

Freedom of Information

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Headlines

- Parent takes FOI battle to Tribunal, p.18
- DfE refuses to name financially troubled academies paying £150k+ salaries, p.19
- British hacker wins appeal to avoid extradition, p.20

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‘FOIA is too slow to get this done’, say Brexit applicants

Two applicants seeking information that would contribute to the Brexit debate have elected not to use the Freedom of Information Act to obtain the information because FOIA is ‘too slow’.

The applicants are applying to the High Court for permission to judicially review the decision of Brexit Secretary David Davis and Chancellor Phillip Hammond not to disclose a series of studies on the economic impact of Brexit.

Molly Scott Cato, a Green Member of the

European Parliament, and the Good Law Project are supported by the campaign group, Campaign for Freedom of Information, which has produced a research-backed witness statement in support of the judicial review proceedings. The statement details exactly how FOI operates too slowly to inform the public debate before the Brexit deadline. The UK is due to leave the EU at the end of March 2019.

The applicants’ chosen route to the information is Article 10 of the European Convention of Human

Rights. In a 2014 decision, the Supreme Court highlighted the fact that public authorities have a common law power to release information which does not depend on FOIA and can be enforced by judicial review (*Kennedy v Charity Commission* [2014] UKSC 20).

The CFOT’s witness statement documents the delays that frequently affect FOI requests. It points to a request which the Campaign made to the Ministry of Justice as an example. The MOJ

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Carillon collapse highlights ‘shadow state of outsourcing, says MP

Louise Haigh, Shadow Policing and Crime Minister and previously Shadow Cabinet Office Minister with responsibility for FOI, has presented a Bill before Parliament to deal with what she describes as the “shadow state of outsourcing”.

As with the previous Bill by Andy Slaughter MP, Mrs Haigh’s Bill would extend the parameters of FOI into the “unaccountable outsourced state which for far

too long has been allowed to conduct its business behind closed doors: delivering a growing share of our public services but without the accountability to match.”

Ms Haigh said that as the government’s addiction to outsourcing has exploded, it was “high time we brought the private sector out from the shadows.”

“The collapse of Carillion is a high-profile example of an ever-growing shad-

ow state in which some of the government’s more dubious policy priorities are outsourced for private profit, leaving citizens in the dark about what is being done in their name”, she said.

The British outsourcing company’s liquidation has left in its wake a £900 million debt pile, a £590 million pension deficit reported by the firm, and hundreds of millions of

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