

FREEDOM OF EXPRESSION ORGANISATIONS CONTEST PLANS TO EXEMPT PARLIAMENT FROM FREEDOM OF INFORMATION ACT

Article 19
26 January 2007

MP David Maclean's bill to exempt Parliament and MPs' correspondence from the Freedom of Information Act presents a serious attack on the public's right to know and the scrutiny of the democratic process say ARTICLE 19, Index on Censorship and English PEN, international freedom of expression organisations.

Since the Freedom of Information Act was passed, the UK has at last begun to enjoy a more open democracy. The government's current attempt to emasculate the Act, by putting a financial limit on requests, already constitutes a threat to a hard-won and essential democratic freedom.

The bill now seeks to put MPs beyond the reach of the Act, when surely they should be the most accountable individuals in the UK. In addition, it proposes that Parliament as a whole, the most important of all our public institutions, be exempted from the Act.

This would put the UK out of step even with the newest and most fragile European democracies, such as Bosnia and Serbia, who have recently legislated to open up their parliaments to public scrutiny.

The claim that the main reason for the bill is to prevent MPs' letters on behalf of constituents from being released to the press and public does not hold. In fact, it will make all correspondence between MPs and public authorities exempt. Yet, constituents' personal details (if any were divulged in correspondence) are already protected under the Act. In this matter, then Mr Maclean's bill appears to be totally redundant.

If the bill becomes law, a farcical scenario will ensue where all correspondence on a matter of public policy - say, the closure of a hospital - will be available under the Act - except for MPs' correspondence. The most accountable public figures in the country will enjoy a protection denied to their constituents.

Is this what is intended? To give MPs the privilege of keeping their activities secret?

NOTE TO EDITORS: David Maclean's bill to exempt MPs, Parliament and the House of Lords from inquiries made under the Freedom of Information Act had its second reading on Friday 19 January. For further information: Peter Noorlander, Article 19: 020 7713 1195; Jo Glanville, Index on Censorship: 0771 302 0971; Jonathan Heawood, English Pen: 020 7713 0023

For a copy of the open letter sent to David Maclean, go to
<http://www.article19.org/pdfs/letters/united-kingdom-foia-act-letter.pdf>