Twitter Thread by Williamrt



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Victory for journalists, press freedom after tribunal finds there is no reason to bar people from using the UK's freedom of information act simply because they are not in the UK. @SMaurizi @estelledehon @EmmanFre @benjameslucas

The decision comes after the First-Tier tribunal stayed 16 Freedom of Information by appeals by journalists and ordinary people, because they were either not UK citizens, or had UK nationality but were living abroad. @SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

Today's decision means that the Freedom of Information Act will continue to operate as it always has done for the past 15 years. It is open to any person regardless of nationality or place of residence.@SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

Upper Tribunal judge O'Connor said today:" We found there is no territorial limitation that should be read into FOIA." Reasons will be given later. @SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

The decision means that after long delays - and arguably unnecessary - delays a number of important public interest FOIA requests can now resume. @SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

Italian journalist Stefania Maurizi can now continue her appeal against the Metropolitan Police for refusing to disclose its correspondence with the US about three UK-based journalists involved in WikiLeaks.@SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

The French investigative journalist Emmanuel Freudenthal, who lives in Kenya, is seeking disclosures about thousands of Ebola-infected blood samples taken from people in Sierra Leone without their consent. @SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

Ben Lucas, a financial crime journalist, had is Freedom of Information appeal stayed because he moved to Hong Kong for his work, on the grounds that he was no longer resident in the UK.@SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

Mohamed Mohamood Abdullah joined the tribunal from a computer link in Somalia. He had been using FOIA to seek the service record of his British farther who served in the Royal Navy, and was wounded in action.@SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

The tribunal had put Mohamed's case on hold because he made his FOIA request outside the UK. Now he will be free to continue his search for his father's military records. @SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

Estelle Dehon, barrister for Maurizi told the tribunal of the harm that blocking overseas FOIA requests would have on the accountability of government departments, openness of government and democracy. @SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

She said that journalists had been recognised by the courts as 'democratic watchdogs,' and that the Information Commissioner recognises the importance of FOIA in combating fake news and increasing trust @SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

Investigative journalism of the nature undertaken by Maurizi and Lucas is based on documentary sources, and #FOIA is an important route to accessing documents.@SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

The output of overseas journalists work is consumed both outside the UK and inside the UK, said Dehon. SMaurizi @estelledehon @EmmanFre @benjameslucas #FOIA

"It is inexplicable why a journalist could be permitted to make a FOIA request stuck halfway across that channel on the Eurostar but not at her desk at home or a desk in Hong Kong or Nairobi"@estelledehon @EmmanFre @benjameslucas #FOIA

Ms Maurizi had brought FOI litigation in Sweden, the US and Australia, said Dehon."Never has one response come back you were not in jurisdiction so your request was not a proper one." @estelledehon @EmmanFre @benjameslucas #FOIA

The tribunal recognised what has been accepted for the past 15 years, that FOIA is 'applicant blind.' @estelledehon @EmmanFre @benjameslucas #FOIA

If the tribunal had ruled that only UK citizens could use the FOIA act, that would present huge administrative burdens to public authorities in the UK, the tribunal heard.@estelledehon @EmmanFre @benjameslucas #FOIA

People would have to provide documents and evidence to government departments when they filed FOIA requests, and give oral evidence on their nationality when they made an appeal. @estelledehon @EmmanFre @benjameslucas #FOIA

And non-British citizens, like Mr Abdullah who is seeking his father's military records from Somalia, would have to produce documents and evidence to show that they have enough connection to the UK to appeal to the tribunal. @estelledehon @EmmanFre @benjameslucas #FOIA

What is unusual about the case is that no one has at any time argued that the people outside the UK should be excluded from using FOIA. The Information Commissioner, the Home Office, and all the FOIA applicants agreed this.@estelledehon

@EmmanFre @benjameslucas #FOIA

The argument began with the first tier tribunal itself questioning its jurisdiction under FOIA. @estelledehon @EmmanFre @benjameslucas #FOIA

More later, but here is the backstory:
https://t.co/cAJqtm1hYS