

Information Commissioner – 1000 decisions!

✖ Freedom of information in Scotland has reached a new landmark as the Scottish Information Commissioner publishes his 1000th decision, ordering the Scottish Government to release information about the meetings of its Council of Economic Advisers (CEA), and to carry out further searches for relevant information.

The decision deals with a request made by a journalist from a Scottish national newspaper, for information about the costs and administrative arrangements for the first five meetings of the CEA – the group of economists and industry figures that advises the Scottish Government on economic affairs.

In his ruling, the Commissioner finds that the Government failed to put forward an appropriate justification for the non-disclosure of data, while also failing to confirm to him that officials had appropriately searched for all relevant information.

Publishing his decision, Kevin Dunion, the Scottish Information Commissioner, said:

“I have now issued a substantial body of rulings in the five and a half years since Scotland’s freedom of information laws came into force. This 1000th case is not untypical. Around two thirds of my decisions find in favour, or partially in favour, of the applicant.

“By now, all public authorities should be fully aware of their duties when responding to FOI requests. They should understand the need to present clear arguments when they decide to withhold information and those arguments should stand up to scrutiny in the event of an appeal. Where, as in this case, a

public authority fails to make an appropriate case, I will order the release of information. With all this experience behind us, I expect authorities to get their responses – to FOI requesters and to me – right first time.”

The Commissioner requires the Government to release the withheld information by 6 September 2010.