

State Secrecy: UK Government Now Routinely Refusing Freedom of Information Requests

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At TruePublica we have constantly warned about the authoritarian traits and tendencies of this government. It started with terror laws designed to catch hardened criminals with the intent to kill that ended up being used on the public to [catch non-payment of BBC licence fees](#). Now journalists and whistleblowers are being [treated as foreign state spies](#), teenagers on peaceful protest go on 'extremism' [watchlists](#) and anyone with a view that the government [does not like](#) are surveilled 24/7 in illegal supervision operations.

The report below by openDemocracy highlights another blatant act of law-breaking by the government, their various departments and agencies. At least 50 per cent of Freedom of Information (Fol) requests are now denied and many actual responses provide no answer to the request itself. In little under a decade, the government has gone from David Cameron's - "[A new era of transparency](#)" promise to completely covering its tracks in a shroud of secrecy.

Here is an excellent example that relates to the article below. The Fol request is perfectly reasonable (see live page [HERE](#)). Did our Prime Minister meet with the anyone involved in the Cambridge Analytica/Facebook/Brexit scandal? In the words of our government - "if you have nothing to hide, you have nothing to be fearful of." So what information is the FCO withholding to protect Boris Johnson from? In this case, the FCO did not even bother to write back with a reason (such as the usual 'national security' excuse). You can make your own mind up if that response to that particular request is questionable.

 The request was **refused** by [Foreign and Commonwealth Office](#).

 P. John 25 July 2019

 **Delivered**

Dear Foreign and Commonwealth Office,

please could you disclose to me, for the period 13 July 2016 – 9 July 2018

- 1) The dates when Boris Johnson met with the company Cambridge Analytica, and/or their affiliates SCL Elections, and SCL Group
- 2) The purpose, attendees, minutes, and locations of those meetings
- 3) Any correspondence between the Home Office and Cambridge Analytica, SCL Elections, and/or SCL Group concerning the meetings (for example, invitations, acceptances, proposed attendees/agendas/locations of those meetings)

Yours faithfully,

P John

Access to information is a right in British law. Want to know who Boris Johnson has been meeting and what they've talked about? All you have to do is put in a request, wait a few weeks and the information will be pinged straight to your inbox. But there's a snag. A big one.

The government routinely ignores and undermines the law governing our access to information. According to the Institute for Government, its departments refuse to comply in full with [more than half of the Freedom of Information requests](#) that they receive.

Whether you are an ordinary citizen or a journalist, if you want to hold our government to account you have to be prepared to wait a long time – and to fight, all the way to the courts. That's exactly what we have been doing at openDemocracy.

Last month, the Department for Exiting the European Union (DExEU) belatedly released documents from an influential lobbyist named Shanker Singham to Brexit ministers and senior civil servants after a judge ruled in our favour.

[The ruling](#) – made by a tribunal in London – came after we had fought a two-year battle for

basic transparency. Our original request was made way back in October 2017.

Singham, who worked for the think tank Legatum and later joined the Institute of Economic Affairs, has been one of the key players in what the institute's director once called "[the Brexit-influencing game](#)". We wanted to know about meetings he was having with senior government figures.

DExEU said that telling the public about Singham's access would "weaken and undermine the UK's negotiating positions" on Brexit. We appealed to the Information Commissioner's Office. The regulator sided with the government.

So we went to court, where a judge in an information tribunal ruled that there was a "clear and overwhelming public interest in the disclosure of the material which the Legatum Institute sent to the DExEU or material summarising the points put forward by Legatum".

The tribunal noted: "Mr Singham, while operating at the Legatum Institute, had a greater degree of access than other interested bodies." The "unstructured nature of the policy process appears to have enabled Legatum to have a greater degree of access to government than would normally be the case."

"It had taken two years and countless hours of dedicated work to force the government to abide by its own laws"

This is not the first time we have had to do this. Last May, we were finally able to [release taxpayer-funded briefings produced by the European Research Group of MPs](#) after an information tribunal ruled in our favour. Although Parliament's watchdog gave the ERG's research a clean bill of health, trade experts found it "superficial and selective" and "highly partisan".

These hard-won victories are vitally important. They have released new information into the public domain and have shown the government that it cannot blithely ignore the law.

But the dice are still loaded against transparency. Officials can obfuscate and run the clock down. The new information about Singham would have been far more useful two years ago, when we originally asked for it.

This is not just an isolated, Brexit-related occurrence. Government departments frequently fail to fulfil their obligations under the Freedom of Information Act. Requests are often denied on spurious grounds or just stonewalled.

And even when they are answered, FOI responses can be so heavily redacted that they look more like a painting from Mark Rothko's black phase than a usable document.

Britain has a transparency crisis - and it's getting worse. [Ministerial meetings routinely go unminuted](#). Notes are not kept. Increasingly, there is no paper trail for crucial decisions.

Freedom of Information, the legislation that led to the MPs' expenses scandal, "doesn't work properly", says Tamasin Cave, co-author of '[A Quiet Word: Lobbying, Crony Capitalism and Broken Politics in Britain](#)'. "In all the windows of government, the curtains have been closed."

So what can be done to shine some light on Britain's transparency darkness? Fighting is one strategy. We intend to keep putting in the time and energy to take Freedom of Information cases to the courts, if need be, to force the vindication of our rights.

But more needs to be done. That's why openDemocracy is launching a two-year investigation into the state of Freedom of Information in the UK.

We will be talking to people who use the Freedom of Information Act up and down the country to find out about their experiences. We will be reporting and reflecting on how we can build greater transparency in British public life at this crucial moment - and, of course, continuing to fight for your right to information.

Please do consider [supporting our work at openDemocracy](#). You can also [subscribe to our regular newsletter](#) to get updates about our investigation into Freedom of Information and much more besides. And, if you work in journalism or policy around access to information, we want to hear from you. Watch this space.

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