

Consultation on Scope of the Review of the Freedom of Information Act

The Department of Public Expenditure and Reform seeks your input to inform the direction of the Review of the Freedom of Information Act. Details on the review, including the review roadmap document may be accessed from the following link:

<http://www.gov.ie/FOIreform/>

At this stage, we are seeking views from stakeholders on the issues that should be addressed in the review. Therefore, it is not necessary to provide a detailed rationale for the issues you have identified. As outlined in the roadmap document, a consultation paper will be published early in 2022 informed by the themes identified in this survey. There will be an opportunity at that stage to make detailed submissions.

We would be grateful for your views as soon as possible, but by **17th December** at the latest.

Please contact the FOI Central Policy Unit at foireview@per.gov.ie if you have any queries in relation to this consultation or the review more generally.

Organisation name and contact details
The Wheel Lily Power, Policy Officer lily@wheel.ie
What are the main things that you believe should be addressed in a review of the Freedom of Information system? Please list in order of priority.
<ul style="list-style-type: none">• In order to ensure public participation and equality of access, the cost of making Freedom of Information requests should not be prohibitive and should reflect international norms and best practice. We would oppose the reintroduction of any upfront fee for making requests.• Similarly, the system must be straightforward and accessible to ensure equality of access, taking into account digital and literacy inequalities, as well as other factors.• To address the above issues, the Office of the Information Commissioner (OIC) should consider a public information campaign to actively promote the use of access to information legislation and inform people about how to exercise their rights (as happens in Scotland).• Consideration should be given to facilitating people to ask questions rather than needing to determine what records might exist. This is particularly challenging for new requesters and for members of the public rather than journalists or organisations seeking information.• The Wheel also believes that a collaborative approach to reform of the Freedom of Information Act would be most beneficial, including requesters, government representatives, politicians and civil society.

What are the main elements of the current Freedom of Information system that you believe to be functioning well? Please list in order of priority.

- There have been some significant improvements to the Freedom of Information system in recent years and we particularly welcome plans for a full public consultation in 2022. This reflects the need for a process of collaborative reform.
- We support the removal of the upfront fee for requests.

In your opinion, what is FOI for?

- In recent years, the State has made commitments the tenets of open government, acknowledging the need for improvement in this area. The Freedom of Information Act is an important part of creating a truly open government, which features the principles of transparency, equality of access and active participation.
- We understand the Freedom of Information Act to be a key part of enabling active citizenship. In Ireland, we compare favourably with our peers in terms of the rate at which we volunteer, but we don't compare so favourably in our participation in democratic decision-making processes. Improving the FOI process will further encourage meaningful understanding of and engagement with some of these processes by individuals and communities.
- Finally, The Wheel believes that a functioning and accessible freedom of information system is crucial to creating an effective and efficient State.