

Why is Access to Information Important?

Access to information is crucial to ensure a democratic society. It helps to facilitate public knowledge of issues and promotes discussion. Requests for access to information have been used in countries around the world to reveal corrupt campaign financing practices, human rights abuses, environmental damaging activities, discriminatory practices in the provision of health care and welfare support and unfair practices in the award and use of Government contracts.

Access to Information:

- Serves as a tool to reveal or prevent abuses, mismanagement and corruption;
- Facilitates government's openness and transparency in the decision making process;
- Promotes citizens involvement;
- Helps all Jamaicans in the exercise of their fundamental human rights.

The challenge for Jamaicans will be to use this law, and the information that they receive, to ensure a more transparent and participatory democracy. The Act's ultimate success will be measured on the ability of Jamaicans to enforce their right to information.

TO JOIN THE VAP OR USE ITS SERVICES: Complete this form AND/OR CONTACT:

Application Form

Name: _____

Business Address: _____

Telephone: (0) _____
(C) _____

Fax: _____

Email: _____

I agree by signing this application:

- To participate in the Volunteer Attorneys Panel and donate my time free of cost to individuals who cannot afford legal representation in cases under the Access to Information Act
- To abide by the terms and conditions of participation in the Volunteer Attorneys Panel

Signature: _____ Date _____

Carter Center
1 Grants Pen Road, Kingston 8
Tel (876) 755-3641
Fax (876) 925-2821

E-mail: cartercenterja@mail.infochan.com

Independent Jamaica Council for Human Rights
131 Tower Street, Kingston
Tel (876) 967-1204
Fax (876) 967-0571
E-mail: ijchr@mail.infochan.com

Jamaican Bar Association
78 -80 Harbour Street, Kingston
Tel (876) 967- 3783
Fax (876) 967-3783
E-mail: info@jambar.com

The Carter Center Jamaica 2004

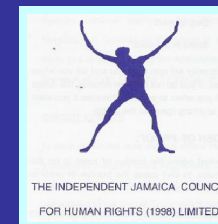
All rights reserved. No part of this work may be reproduced in any form without the written permission from The Carter Center.

The Access to Information Act 2002



The Jamaican Bar Association

VOLUNTEER ATTORNEYS PANEL



THE INDEPENDENT JAMAICA COUNCIL
FOR HUMAN RIGHTS (1998) LIMITED

What is the new Access to Information Act 2002?

Before 2002 the public had no general right to request information held by all public authorities in Government unless an Act specifically set up a register or procedure to request information.

The New Access to Information Act 2002 gives people the general right to information held by the Jamaican Government. This right is an ENFORCEABLE right that may be tested before an Appeals Tribunal established by the Act and in the Supreme Court.

Information may only be withheld if the Government can show that it falls within the exceptions provided by the Act and that release of this information will cause harm.

It is crucial for the successful implementation and enforcement of this Act that it is used by members of the public, professional groups and non-governmental and community based organizations to obtain information that will underpin their issues, interests and campaigns.

What is the Volunteer Attorneys Panel?

The Carter Center in collaboration with the Independent Jamaica Council for Human Rights and the Jamaican Bar Association has formed a Volunteer Attorney Panel (VAP) to represent low-income clients and non-profit organizations in their access to information cases before the Appeals Tribunal and the Courts. This Panel is being formulated to create a mechanism to ensure Jamaicans have the means to enforce this new right.

Volunteer Attorneys through the VAP will

- Assist clients to access and assert their rights
- Provide high-quality representation in cases under the Access to Information Act
- Ensure that there is an appropriate mechanism to enforce the rights established by the law;
- Help establish strong jurisprudence related to this new right.

This service will be provided on a *pro bono* basis for those who would not otherwise be able to afford legal representation, thus allowing all people to have effective representation before the administrative and court system and enforce their right to access government held information.

What are the criteria for taking cases?

The VAP will consider cases based on:

- Public Interest in the requested information
- The need for court interpretation of any vague sections of the law
- The incapability of a person to afford the costs of representation
- Provision of assistance to civil society organizations



“Access ebbs and flows at any given time in any country but the transformation has begun and it is no longer possible to tell citizens that they have no right to know”.

David Banisar