**OGP Joint Working Group Meeting**

**Draft Summary Meeting Notes**

**March 13th 2014**

**Civil Society Members Present:** Anne Colgan; Antoin Ò Lachtnain (Digital Rights Ireland), Andrew Jackson (An Taisce), Denis Parfenov (Active Citizen and Open Knowledge Foundation Ireland), Nuala Haughey (TASC, Transparency International Ireland).

**Apologies:** Flora Fleischer (Open Knowledge Foundation Ireland), William Beausang (PER), Donal Enright (Dept of Environment, Community and Local Government)

**Civil Service Members Present:** Conor McCann (PER), Evelyn O’Connor (PER), Claire Martinez (PER)

**Administrator:** Claire O’Keeffe

**\***A document entitled *Civil Society Priorities* *for the Irish OGP Action Plan* was distributed by CS members. This tabulated document records the priorities agreed at the CSF meeting of 10 March 2014. ([See minutes of that meeting here](https://dgroups.org/hivos/ogp/ogpirl/library/wd1f9m1t?o=lc)). The tabulated document is attached.

**Discussion on DPER’sDraft Table of Response to Civil Society’s 62 Action Plan Proposals and CSF’s Response. (References to traffic light colour coding on specific action points relate to DPER’s draft table document).**

**Accountability**

* CS felt that DEPR’s rationale for proposing to rule out some proposals (marked red) warrants scrutiny and DEPR said this issue would be discussed further with William Beausang.
* CS and DEPR agree on point (green) 1.01.1 (set high standards of accountability). DEPR will work on draft text in relation to this this Action plan proposal and bring it to the next JWG meeting.
* DEPR will look into (red) 1.02.2 (Enhance powers of Comptroller and Auditor General)and bring a detailed response to the next JWG meeting
* Regarding (red) 1.07 (Publish plan to implement UNCAC) CS said there is scope to explore this further. There should be a proactive implementation plan rather than a description. DEPR said it would organise a meeting before Easter between the Dept. of Justice and CS on the subjects of UNCAC implementation and point 1.07 of the Action Plan Proposal. There will be a DEPR representative (Claire Martinez) in attendance.

**Citizen Participation**

* CS voiced a wish to frame a broader NAP proposal, taking both (green) 2.09 (develop best practice initiatives for local government participation)and (red) 2.19 (raise awareness of Aarhus convention) with the possible inclusion also of (red) 2.11 participatory budgeting.
* CS also proposed that (green) 2.16 (citizen participation in legislation and engagement) could be merged with (red) 4.11 (legislative transparency) to form a stand alone commitment. (See also below)
* Regarding (red) 2.19 (Raise public awareness re Aarhus Convention in local authorities), DEPR stated that Environment advised that they had no plans to do this. CS contested this and pointed out that only 5 local authorities currently reference citizens’ rights under the convention on their websites. It was agreed to set up a meeting with the Dept. of Environment to discuss finer details around these areas, including Aarhaus, local government reform and citizen engagement, and to explore the scope to incorporate these into the NAP.
* Regarding 1.08 (red) (Tackle legal costs as a barrier to accountability), DPER said it sought legal advice from a barrister to the Government Reform Unit and he felt that this was not an improvement in law. In addition, it would require a huge consultation that was beyond the scope of this process. CS contested that it is indeed an improvement in law and that it would put its view on this to the Dept. of Environment at the upcoming meeting.

