

Freedom of Information debate in Scottish parliament

Description

This afternoon, following the debate last week ([see here](#)), there is motion in the Scottish Parliament calling for an independent inquiry into the way the Scottish Parliament deals with Information Requests:

That the Parliament condemns the Scottish Government's poor performance in responding to freedom of information requests; calls for an independent inquiry into the way that it deals with these, and agrees to undertake post-legislative scrutiny of the Freedom of Information (Scotland) Act 2002.

This issue should transcend party politics (the motion is being proposed by Tory MSP Edward Mountain). To me, the motion does not go far enough and the inquiry should include all public authorities.

There is an amendment to the motion from Joe Fitzpatrick (SNP) which I also think is also very welcomes:

"insert at end ", and welcomes commitments by the Scottish Government to adopt a policy of pro-actively publishing all material released under FOI to ensure that it is as widely available as possible."

This provision too should be applied to ALL public authorities. As evidence for this, so far this year the LLTNPA has published just two pieces of information it has supplied under Freedom of Information or the Environmental Information Regulations ([see here](#)). The LLTNPA responds to most information requests under the EIRs and so far this year I know there have been at least 43 requests for information under the Environmental Information Regulations as each are numbered ([see here for latest](#)). 2 out of 43 means the LLTNPA publishes less than 5% of all information responses. I have written to Joe Fitzpatrick suggesting that it should be obligatory on all public authorities to publish all responses.

The latest response from the LLTNPA, which followed my request for the Park to make public the management plans it had agreed with estate owners, raises another issue about how public

authorities are circumventing Freedom of Information – by refusing to release them on grounds of commercial sensitivity or confidentiality.

Central to the purpose of our National Parks is the way land is managed and it is right that our National Park Authorities work with landowners to improve this. That a National Park Authority is, however, refusing to make public what it has agreed with individual landowners about how their land should be managed is, I suggest, a matter for serious public concern. Just why the National Park needs – or why private estates would supply the National Park with – commercial information I am not sure but the simple answer is for the LLTNPA to remove the commercial information from the estate plans it has agreed and make them public. The Cairngorms National Park Authority publishes estate management plans on its website <http://cairngorms.co.uk/caring-future/land-management/estate-management/> so why can't Scotland's other National Park?

The LLTNPA has also recently refused to release monitoring data for the Cononish goldmine on grounds of commercial confidentiality [EIR 2017-041 Response cononish.](#) This raises equally serious issues. What the LLTNPA appears to be saying is that it won't make public information which would show the extent to which developers are abiding by planning conditions.

This is not just an issue with the National Park. Its part of a much wider neo-liberal agenda to liberate private companies from the constraints of law and regulation. Aditya Chakraborty put this extremely well in a fine article in the Guardian yesterday <https://www.theguardian.com/commentisfree/2017/jun/20/engels-britain-murders-poor-grenfell-tower:>

“Accountability is tossed aside for “commercial confidentiality”, while profiteering is dressed up as economic dynamism”.

It would be hard to find a better description for how the LLTNPA is operating at present.

Category

1. Loch Lomond and Trossachs

Tags

1. Freedom of Information
2. Scottish Government
3. secrecy

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Author

nickkempe

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