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Realising the Value of Public information

Essay by Richard Susskind, April 17, 2009

Governments and public bodies have always been in the business of managing information - as creators, controllers, distributors, and more. Until the mid-1990s, however, most states took on only two main roles as holders of information. First, they took responsibility for ensuring that information on matters of national security was held securely and beyond the reach of potential miscreants. Second, they assumed the job of making sure that full records of public affairs were maintained, archived, and accessible to authorized persons. Since the mid-1990s, there has been a clear shift in government policy in many countries in relation to information generated from within or on behalf of the public sector. In summary, many governments have expressed a commitment to making official information more widely available. There are two main strands of thinking here. One is that government should be more open; and this has given rise to freedom of information (FOI) regimes. This is about providing *access* to information. The other strand is that public sector information (PSI) can and should be *re-used* where benefits can accrue. FOI and PSI re-use together are the fundamental building blocks of government in the Internet age. This is not merely about making formal government publications available online. It is about capturing, nurturing, and maintaining much of the information generated by public sector bodies as a common and easily accessible good for all of society. At a policy level, these developments will combine to bring about an entirely new landscape for the management and control of information and knowledge in the public sector.

It is far from clear, however, that senior officials and politicians around the world are yet alive to the cumulative shift in policy and practice. Nor is there evidence of much in-depth analysis of the long-term implications of these changes.

That said, the last decade has undeniably witnessed enormous change. To a large extent, this change has been catalysed by the advent of the Internet, which is steadily, fundamentally, and globally changing the relationship between the individual and the state.

Before the 1990s, most government was closed government - official information was made available, largely, on a need-to-know basis. Restricting the flow of information was clearly central to totalitarian rule, for example. But benevolent democracies also held back, adopting a paternalistic posture, releasing information sparingly. Perhaps it was not in people’s interests to know too much. Anti-paternalists claim the problem was, rather, that there were no effective channels for fuller information flows between citizen and government. But this changed in the 1990s, with the coming of the Internet and the Web. Suddenly, information could be shared widely and cheaply; and the business of government was changed for ever.

In the UK, for example, in 1996 and 1997, the Conservative and Labour governments both stated their commitment to providing official information on the web. Why? Was it that the Internet made it all but impossible for government to resist greater openness? Or was there, coincidentally, some new political will to make public affairs more transparent? Either way, open government arrived.

There are two types of open government. A *reactive* open government is one which, when faced with a request for access to official information, will respond favourably. Request leads to access. In contrast, a *proactive* open government believes that an integral part of the job of government is to make all information created in the process of governing available to the people.

Proactive open government is much more than meeting, more or less willingly, a request for access. Instead, *proactive open government regards the provision, usually online, of all official information as part of the very business of government*. Withholding information is looked upon as exceptional and requires justification. The UK government, for instance, is currently moving, albeit at a modest pace, from being reactively to proactively open. One sign of this is the drive to provide more useful and better stocked web sites. Another is that, under its freedom of information legislation, all public authorities must maintain publication schemes that indicate what information will be made available proactively.

Looking forward, full scale proactivity will require a positive effort on the part of governments and public bodies actually to maximise the value of their information, in both economic and in social terms. Realising the value of public information should be a central task of tomorrow's governments.

Professor Richard Susskind is IT Adviser to the Lord Chief Justice of England and Wales. He is the author of numerous books, including The Future of Law (1996), Transforming the Law (2000), and The End of Lawyers? (2008), all published by OxfordUniversity Press. He has also written over 100 columns for The Times. He is Emeritus Law Professor at GreshamCollege, London, where he was also appointed the first and only Honorary Professor in 400 years. From 2003 until 2008, he was Chair of the UK's Advisory Panel on Public Sector Information, a non-departmental public body set up by the Cabinet Office and now sponsored by the Ministry of Justice.

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