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To: ALL MEDIA

### **Information Commissioner's 2020 Annual Report Tabled**

Hamilton, BERMUDA. The **Information Commissioner's 2020 Annual Report** is now available to the public, after being tabled in both Houses of the Legislature. This Report presents statistics on the number of public access to information (PATI) requests public authorities have received and the operation of the PATI Act from 1 January 2020 to 31 December 2020. The Report also highlights the accomplishments of the Information Commissioner's Office (ICO) during its 2020-21 fiscal period from 1 April 2020 through 31 March 2021.

Highlights of the 2020 Report include:

- Bermudians and residents made 116 new PATI requests in 2020, which is a 27% increase compared to the number of PATI requests made in 2019.
- 48% of public authorities' initial responses in 2020 to a PATI request granted access in whole or in part to the public records.
- The ICO received 21 new applications for an independent review by the Information Commissioner.
- 17 decisions were issued as a result of independent reviews by the Information Commissioner in 2020.
- 8 Monthly Roundups published, which discussed Information Commissioner's decisions, public awareness initiatives and topics of interest with access to public information both locally and globally.
- 4 new public awareness videos released.
- 9,100 engagements with the ICO's social media posts and over 192,300 reaches with its successful social media campaigns.
- 67 email, phone and visitor enquires logged by the ICO officers.
- 80% of the public believes that creating and enforcing the PATI Act is a very important public investment.
- 114 individuals representing 42 different public authorities attended the Information Commissioner's virtual Quarterly Briefings for public authorities.
- 97% of public authorities submitted their 2020 ICO Annual Return. This Return requires public authorities to report to the ICO their 2020 PATI statistics and the status of their compliance with the requirements of the PATI Act to proactively publish certain information, including the details of contracts for goods or services with a total value of \$50,000 or more.

Tabled with the 2020 Annual Report was the Information Commissioner's **Report and Recommendations on the Implementation of the PATI Act 2010**, as required by the PATI Act. Over the upcoming months, the Information Commissioner will engage with stakeholders to discuss these recommendations.

In her 'Welcome' in the 2020 Annual Report, Information Commissioner Gutierrez emphasized that:

With the passage of the PATI Act in 2010 and its implementation in 2015, the institution of the Information Commissioner was established as the good governance body mandated to safeguard, promote and enforce access to public information in Bermuda. Our work in 2020 reflects six years of growth for the ICO since that time.

When the global COVID-19 pandemic reached Bermuda's shores, public decision makers navigated the people of Bermuda through an unprecedented time in history. The ongoing financial crisis that flowed from the pandemic reinforced that public access to information is a keystone for public accountability and transparency. Accurate and timely information from public authorities was, and continues to be, critical for both community and individual health, well-being and economic survival.

"2020 has shown us that more and more people are choosing to empower themselves with the information that affects their personal well-being, family, business and community. In the midst of the COVID-19 pandemic, and with over two months of sheltering-in-place, Bermudians and residents still made 27% more PATI requests than last year," noted Information Commissioner Gutierrez. "As a small, nimble and adaptable oversight body, the ICO moves into 2021 well-equipped to safeguard the rights of PATI requesters and to provide guidance to public authorities. When an empowered public understands and exercises their PATI rights, public decision makers have a powerful opportunity to build and deepen trust amongst an engaged public. It's an opportunity no government should ever take for granted. When public decision makers treat each decision as if the public has the right to know more about it, transparency and accountability will ultimately motivate and guide any action that they make. The Government's response to the recommendations within my **Report and Recommendations on the Implementation of the PATI Act 2010** will demonstrate their commitment to and respect of the public's legal right to know. I encourage every Bermudian and resident to stay informed, included and involved because ultimately you have the right to know when something matters to you."

As required under section 58 of the PATI Act, the Information Commissioner's 2020 Annual Report was tabled to both Houses of the Legislature in March 2021. The Information Commissioner's 2020 Annual Report is available at [www.ico.bm](http://www.ico.bm).

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Editor's Notes:

The Information Commissioner's Office is an independent public office responsible for promoting the use of and overseeing compliance with the Public Access to Information (PATI) Act 2010. The PATI Act gives the public a right to access records held by public authorities, subject to listed exemptions and

administrative grounds for denial of access. Individuals who are dissatisfied with the response of a public authority may seek a review by the Information Commissioner. The Information Commissioner shall investigate and the decisions by the Information Commissioner are legally binding. The Public Access to Information Act 2010 is the governing legislation.

Section 57(1) of the PATI requires the Information Commissioner to carry out a review and investigation into the practices and procedures adopted by public authorities generally for the purposes of compliance with the provisions of the PATI Act. Section 57(5) of the PATI Act requires this report to be appended to the Information Commissioner's annual report.

Section 58 of the PATI Act requires that, within three months after the end of each calendar year, the Information Commissioner shall prepare a report on the operation of the Act during that year and cause copies of the report to be laid before each House of the Legislature.

Section 58(3) requires that, before the end of the calendar year, each public authority shall provide the Information Commissioner with the required statistical information set forth in section 58(2) of the Act.

For more information, please contact the Information Commissioner's Office at 441-543-3700 or [info@ico.bm](mailto:info@ico.bm).