

Message from the Hon D Kurt Tibbetts
Nomination of an Information Commissioner
July 2008
Grand Cayman

With the implementation of the Freedom of Information Law only a few months away, the appointment of an Information Commissioner is the most important remaining milestone.

While this person will be appointed by HE the Governor, it is crucial that the public is involved in and follows this process, for it will be this office that will respond to any appeal by a member of the public against a decision to refuse information or for the failure to carry out any obligations under the FOI law.

In short, it is the Information Commissioner who is expected to serve as the independent arbitrator of the highest caliber of honesty and objectivity who will be championing the freedom of information Law and ensuring the public is aware of their rights under the law. It is therefore appropriate that the law allows for public nominations for this important position.

The Freedom of Information (Information Commissioner) Regulations 2008 recently passed in the Legislative Assembly provide for a transparent and open process for the determination of a selection panel that includes the public as well as publication of the short list of candidates. I encourage you to let your views be heard on this very important nomination.

However, your involvement should not end with nominating an Information Commissioner.

I urge you all to take the time to educate yourselves on the provisions and significance of the FOI Law. It is important that you know how to access information, so you can use the law to your or your community's advantage whenever needed.

Your active involvement is necessary because FOI legislation is fundamentally different from other laws: It is implemented by the people and *not* by government.

FOI legislation will thus not be enforced by government officials -- it is going to be up to you to make FOI work by frequently exercising your right to access government information.

Looking at freedom of information worldwide, it is clear that one of the main goals of this type of legislation is to establish greater public participation in national decision-making. This strengthens democracy and keeps governments honest, but it can only happen if citizens apply the law to find out what their government is doing, how decisions are made, and how money is being spent.

So, while government has been actively driving the process of implementation, it is you, the people, who now have to take it further by putting to the test government's resolve to be more open.

We all agree that this Law has the potential to fundamentally change the way people view their civil service and will surely affect the way government goes about its business too. But I believe it is worthwhile to open government up to the people, broadening the

understanding of government processes and improving collaboration between the public and the bureaucracy that serves them.

Finally, I want to again encourage you to participate in the process of nominations as nomination forms will be distributed throughout the islands through post office boxes and will be available at the FOI Unit office as well.

It is only through your participation in the nomination process that an appropriate commissioner to serve your needs will be selected.