

The Freedom of Information Act Conference 2005

Organised by **JUSTICE** and **Sweet & Maxwell**

Wednesday 7th December 2005

To be held at

Pinsent Masons,

30 Aylesbury Street, London EC1R 0ER



Lessons from the Act's first year

Leading experts present the latest thinking on how the Act is working in practice

- The enforcement process in action
- Decisions of the Information Commissioner
- How organisations are using the Act
- Data protection, press freedom, commercially-sensitive information
- Lessons for users, public authorities & third parties



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Keynote speaker:

Lord Justice Sedley, Lord Justice of Appeal

Plenary session speakers:

Phillip Coppel, 4-5 Gray's Inn Square

Maurice Frankel, Director, Campaign for Freedom of Information

Andrew Lidbetter, Partner, Herbert Smith

John Macdonald QC, New Square Chambers

Claire Moriarty, Constitution Director, Department for Constitutional Affairs

Timothy Pitt-Payne, 11 King's Bench Walk

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The Freedom of Information Act

Lessons from the Act's first year

*"The right to know is here
– and here to stay"*

Lord Falconer, 16 June 2005

Your chance
to pinpoint the key
challenges now the Act
is in force

Why you should attend this conference

The Freedom of Information Act has been in force since 1 January 2005. Intended as a centrepiece of open government, has it begun to fulfil its promise? How have over 100,000 'public bodies' coped with requests for information about how they are run? And have those making requests received the information they sought?

On the eve of its first anniversary, **this conference provides an opportunity to analyse how the Freedom of Information Act is working in practice.** From the broad philosophy behind information rights, through a review of the year's developments, to the front-line experiences of key groups, delegates will gain an in-depth insight into the Act's impact.

There is much to consider – with already a significant number of decisions from the Information Commissioner; while hundreds of cases await a decision. By the time of the conference, it is probable that the first appeals to the Information Tribunal will have been heard. And what are we to make of the Department for Constitutional Affairs' own statistics which show that 36% of requests to central government took longer than the 20-working day deadline to answer?

Key issues examined

- Are government departments guilty of – in the words of the Campaign for Freedom of Information – 'routine disregard for the Act's requirements'?
- How are exemptions being interpreted in practice?
- How are commercial organisations using the Act?
- Does the length and complexity of the enforcement process create an unacceptable barrier to access?
- How are public authorities dealing with requests regarding third parties and members of staff?
- Environmental Information Regulations – are they the forgotten face of freedom of information?

In addition, **specialist breakout sessions** will further examine developments from the perspectives of:

- The inter-relationship between freedom of information and data protection
- Commercially-sensitive information
- Freedom of information and press freedom
- European Union law

Who should attend

- Solicitors and Barristers – who act for public bodies or who practise in any of the many areas of law affected by the Act
- Employed lawyers in:
 - Government departments
 - Local authorities
 - The NHS
 - Education
 - The Police and CPS
- Campaigning organisations
- Academics



For further enquiries: Call (020) 7393 7859 Email: conferences@sweetandmaxwell.co.uk

Information Act Conference 2005

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09.00 Registration

09.30 **Morning plenary session:
Introduction from Pinsent Masons**

Chaired by JUSTICE

**Keynote address:
Information as a Human Right**

Lord Justice Sedley, Lord Justice of Appeal

10.00 **Review of the Year**

Timothy Pitt-Payne, 11 King's Bench Walk

How has the Freedom of Information Act worked in its first year? How can its performance be assessed? This session aims to provide a concise outline of the Act and an overview of the leading decisions and cases since the Act came into force.

10.30 Questions and Discussion

11.00 Coffee Break

11.30 **Freedom of Information: Key Perspectives**

Chaired by Pinsent Masons

This session looks at how the Act is working from the perspectives of 3 different groups:

- *Users* – people seeking to use the Act to gain information
- *Public authorities* who will be the targets of requests under the Act
- *Third parties* who are not directly subject to the Act, but who may be in a commercial relationship with a public authority and thus affected by requests for information under the Act.

11.30 *Users* – John Macdonald QC,
New Square Chambers

11.50 *Public authorities* – Phillip Coppel,
4-5 Gray's Inn Square

12:20 *Third parties* – Andrew Lidbetter,
Partner, Herbert Smith

12:40 Questions and Discussion

13.00 Lunch

14.00 **Afternoon breakout sessions – Round 1**

1. Freedom of Information and Data Protection

Rosemary Jay, Pinsent Masons

Lucie Dennehy, Office of the Information Commissioner

How does the Freedom of Information Act work alongside the extensive framework provided by the Data Protection Act? This session looks at the various issues, both legal and practical, that arise from the interface of these two major pieces of legislation.

OR **2. Commercially-Sensitive Information:
Tenders, Bids and Contracts**

Louise Townsend, Pinsent Masons

Second speaker to be confirmed

The Freedom of Information Act has significant implications for private bodies doing business with the public sector. How much coverage does the Act provide for commercially-sensitive information? This session looks at the Act's impact in the field of tenders, bids and contracts in the public sector.

15:00 **Afternoon breakout sessions – Round 2**

3. Freedom of Information and Press Freedom

David Hencke, The Guardian

Heather Rogers, Matrix Chambers

What difference has the Freedom of Information Act made to media law in the UK? This session details the key developments in relation to media freedom and asks whether the Act has significantly extended the rights of free expression and the right to receive information.

OR **4. Freedom of Information and EU law**

Jemima Stratford, Brick Court Chambers

Gerry Facenna, Monckton Chambers

The impact of EU regulation on UK is ever-increasing and so is the amount of information being gathered by EU agencies and institutions. How does freedom of information fare under EU law? This session examines the relevant EU principles and procedures and considers how effective they are in practice.

16.00 Tea break

16:30 **Afternoon plenary session:
Freedom of Information: Year Zero**

Chaired by Roger Smith, JUSTICE

Claire Moriarty, Department for Constitutional Affairs

Maurice Frankel, Campaign for Freedom of Information

Shortly before the Freedom of Information Act came into force, the Lord Chancellor Lord Falconer described it as 'the realisation of a long-promised commitment: a commitment to openness, to freedom of information, to radical reform'. How has the Act fared in its first year? What difference has it made to the operation of the public sector and to public life generally?

17.30 Close

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Round 2: (1st choice) (2nd choice)

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Substitute delegates can be accepted at any time, without charge. Please telephone the Conference Administrator on 020 7393 7859 to let us know the name of the substitute.

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