



Open Government: A Journal on Freedom of Information

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Welcome

We are excited to present you with the first issue of 2008. Thanks to the funding from the Open Society Institute, the "Open Government: a journal on Freedom of Information" is in its fourth year.

As some of you already know, last fall, the founder of the *Open Government Journal*, Steve Wood, passed the controls of the Journal to me. It has been a very interesting learning experience the last few months, and I would like to thank the editorial board members and the authors for their collaboration, patience and assistance. A very special thank you to my assistant, Carolina Severino Rojas, who knows how to make things happen.

In the next years, my main goal is to attract new readers and authors. As my predecessor, I will work towards improving the quality of production process, speed of reviews and extending the reach of the journal, in terms of both issues covered and readership.

In the last few months, we tried to market the Journal to Spanish speaking universities. We obtain some success as we received two submissions for publication. We will continue to try new ways to attract new authors.

For 2008, I have decided to launch the "Open Government Journal Essay Contest". For the contest the list of topics will be

- FOI and privacy in the digital environment
- FOI and public health
- FOI and anti-corruption/transparency efforts
- FOI and access to legal information

The articles must follow the editorial guidelines found on the OGJ website. The author of the winning article will receive \$500.00 CDN. Submissions for the contest must be received by no later than **August 1st, 2008**. In this issue, you will find the contest's rules.

I send an invitation to all readers and authors to publicize the Open Government Journal and the OGJ Essay Contest.

This issue's articles

This publication contains an interesting mix of articles from around the world.

The article by Judith Bannister focuses specifically on the barriers that a requester face when submitting a Freedom of Information request. She uses the case studies to critique the provisions in the Australian legislation that enable Ministers and Department Heads to issue conclusive certificates to protect their decisions to refuse access to internal working documents from independent merits review.

Another interesting article written by Fabrizio Scrollini analyzes the importance for a country to have a FOI statute. As this, favours the development of a country,

in this case Uruguay. Also, the article features the problems which a country could face implementing this type of legislation.

Paul Hubbard shows us that although, the political commitment to implement new policies in the nation exists; the government faces enormous obstacles to assure the implementation of these new FOI guidelines.

The article by Dr. Eleanor Burt and Professor John Taylor regarding the management of FOI in Scotland outlines the research methods used by the authors as well as the conclusion of the findings and their implications for those responsible for the implementation of FOI.

And from Mexico, David Arellano-Gault shared with us the debate over the impacts of transparency policies in governmental organizations and society in general is reaching an interesting point where the initial hopes and optimism regarding the advantages of such policies are now less appealing. The rhetoric of transparency as a battle between “opaque” and “transparent” social or political actors seems to help little to face the challenges of implementation of sound transparency policies in real organizations. This paper proposes four “transparency failures” as tools to study concrete and workable ways of incorporating the transparency agenda into governmental organizations.

Developments in 2007

2007 has been a very busy year for Freedom of Information. In Canada, the “CAPA-CAPAPA Professional Standards and Certification Project”, steered by two professional associations, Canadian Association of Professional Access and Privacy Administrators (CAPAPA) and Canadian Access and Privacy Association (CAPA), in collaboration with the Association sur l'accès à l'information (AAPI), released a report titled “Information and Privacy Professional (IPP): Professional Standards/Competencies”.

In this report, you will find a well researched and detailed study on the competency profile for an Information and Privacy Professional. The study proposes a profile which includes 24 competencies subdivided in three distinct roles: Administrator, Executor and Advisor.

In 2007, this special project was funded by the Office of the Information Commissioner of Canada and the Office of the Privacy Commissioner of Canada. For more information go to www.capa.ca/Main%20certification.html

In November 2007, the Information Commissioners of the world met at the 5th International Conference of Information Commissioners in Wellington, New Zealand. In his keynote speech, Professor Alasdair Roberts identified five challenges for the Right to Know movement: 1) privatization; 2) changing governmental infrastructure; 3) security sector; 4) workability of RTI law; and, 5) need to build reliable knowledge about RTI systems. A delegation from Mexico presented "SISSI" an Internet based approach to processing access to information requests. All to say that the list of speakers and topics covered was impressive. The Office of the Ombudsmen and the conference organizers did an excellent job! For more information go to www.icic2007.org.nz

Recent Developments in 2008

In January 2008, Access Info Europe launched its mailing list. Access Info Europe is a human rights organization dedicated to promoting and protecting the right of access to information in Europe and contributing to the development of this right globally. For more information go to www.access-info.org

In February 2008, the International Transparency and Secrecy Research Network launched its listserv. The network is said to be different from others in its multi-disciplinary, international focus on research. "Contributions and interactions are sought from researchers and academics including, but not limited to, scholars of public administration, business administration, public policy, political science, journalism, communication, law, management, anthropology and sociology". To register https://email.rutgers.edu/mailman/listinfo/itsrn_1

The first three months of 2008 have also seen their share of Transparency and the Right to Information activities and discussions, just to list a few: 1) United States: the Sunshine Week Survey (www.sunshineweek.org/sunshineweek/secrecypoll08); 2) United Kingdom: a new tool to assist access requesters (www.whatdotheyknow.com); 3) United States: a documentary titled "Secrecy" presented at the Sundance Film Festival (www.news.harvard.edu/gazette/2008/02.28/14-secrecy.html); 4) United States:

the adoption of the Atlanta Declaration and Plan of Action for the Advancement of the Right to Access to Information (www.access-info.org/data/File/Atlanta_Declaration_and_Plan_of_Action.pdf).

Best wishes for 2008 to all readers

Marc-Aurèle Racicot

Editor