

John F. Robins, Secretary and Campaigns Consultant, Animal Concern,  
Post Office Box 5178, Dumbarton G82 5YJ. Tel. 01389-841-639, Mobile: 07721-605521.  
E-MAIL: animals@jfrobins.force9.co.uk website: <http://www.animalconcern.org/>  
Animal Concern is a pressure group registered as a non-profit making Limited Company  
(Co. No. SC109126) established in 1988 as Animal Concern (Scotland) Ltd.  
It incorporates the Scottish Anti-Vivisection Society which was founded in 1876.

To all MSPs.

Dear Member of the Scottish Parliament,

Later today you will you have a chance to discuss the way the Scottish Government handles Freedom of Information (Fol) requests.

Since its inception I have frequently used Fol legislation to seek information to help protect animals and the environment.

Freedom of Information should be a cornerstone of open, democratic government. Instead I believe that many working within the Scottish Government see Freedom of Information as a hostile weapon from which they must defend themselves, their Departments and their Ministers.

In November 2011 I successfully complained to the ASA about an advert placed by the Scottish Government in over 114 local newspapers to welcome the Giant Pandas to Scotland. As a result of my complaint the ad was ruled misleading for claiming the Pandas were a "Gift from China" when Edinburgh Zoo is leasing them for a total of US \$10,000,000.

On 30th November 2011 I put in Fol requests to The First Minister and Cabinet Secretary for Rural Affairs and the Environment to find out how much the advert and Giant Panda welcome reception cost the Scottish taxpayer and who or what Government Department was responsible for it.

On 23rd December I received a reply stating the advertising had cost £23,000 and an additional £14,029.44 was spent on the welcoming reception at Edinburgh Airport. However as too often happens when trying to obtain information from the Scottish Government I had to go through the appeals procedure to try and get an answer to my question about who was responsible for this expenditure. On 13th July 2012, **eight months** after my initial Fol request, I received the following from the Office of the Fol Commissionaire:

***"I am pleased to let you know that further to my investigations the Scottish Ministers have now provided me with additional information which addresses the outstanding questions that you have in a clearer manner. The Scottish Ministers state that the advertising was paid for by the Scottish Government as part of the welcoming and arrival strategy for the Pandas to Edinburgh. The Ministers also state that***

***arrangements for coordinating the arrival of the pandas were considered at a Steering Group of officials representing the Scottish Government, the UK Government and Edinburgh Zoo, with the detailed selection of advertising being pursued by each party according to its interests. The Ministers also state that as is their standard practice, the commissioning of advertising routes paid for by the Scottish Government was managed by Scottish Government Communications. The Ministers state that the advertising proposals were included in discussions with the Steering Group and Ministerial briefings but that they do not hold information who “initiated” the advertising.” representatives from Scottish Government, Scotland Office, Edinburgh Zoo, and Foreign and Commonwealth Office and did not consist of any Government Ministers.”***

Also in 2012 I attended a Government meeting for stakeholders on a forthcoming consultation on animal welfare. All stakeholders present favoured including use of CCTV in abattoirs in the consultation. However a senior Civil Servant said Government Minister Richard Lochhead had already ruled that out. This discussion was not included in the draft minutes and it was only after lengthy correspondence that a watered-down version, which did not name Mr. Lochhead, was included in the final minutes.

I am very concerned that some people working within Scottish Government might be going out of their way to suppress and withhold information.

On 8th February 2017 I put in a FoI for info from Marine Scotland. I should have had a full reply by 8th March and arranged a meeting for 15th March to discuss the material received. On 8th March I received an apology from Scot Gov to tell me there would be a delay until 17th March as they were “... ***seeking clarification on some of the documents.***” I asked for the available documents to be provided by 14th March as I needed them on the 15th. There was no response and the documents were sent on the 17th. As with most material I receive under FoI these 31MB of documents were very heavily redacted making much of the material totally incomprehensible.

Perhaps my next FoI request should be for details of the maker and supplier of the black pens used to redact documents released under FoI? Shares in those companies would be a good investment.

It is argued that complying with FoI legislation is expensive. I suggest the opposite is the case. Much time and money is wasted trying to avoid responding fully and promptly to legitimate FoI requests.

I urge the Scottish Parliament to address this problem and ensure that in future the Scottish Government has clear and comprehensive rules on how to record information and how to deal properly and efficiently with FoI requests. Meetings and decisions taken must be fully minuted and made available on request. Using telephone or face to face conversations to avoid putting things in writing must be discouraged.

The Scottish electorate are legally entitled to open, answerable Government.

Yours sincerely,

John F. Robins,  
Secretary to Animal Concern Advice Line