Written evidence from Philip Bird, Director, Debt Collection Service

I have become aware of your consultation on fees with regard to Freedom of Information Act requests, and would like to respond on behalf of Debt Collection Service Ltd. We often use the provisions of the FOIA to obtain information from public authorities to assist us to recover debts owed to our clients. The public authorities are not the debtor, but the information they hold can assist us to identify and contact debtors.

We submit a series of FOI requests each year to a range of public authorities. Many of our clients are local to us, and so Bristol City Council receives a higher number of FOIs that other public authorities, and as an aside, we have also submitted FOIs to the MoJ and some of these have resulted in a request for an internal review. We have previously referred a FOI to the General Regulatory Chamber.

We believe that the introduction of fees to initiate proceedings in the General Regulatory Chamber would be a bar to enabling some individuals and businesses to challenge resistance from public authorities to respond to FOIs.

We also believe that FOI appeals should be excluded from charges/fees. The introduction of fees to this process would also act as a bar to process of challenging the refusal by public authorities to respond to FOI.

The objective of this consultation seems to be to increase the income to MoJ rather than assisting the operation of justice. Any charge for commencing and taking court action is a bar to the ability to take court action if necessary. If the MoJ is looking to change their charging structure, then perhaps consideration could be given to some kind of levy on those that have a County Court Judgement (and similar) awarded against them.

14 September 2015