

PAG comments on the introduction of the Freedom of Information Bill 2011

Written by PAG

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In its Strategic Plan 2007-2011 the Government made a commitment to "provide to the public right of access to government information". When Chief Minister Brown took the Freedom of Information Bill 2011 to a first reading in the final sitting of Keys (28.06.11) he felt he had honoured the promise made 4 years earlier.

The Manx public is not fooled by this piece of political chicanery. We agree with Mr Brown that it is an "important piece of legislation" but disagree that the reason it has taken so long in gestation is because it is complicated.

The real reason is that the CoMin feared the introduction of a law that would allow more open public access to information held by all public authorities.

The process had started so well with a preliminary public consultation early in 2007. Drafting of the Bill started in October of that year. Why did it take nearly THREE years to bring a Draft Bill forward for further Public consultation in July 2010? At the time Mr Brown stated: "To ensure that the process is open and honest and in line with the Government's Code of Conduct on Consultation...A summary of the responses received will be published within 3 months of the closing date (10th September 2010) for this consultation, and will be made available on the Government website ... "

The purpose was to provide "feedback regarding the responses received and how the consultation process influenced the policy".

This summary was not published before the end of 2010 and still hasn't been published. Why is that?

Retiring MHK David Cannan justifiably asked "What the purpose is of introducing a Freedom of Information Bill at this sitting, the last sitting of the present parliament?" to which the Chief Minister responded "Unless the House decides otherwise, it will be for the next House to determine if it wishes to take the Bill forward in its present format"

As one senior politician told P A G "the FOI bill is not going to go anywhere now.... We will have a different Chief Minister and council come October , that means the bill will go back into the melting pot."

PAG has campaigned for the last 5 years for the legislation and feels aggrieved that the Bill was

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not progressed with vigour for it to be presented for signature, along with 21 other Bills, at the final sitting of Tynwald on 12th July.

Chair of P A G, Roger Tomlinson, stated:

"The Manx public has been let down by this administration which claims to be open and accessible. Mr Brown has effectively filibustered the Bill. In this modern world it is important that people are allowed reasonable access to information on a statutory basis. We regularly hear of important issues in the UK that have been revealed as a result of requests under the F O I Act. It is the sign of a modern responsive democracy. We are being denied that same right. Mr Brown and his colleagues in CoMin ought to be ashamed of the way this legislation has been effectively sidelined. P A G is suspicious as to why the numerous responses to last year's consultation have not been published. We want to read those responses and so see how the drafters have reacted to them. In what way does this 2011 Bill differ from the earlier Draft? We can only hope that the next government will hit the ground running with FOI. We certainly will again be actively lobbying for it."