Right to Information Act 2005: Producing Materials to Assist Officials to Discharge Their Obligations Under the Law

by

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Session Objectives

- Identify products which need to be developed to support easy, consistent application of the law by PIOs and AAs
- To identify potential partners for developing training manuals and guidebooks
Why is this necessary?

♦ Can’t expect officials – who have multiple other duties - to all read and understand the technicalities of the law
  – Legislation is complicated
  – Officials also need to understand Rules
  – Processes are usually not sufficiently detailed in laws
Why is this necessary?

- Remember: Unless PIOs and AAs are getting a large volume of requests, they will only need to apply the law infrequently – may forget training in the meantime!
- Officials may simply get confused – need clarification
- Ensures consistent application of the law
Target groups

- **PIOs**
  - have to apply law – frontline

- **Appellate Authorities**
  - reviewing proper application of exemptions is key issue

- **Info Comms staff**
  - need to understand whole law b/c can make orders on any topic
  - Also monitoring and review duties
Products in support

♦ Practice manuals on processing applications and appeals
  – Developed in a number of jurisdictions
    • See Jamaica, WA, US in resource packs
  – Manuals provide clear simple guidance to implementing officials
    • break down the law into simple bite size chunks
      – with process charts and explanatory notes
Products in support

- Easier to give official a simple procedures handbook
  - Easy reference index
  - Lots of pro-forma response templates
Products in support

♦ Can process applications and appeals without too much difficulty and/or time wastage

♦ Look at Jamaican Manual for Public Officials for an example

Products in support

- Guidance notes
  - On exemptions
  - On the meaning of “public interest”
  - On how to manage third party rights

- These are key provisions which need to be consistently applied

- Outcomes vary according to docs, but scope of exemptions is the same
Responsibility for products

- Nodal agency responsible for implementation – ensures consistent quality of product

- Partnership with:
  - Other Governments, eg. Central DOPT, other State nodal agencies
  - Admin. Training Institutes, eg YASHADA
  - Civil society, eg. CHRI
  - Academic institutions
  - International RTI institutions, eg. Info Comms
Thank you

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