

Day 3 – Wednesday, 28 November 2007
Plenary Session 4.00pm – 5.30pm

Speaker: Emily O'Reilly

Position: Information Commissioner

Organisation: Office of the Information Commissioner, Ireland

Presentation Title: Regime Change

Room: Banquet Hall

In her presentation, Emily O'Reilly, Information Commissioner for Ireland, sets out the use of "Own Initiative" investigations in Ireland, discusses why such investigative powers have been used, and outlines the benefits that have accrued from their use.

The paper describes the different "Own Initiative" powers in the Irish FOI Act (prescribed under sections 36, 39 and 40 respectively), and specifies the 6 instances where they have been invoked since commencement of FOI in Ireland in 1998.

The issues considered in the 6 reports, the conclusions drawn and recommendations made are not individually itemised in the paper but are referred to in a general way in the discussion on why the powers have been used. The body of evidence contained in the reports is used to demonstrate the value of "Own Initiative" investigations in raising awareness of relevant FOI issues; quantifying where particular problem areas have arisen and recommending appropriate remedial action; and in empirically testing commonly held anecdotal theories.

The investigation reports also have longer-term benefits. They represent a useful research based body of evidence to supplement public comment on FOI issues of concern; and they can help identification and further consideration of systemic issues that arise in the context of conducting reviews of decisions of public bodies. The benefits of involving the public bodies that may be the subject to the reports in production of report content are also discussed".