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To: All Media

FOR IMMEDIATE RELEASE

Attorney-General Challenges Information Commissioner's Authority to Examine Records

Hamilton, Bermuda. On 25 January 2021, the Supreme Court granted leave for a judicial review application filed by the Attorney-General against the Information Commissioner, 2020 No. 496 civ Attorney-General v Information Commissioner.

The judicial review will consider the Attorney-General's challenge to two summonses issued on 26 November 2020 by the Information Commissioner to the Acting Permanent Secretary for the Ministry of Health Headquarters and the Solicitor General. The Information Commissioner issued the summonses as part of her independent review of the Ministry of Health Headquarters' refusal to release certain records in response to a PATI request. The PATI request seeks records relating to the 2017 agreement between the Ministry of Health Headquarters and the Brown-Darrell Clinic and the Bermuda Healthcare Services for payments after fees for CTs and MRI scans were reduced.

The summonses issued by the Information Commissioner required the Ministry of Health Headquarters and the Attorney-General's Chambers to allow the Information Commissioner to examine records that the Ministry of Health Headquarters decided fall outside the scope of the PATI Act, in accordance with section 4 of the PATI Act.

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Editor's Notes:

The Information Commissioner's Office (ICO) is providing services to the public and other stakeholders during regular business hours. The ICO can be reached by visiting our offices at Maxwell Roberts Building, 4th Floor, One Church Street, Hamilton, or by calling 543-3700 or emailing info@ico.bm.

The ICO 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.

Further information about the ICO is available at www.ico.bm.