

PUBLIC AUDIT AND POST-LEGISLATIVE SCRUTINY COMMITTEE

POST LEGISLATIVE SCRUTINY - FREEDOM OF INFORMATION (Scotland) ACT 2002

SUBMISSION FROM :BILL CHISHOLM

As a frequent user of FOI – a system which has frequently left me annoyed and frustrated – there are many improvements which I'm sure many contributors will be outlining to the committee.

I only wish to draw one matter to your attention. In 2014 I lodged a petition (PE 1512) in an attempt to have the legislation amended. There is nothing in FOISA which places a responsibility on public authorities to give 'honest and truthful' information to requesters.

I gave evidence to the Petitions Committee and provided evidence which showed it had been estimated 25 per cent of FOI responses (1 in 4) could be inaccurate or misleading. The source was the Bureau of Investigative Journalism.

The reason for my petition was because I had been misled by my local authority when I requested information about legal expenses incurred during a series of tribunals.

I received a sympathetic hearing (see Petitions Committee minutes of April 22nd 2014), and after my attendance the Commissioner (Ms Agnew) was summoned to appear at the Committee. She 'rubbished' my proposals, claiming there was no need for them. My petition was shut down shortly afterwards.

I would now ask the Committee to consider the terms of PE 1512 and recommend amendments in the legislation to accommodate the proposals.

Yours sincerely,

Bill Chisholm