



CFoIS - Promoting the Effective, Enforceable Right to Information in Scotland

For immediate release - 26th January 2026

Scotland's Freedom of Information Law Needs Reformed

Following today's publication of the SPPA Committee's Stage 1 report on the FoI Reform Bill, the Campaign for Freedom of Information in Scotland (CFoIS) will work with MSPs of all parties over the next nine weeks to ensure the Bill is amended and passed by 25th March 2026. CFoIS welcomes the Committee's conclusion that it "is persuaded that legislation is now needed to update the freedom of information regime in Scotland."

The member's Bill was prompted by the Scottish Government's failure to introduce legislation to fix the problems identified in the 2020 inquiry report from the Scottish Parliament's post legislative scrutiny of FoI law which "...demonstrated that there are clear weaknesses with the current legislative framework." The PAPLS Committee's Legacy Report recommended "... that the next Parliament robustly pursues the Committee's recommendations to ensure that the Scottish Government makes the necessary changes."¹ The Scottish Parliament now has the opportunity to deliver this six years old recommendation and draw on the work of practitioners, academics, trade unions and campaigners who have evidenced the legislative failings .

Carole Ewart, Director of CFoIS said today:

"Scotland's FoI law has too many loopholes creating gaps in enforcement and compromising the public's enforceable right to access information. Secrecy thrives if the law is inadequate. The Bill fixes identified problems with robust solutions such as introducing an enforceable duty to pro-actively publish information which was supported by 80% of those who submitted views to the Committee.² The Bill also sought to drive forward a culture change in those public bodies where the default setting for official minds and processes remains a culture of secrecy rather than one of transparency. Therefore, CFoIS welcomes the Committee's conclusions on the appointment of FoI officers as it "sees merit in this proposal as a way to support culture change and to improve the standing of freedom of information compliance in public authorities. The Committee thinks freedom of information officers must have statutory authority within their organisations in order to support that objective."³

ENDs.

¹ Pub 15th March 2021 at Para 71

² https://www.parliament.scot/~media/committ/11566/Paper_5_FOI_Bill_cfv_summary

³ Paras 171 and 172 <https://digitalpublications.parliament.scot/Committees/Report/SPPAC/2026/1/26/fc8774fe-e588-44c7-9b0e-9f3db83f6c92#66c6881b-16cd-428f-a9f8-75e076281b15.dita>

For further information contact Carole Ewart

Notes

1. 2026, marks 21 years since Scotland's freedom of information law became operational and it has become a cornerstone of democratic participation and engagement through the disclosure of information to the public. The Freedom of Information (Scotland) Act 2002 (FoISA) introduced the enforceable right to access information from 10,000 public bodies ranging from local GP practices to police, refuse and other key public services. Decisions on policy, services and funding are no longer secret and should be published unless subject to a specific legal exemption enabling people, communities, journalists and campaigners to reach informed decisions on issues they find important.
2. CFoIS was established in 1984 to campaign for the effective and enforceable right of people to find out about how they are governed and how their services are delivered. It has been involved in all the major legislative changes in FoI in Scotland.

**CFoIS is a Scottish Charitable Incorporated Organisation (SCIO), number is SC051263. CFoIS website info@cfois.scot [@cfoiscot.bsky.social](https://www.cfoiscot.bsky.social)
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