

## FREEDOM OF INFORMATION COORDINATOR NAMED

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The Cabinet Office has appointed experienced access-to-information practitioner Carole Excell as Coordinator of Cayman's Freedom of Information Unit.

Mrs Excell, who is from Jamaica, has the responsibility of overseeing implementation of the coming FOI law and related regulations. Her job will also entail analysing, formulating and disseminating policies, procedures and guidelines for the entire public sector, while monitoring and identifying shortcomings in implementation of the law. Additionally, she will support the readiness efforts of public entities for FOI.

The purpose of the FOI legislation is to promote open government, and Cabinet recently approved a draft form of the bill which is expected to be tabled in the Legislative Assembly for debate shortly.

Mrs Excell, an attorney-at-law, was employed by the Jamaica Field Office of the Carter Center, supporting the effective implementation of that country's Public Access to Information Law working with the government, media and civil society organisations. She trained government information officers, legal officers, and permanent secretaries in the skills and attitudes necessary to help ensure a successful start to FOI in Jamaica.

Named after former United States President Jimmy Carter, the Carter Center is an international non-governmental organisation promoting human rights and sees implementation of public access to information laws as a pillar of such rights.

Following her work with the Carter Center, Mrs Excell took up appointment as mediation manager at another NGO on the island, the Dispute Resolution Foundation.

"Mrs Excell is obviously very familiar with the implementation of access to information laws and with the areas that may offer the most challenges. She is clearly committed to the principle of openness and transparency of government," said Cabinet Secretary Orrett Connor. He added, "Based on her considerable experience, government expects to see the legislation put into practice fairly smoothly after approval by parliament."

Originally tabled in the House by Leader of Government Business the Hon. Kurt Tibbetts as a public discussion paper in November of 2005, the revised FOI Bill was subjected to extensive community consultation through district meetings. A working group was then set up to go through the extensive feedback and summarise key revisions to the draft document.

Cayman's wide public participatory process came in for much praise when a delegation from the Islands attended an access to information seminar last year in Dominica, sponsored by the Commonwealth Parliamentary Association. Along with a number of regional representatives, the CPA and an international watchdog group, India-based Commonwealth Human Rights Initiative singled out Cayman's path to an access to the information law as a model approach.

While Mrs Excell's appointment as Coordinator for the FOI Unit within the Cabinet Office is mainly a supervision, training, advisory and implementation role, the proposed law calls for the separate appointment of an FOI Commissioner, independent of government influence. Set to function on the same level as the auditor general and the complaints commissioner, this person can probe FOI issues on his own initiative or, for example, when public information requests are refused, there are delays in responses, or partial or no responses. The commissioner will be empowered to order release of information held by any public entity subject to the FOI Law.

Mrs Excell has a Bachelor's degree in law from the University of the West Indies, and a Master's degree in environmental law from the University of Aberdeen.

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