public access to official information
and protecting your personal information

Press Release

11 June 2009

Commissioner calls for instinctive culture of openness

On Thursday in his last speech as Information Commissioner, Richard Thomas will urge Whitehall and the public sector to learn the lessons from the MPs' expenses scandal by routinely publishing more official information without waiting to be asked. Richard Thomas will highlight how greater transparency reduces impropriety and leads to better accountability, public confidence and healthier democracy. He will call for an instinctive "culture of routine, proactive and substantially increased openness". He will welcome moves to extend Freedom of Information, but warn that any extension of its scope must be properly funded.

Richard Thomas will say: "The Freedom of Information Act has been seen as a somewhat fragile flower for most of its lifetime. It has now come of age and moved centre stage - a permanent fixture and a core part of the fabric of public life. The recent uproar over MPs' expenses has cemented FOI's reputation as a success story. Over the last four years a much wider range of other information has been disclosed up and down the country. It is a key channel for securing substantially improved transparency and accountability. The surprise is no longer the nature and extent of disclosure. What is astonishing is how much was previously treated as secret.

"There is now much talk of constitutional reform and re-connecting people with politics. Freedom of Information must be embedded within this debate. It is a defining feature of modern democracy – a stark reminder that those elected to power and their officials are accountable to the people. The public has the right to know what is done in their name and with their money.

Transparency brings greater public understanding and less scope for impropriety or for decisions or activities to be taken behind closed doors which jeopardise public confidence.”

Richard Thomas continues: “People are suspicious of secrecy and cover-up, and no longer expect to be kept in the dark. Better education and modern communications mean that the public expect to be treated like grown-ups, with ready access to what is going on. The Act created a legal presumption that official information held by public bodies should be available to requesters as a right. Public authorities must earn the trust and confidence of the public. They should identify their Crown Jewels - the information that really cannot be made public - and ensure that other official information is routinely disclosed without waiting for requests. The public sector culture must continue to shift so that openness is the norm.

The Information Commissioner’s Office (ICO) is publishing a new strategy today setting out how it is tackling its various FoI responsibilities. The strategy focuses on getting public bodies to publish as much information as possible in the first place and to respond promptly to requests without delay or any instinctive resistance. It outlines how the ICO is rationalising its own complaints work to improve efficiency and improve customer satisfaction by closing more cases more quickly. The ICO is resolving as many cases as possible informally. Where formal Decision Notices are required, the ICO will increasingly refer to existing case law to keep them as short as possible.

Richard Thomas says: “I welcome indications from the Prime Minister that the FoI law will be extended. Open government is good government, but it has to be properly paid for. Last year we closed 17% more cases, but – reflecting the growing popularity of FoI - we received 15% more complaints. My office is flat out, but too many cases still have to wait to get started. If the law is to be extended, that must be accompanied by adequate and secure funding.”

FOI facts and figures

- It is estimated that between 400,000 and 500,000 requests have been made since the FoI Act started in January 2005..
- 80% are granted in full or in part according to the Ministry of Justice.
- Those agreeing that freedom of information “increases knowledge of what public authorities do” rose from 54% in 2004 to 84% in 2008.
- Those agreeing that it “increases confidence in public authorities” went up from 51% to 75%.
- The ICO’s FOI budget for 2009-10 is £5.5 million.
- The ICO has received 11,500 complaints, closing 10,000 of them and issuing some 1225 formal Decision Notices.
- The ICO upholds the requester’s complaint in full in about 30% of cases. About 25% of complaints are rejected. In about 45% of cases the complainant is usually entitled to some information, but not all.
- 70% accept our ruling and the Information Tribunal upholds the line the ICO takes in about 80% of cases.

ENDS

If you need more information, please contact the ICO press office on 020 7025 7580 or visit the website at: www.ico.gov.uk

Notes to Editors

1. Richard Thomas has been Information Commissioner since December 2002. He steps down at the end of June. Richard Thomas will take up a part time position as Chairman of the Administrative Justice & Tribunals Council. The New Information Commissioner is Christopher Graham.
2. The Information Commissioner’s Office promotes public access to official information and protects personal information. The ICO is the UK’s independent influential and practical authority on information rights and responsibilities, making a difference to people.
3. ICO’s annual survey last year shows marked increases in public attitudes towards the benefits of access to information held by public authorities. Those agreeing that freedom of information “increases knowledge of what public authorities do” rose from 54% in 2004 to 84% in 2008. Those agreeing that it “increases confidence in public authorities” went up from 51% to 75%.
4. The ICO has ruled on some highly contentious issues across a wide range of subject matter. Examples include: Iraq war legal advice; WMD draft dossier; Cabinet minutes where going to war in Iraq was discussed; MPs’ expenses; arms sales to the mid-East; the Sakhalin gas field; 1911 Census; events around the sinking of the Belgrano; the 1997 Budget; animal experiments; MMR vaccine; abortion statistics; hedge funds; airline contracts and subsidies; planning, speeding and parking disputes.
5. The ICO ordered disclosure of MPs’ expenses. The decisions required disclosure and were extended to greater detail by the Tribunal following the appeal launched by the House of Commons.
6. The ICO has specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.
7. For more information about the Information Commissioner’s Office subscribe to our e-newsletter at www.ico.gov.uk