

PE1512/E

Petitioner Email of 4 May 2014

Dear Mr Hynd,

In my further submission to the Public Petitions Committee on April 28th 2014 I suggested it might be worthwhile contacting the Information Commissioner's Office (ICO) in England and Wales to see how they deal with inaccurate and dishonest responses to Freedom of Information requests.

In recent days I have carried out further research on the FOI system in England & Wales, and can confirm there has also been a complete lack of legal action south of the border. It would appear the arrangements down south are as weak and inadequate as they are in Scotland. The ICO in England revealed in this FOI response last year that there hadn't been a single conviction (it is Section 77 in their FOI Act of 2000) against public bodies, and time limits were blamed here too. It would appear the original legislation was either badly drafted or was couched in terms which would almost guarantee there would not be convictions. Scotland's legislation appears to be a virtual carbon copy of the English FOI Act, and has therefore proved equally ineffective. Here is the link to the ICO information:

http://ico.org.uk/~media/documents/disclosure_log/IRQ0483236.ashx

I realise the deadline is past for submissions for Tuesday's Public Petitions Committee meeting. But perhaps at some point the committee members could be made aware of this unsatisfactory position on both sides of the border.

Regards,

Bill Chisholm