

Governmental Maladministration
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Presenter: ... A report from Tim Smith. // When the Labour Government came into office first in 1997 it preached the virtues of decency, openness, and ethical policies. Since then though the much heralded Freedom of Information Bill has been delayed until 2005 and ministers have been criticised for regarding openness as less of a benefit, more of a nuisance.

Now the man charged with monitoring how much the government allows access to official information has himself accused ministers of becoming too secretive.

Sir Michael Buckley, whose main role is to investigate complaints by the public of maladministration by the government, told us why he is increasingly concerned:

Sir Michael Buckley: I have the impression that it is getting more difficult to persuade departments to cooperate, and in particular, there was one case in which I had said I could see no reason why information could not be released, and the government refused to release it. That's the first time that a recommendation from the ombudsman, whether me or my predecessor, had actually been turned down in this area by the government. I'm concerned about that.

Presenter: And can you be specific about that case? Was it Jack Straw, as Home Secretary, blocking a request for information from a Conservative MP?

Sir Michael Buckley: That's right. The question was put down by Mr Andrew Rifen (??), MP, and what he said [was] he'd like to be told how often ministers had had to declare an interest under the Ministerial Code of Practice, and how often they consulted their permanent secretary if they were in any sort of doubt. It was quite a straightforward question: all it needed was a number. But most ministers said, 'I'm not gonna say this.' And it eventually came to me — but I could see no reason at all why the information should not be given. At the end of it, the government said, 'No, we're not going to say.' And I really found that very, very hard to understand.

Presenter: Presumably, ministers are within their rights to refuse information, but it doesn't look very good, does it?

Sir Michael Buckley: Well, exactly. It's been accepted for many, many years, but if an ombudsman makes a recommendation of that sort, and there's some, you know, big reason of public policy or there's a lot of money involved or something like that, then the government accepts.