It’s time to celebrate, to look back on what Freedom of Information Officers have achieved. Why? Because it’s fourteen years since the Freedom of Information Act (‘FOIA’) received Royal Assent on 30th November 2000. Hang on though…fourteen years? That’s a strange number to mark, isn’t it? Instead, let’s focus on the more aesthetically pleasing anniversary of ten years since the right to know came into force on 1st January 2005.

In practice, the date that is etched into the memories of those of us who were bracing for the impending flood is 4th January 2005 — the first working day on which FOI requests could be received. All those working parties, the procedures I’d hurriedly finalised in the run up to Christmas, the staff briefings, and it came down to this. What would we see? Would the organisation grind to a halt under a deluge of requests? Would the world ever be the same again?

I think many of us experienced the same thing. A sense of anti-climax as a few requests trickled in that first day. Then a rapidly increasing volume over the first few weeks — January 2005 held the record for some time — before gradually settling down to more manageable numbers. Despite a few moans from colleagues, the public sector world remained resolutely on its axis, and business continued more or less as it had done before.

The early questions set the pattern for much that was to come. The first issue I advised on was whether information was held. The request was for the minutes of a meeting of the Labour Party Group on the London Assembly. Although there wasn’t much in the way of precedent to go on then, I decided that the information wasn’t held, as the Greater London Authority (‘GLA’) held it ‘on behalf of’ the Labour Party.

Practical difficulties

One immediate practical difficulty I encountered was how to define an FOI request. The Mayor’s correspondence was coordinated by the public relations team using a document management system, and this had been customised to assist with the processing of FOI requests. All correspondence was imported into the system, classified, and allocated to a team to answer. If it met criteria set by me, the PR department staff would mark it as FOI.

The difficulty was in establishing criteria that could be consistently applied and would ensure that colleagues understood what was required of them. Unfortunately, the Mayor’s political adviser regularly disagreed with how correspondence was marked. ‘THIS IS NOT FOI’ formed the succinct content of several emails I received from him. His problem was that he didn’t want politically difficult questions to be responded to under statutory requirements that allowed little room for the arts of the spin doctor. My problem was that under any strict interpretation of the Act, all of this correspondence was subject to those requirements. I tweaked the criteria, but it was an argument that would be repeated many times over the years.

Then there was the way that actions I had innocently promoted came to be reported in the Press. Like many other organisations — and keen to exploit FOI as a means to promote better records management — I had encouraged colleagues to review their records and destroy information that was no longer required. Early in 2005, I had to brief the Mayor after London Assembly Members decided to make this a political issue. In March 2005, you could subsequently read in the Sunday Times that ‘KEN LIVINGSTONE, the London Mayor, has admitted that his office had a ‘shredding week’ to destroy documents ahead of new disclosure rules under the Freedom of Information Act.’

It should never happen to an FOI Officer

As an FOI Officer, you never know what will happen next. It’s one of the joys (and occasionally trials) of the job. Imagine being asked for all correspondence regarding pandas. Your reaction would probably be like mine — to scoff but make some initial enquiries. In my case, in that particular incidence, it emerged that we did.

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The requester had asked for all correspondence between the Mayor and London Zoo regarding any attempt to bring pandas to the UK. As it transpired, London Zoo, or the Zoological Society of London (‘ZSL’) as it is officially known, was seeking to use the Mayor’s frequent visits to Beijing in the run up to the Beijing Olympic Games to develop links with Chinese zoological authorities. Their hope was that it would be possible to persuade the Chinese to send a pair of pandas to London. This feat would only be achieved through sensitive diplomacy. Therefore, the newly-elected Mayor Johnson was carefully briefed by ZSL officials on the correct etiquette.

They were horrified at news of our FOI request. Discussions were at an early and highly sensitive stage. I became familiar with the niceties of international panda diplomacy. Some information was eventually released, and I heard nothing further of the Mayor’s delicate diplomatic mission. Keen observers of panda movements may, however, have noticed that a pair of pandas later did arrive in the UK. They are in Edinburgh Zoo.

The GLA was a lead authority in both bidding for and delivering the London 2012 Olympic and Paralympic Games. It may be no surprise then that many of the FOI requests we received related to the Games. It may be a surprise to learn though that many of the FOI requests related to the Games. It may be a surprise to learn though many of the requests were up by 40% on the previous year.

After ten years as an FOI Officer, this year I’ve had a little time to reflect — and the dominant feeling is one of pride. I think that’s a feeling that my fellow FOI Officers should share.