



Freedom of Information

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Headlines:

- Law Society discuss legal aid increase, p.15
- Cabinet Office minute request rejected, p.15
- Tax gap scrutinised by the ICO, p.16

Inside this issue:

| | |
|--|----|
| Editorial | 2 |
| The "Vauxhall Tower" decision in the Information Tribunal — a milestone case for the right to know | 3 |
| Section 237(6) of the Enterprise Act and FOI law — an English and Scottish dichotomy | 6 |
| When is information "held" under FOIA? | 9 |
| Recent decisions by the Information Commissioner | 12 |
| FOI News | 15 |

Ofcom's phone mast website may shut down after ruling

A service that enables people to discover the location and power of mobile phone masts within 500 yards of their home could soon be shut down.

The Sitefinder website, operated by Ofcom, the telecoms watchdog, was set up as a result of recommendations contained in the Stewart report on mobile phones and health, published in 2000.

Last year, the Information Commissioner, Richard Thomas, demanded Ofcom make public the raw data on mobile phone base stations held within its Sitefinder database.

When making the decision, the Commissioner considered Ofcom's reasons for withholding the requested information, such as national security, public safety and intellectual property rights.

The information on the website is provided by the mobile phone companies on a voluntary basis, and if the raw data are made public they have threatened to stop providing information about mast locations, as the data can be used by competitors to identify weak coverage areas. All five networks stopped supplying new

data while Ofcom's appeal against the Information Commissioner was going on.

The appeal by Ofcom has since been rejected by the Information Tribunal, which has backed the Commissioner's original decision.

The Information Commissioner said, "I am aware that at least some mobile phone companies have stopped fulfilling their commitment to provide the necessary information to Ofcom voluntarily. If this continues, Ofcom must consider using its

(Continued on page 15)

FSA set to appeal ICO decision

The Information Commissioner has recently ruled that the Financial Services Authority must reveal the 12 endowment mortgage providers which misused Lautro projections in setting premiums. The 12 firms gave customers unrealistically high maturity figures for endowment mortgages between 1988 and 1994.

Estimates suggest advisers have paid out around £83m in endowment mis-sales, with the Financial Ombudsman Service upholding around a third of the 50,000 or so com-

plaints, with average payouts of around £5,000.

Experts claim that although it is difficult to estimate the extra sums advisers have had to pay out due to mis-pricing by providers, it is not a trivial amount.

Yet the decision by the ICO to name and shame the 12 providers is to be appealed by the FSA.

The FSA has investigated the claims against the 12 providers in 2001, and guaranteed at the time it would not divulge the

names of groups involved. Since the FSA investigation, all policy holders involved have been compensated.

A major worry for the FSA is that such a public release of results from informal investigations may make providers less willing to communicate with the regulator informally.

An FSA spokesman said, "we have now lodged an appeal with the Information Tribunal, as the Information Commissioner's

(Continued on page 15)