The Information Commissioner has criticised David Cameron and former head of the civil service Gus O’Donnell for their “grudging” attitude towards the Freedom of Information Act.

Last year, Lord O’Donnell claimed that the right to ask for official documents was having a “very negative impact” on policy discussions. Last week, the Prime Minister claimed that FOIA “furs up” the arteries of government.

Giving evidence to the Justice Select Committee, Christopher Graham said that the claims by senior figures that the legislation damages the operation of government contradicted their supposed commitment to openness.

Mr Graham told MPs: “I find it rather difficult to square all the talk about openness and transparency with a slightly grudging approach to the mechanics of the Freedom of Information Act.

“There really is a gap between the rhetoric of openness and the reality of reluctance,” he said.

He also claimed that their attitudes risked leading junior civil servants into “bad behaviour” by using private email accounts or not writing important details down, in order to get around documents being released to the press and public. He warned “enthusiastic special advisers” that they risk prosecution if they deliberately try to avoid the disclosure of government business.

Mr Graham added that the fears of “senior mandarins” that there was no way to avoid sensitive discussions being made public “is driving this sort of bad behaviour”.

“If senior figures say there’s no hiding place it suggests to junior..." (Continued on page 16)