

Freedom of Information advice

Freedom of information law has proved a useful tool for journalists and media organisations, generating news stories by revealing controversial and at times sensational material which would otherwise have stayed secret. Britain's Freedom of Information Act came into force in January 2005, though the long-awaited legislation was passed by parliament five years earlier. The law covers public bodies in England, Wales and Northern Ireland. There is a similar but not identical law covering Scottish public authorities - the Freedom of Information (Scotland) Act 2002. Finland brought in its Act on the Openness of Public Documents in 1951, while America's Freedom of Information Act, also known as the Open Records or Sunshine Laws, was put on the statute books in 1966. In South Africa, the Promotion of Access to Information Act was introduced in February 2000. These laws enable any person to request information from a public body and have that information given to them, subject to certain exemptions. Factual background material relating to policy decisions, such as statistics or analysis, have also been used by journalists to provide weight to stories and shed light on the decision-making process. Big news stories sourced from British Freedom of Information requests have included:

- * How the government's leading law officer, the Attorney General, changed his mind over the legality of the invasion of Iraq
- * How the Metropolitan police realised that their commander Sir Ian Blair's decision to block an independent inquiry into the shooting of innocent civilian Jean Charles de Menezes left them open to accusations of a cover-up
- * How City of London police officers have been accepting dinners and gifts worth thousands of pounds from members of the Scientology religious cult
- * How MPs can claim thousand of pounds to furnish their second homes with luxury items from what's been dubbed the John Lewis List, named after a fashionable department store
- * How 32 local authorities were forced to disclose the amount of money paid to fat cat City brokers by investment managers on behalf of employees' pension funds

The-Latest has successfully used the Freedom of Information Act in a number of exclusive stories which include our exposé of an NHS hospital cover-up over lost patient files (see Alarm as NHS files go up in smoke, community news section <http://www.the-latest.com/nhs>). And our report of government department profligacy in Guess what? The Home Office is broke: <http://www.the-latest.com/guess-what-the-home-office-is-broke-0>. Which Public Authorities are covered by the law? A public authority can include central government and government departments, local authorities, hospitals, doctors' surgeries, dentists, pharmacists and opticians, state schools, colleges and universities and the police and prison services. A full list of authorities can be obtained from the British Ministry of Justice: <http://www.justice.gov.uk/> and Information Commissioner's Office: http://www.ico.gov.uk/Home/what_we_cover/freedom_of_information.aspx

What information can you request? You can make a request to see any information held by public authorities. The law not only applies to paper files but also to information stored on video, tape and email. Some authorities like the Home Office publish 'disclosure logs' on their websites of information already disclosed in response to previous Freedom of Information requests. So it can be worth checking to see if your question has already been asked and answered before submitting a request. How do I make a request? Your request must be made in writing. This can be by fax or email. You will need to state your name and an address for correspondence. In order to increase your chances of receiving a comprehensive response your questions should be specific and well targeted. Here is a suggested text for your request: "Dear Sir or Madam I am writing to make a request for all the information to which I am entitled under the Freedom of Information Act. In order to assist you with this request, I am outlining my query as specifically as possible. If however this request is too wide or too unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist requesters. [Give a description of your request] I understand that under the Act, I should be entitled to a response within 20 working days. I would be grateful if you could confirm in writing that you have received this request. I look forward to hearing from you in the near future." Will I be able to get all the information I want? Not always. The Act recognises that there will be valid reasons why some kinds of information may be withheld, such as if its release would prejudice national security or damage commercial interests. Public authorities are not obliged to deal with vexatious or repeated requests. In addition the Act does not provide the right of access to personal information about yourself. This is instead available under the Data Protection Act 1998, again subject to certain exemptions. If the authority refuses to reveal the information is that the end of the road? No. A refusal letter should explain how to ask the authority for an internal review of their decision. If you're still not satisfied you can appeal to the Information Commissioner. Although the media have been active users of the Freedom of Information Act as well as campaign groups and some businesses, according to the Information Commissioner, it is the general public who have used it most. [citizen journalism](#)

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