**Open Data and Technology**

* CS and DEPR agree that point (green) 3.01 (Release reference Spatial Data) will be in NAP. CS brought up the pending Insight-NUIG report on open data noting that its publication would be too late to inform the NAP. DEPR said there was time because after the release of the proposed draft is launched in May, there are several weeks free to change wording before it finalised, so as long as the intent is flagged there shouldn’t be a problem. A NAP would be drafted and following this, there would be focus on wording and refinement.
* CS articulated the wish to hold a meeting with Department of Communications, Energy and Natural Resources (DCENR) with Deirdre Lee from Insight. DEPR agreed to arrange this meeting. CS had a particular desire to focus on postcodes (spatial data).
* Regarding (green) 3.02 (identify datasets for release), DEPR will be establishing an Open Data Board with relevant technical expertise and the Insight report will be put to the board. It will decide on a strategy on what will be published to have economic and social benefits. The Minister has made a commitment to do this.
* Regarding (green) 3.03 (standardise data formats) DEPR will be doing something to standardise formats.
* Regarding (green) 3.04 (Adopt the G8 Open Data Charter) and (green) 3.05 (Ensure timely, predictable release of data) DEPR said there is already a commitment to these.
* It was also agreed that the 10 OD proposals which DPER signalled as green in its document could be merged or bunched together in the NAP.
* DPER agreed to come back to the next meeting of the JWG with draft wording on the Open Data/Technology NAP action points.

**Transparency**

* Regarding (green) 4.05 (review FOI Bill) and (amber) 4.06 (abolish fees for FOI and AIE requests) DEPR said a draft memo will be ready for Minister Howlin when he returns from China on March 24th. After he clears it, there will be mandatory two weeks for it to distributed to other govt departments to consider amendments. The proposal then has to go to cabinet and after that to the Oireachtas Select committee which has asked for two weeks to consider it before making its way through the final stages. Given this timeline, DPER said it was not in its control within the JWG to put a commitment to abolish fees in the NAP.
* CS said that the issue of the abolition of FOI fees was a key priority from the consultations on the NAP. It was also a Programme for Government commitment (restore the original 1997 FOI legislation). CS also mentioned that work on the Ethics Bill is at an even earlier stage and that the FOI legislation and yet it was included as a draft proposal for the NAP.
* It was agreed to leave the issue of FOI upfront fee abolition on the table for the moment.
* CS also noted that they would like to see the removal of appeal fees for FOI, and DEPR responded that only the upfront application fees were being considered by Minister Howlin.
* Regarding (red) 4.11 (legislative transparency) DEPR said there are a number of measures like Dail reforms and more engagement, being undertaken already so there is no need to include this point in NAP. CS said that because a related Action Plan proposal 2.16 (citizen participation in legislation and engagement) is green, it made sense to incorporate this with 4.11. CS said that 4.11 could be merged with 2.16.
* It was also stressed that CSF’s response to DPER’s latest tabular response has been discussed only in broad brush strokes and needs more in depth discussion. Will get back to DEPR with further input on the proposal to merge 2.16 with 4.11.
* Regarding (amber) 4.13 (abolish Official Secrets Act) it was decided that abolishing the Official Secrets Act and changing the culture of secrecy should be put to the Dept of Justice. DPER agreed to facilitate a meeting with Dept of Justice officials and CSF members to discuss both this and the UNCAC proposal.

**Building Capacity**

* CS proposed that the NAP should stress that open data principles and best practice underpin every single NAP commitment.
* CS proposed a new NAP commitment to build capacity in order to ensure the creation of robust processes to underpin the action plan.

**Open Gov and Open Data Best Practice**

* CS recommended improved practice around open data format; there is open access, but not open data. It wants training for public service around open data. It wants to understand the correct licences to have etc.
* DEPR said they are working on an electronic system.
* CS said it will develop more input on this

**General Notes**

* CS stated it did not agreed with all the rationales offered in the draft DPER document responding to the civil society proposals but that due to time constraints in this process for finalising a NAP it did not have time to interrogate every point.

**Action Points**

* DEPR will bring to William Beausang’s attention that CS contests the rationale behind the ruling out of certain CS proposals
* DEPR will set up meetings with the Depts. Of Justice and Environment, to further explore the subjects of UNCAC implementation and point 1.07 of the Action Plan Proposal, to discuss finer details around the Aarhaus Convention, local government reform and citizen engagement and the inclusion of these issues in NAP. CS will set up a meeting with DCENR to lend focus to the inclusion of postcodes (spatial data) in NAP.
* The action points that CS will look at ahead of the next Joint Working Group meeting are Citizen Participation, legislative transparency and capacity building.
* DEPR will draft action points (green) 1.01.1 (Set high standards of accountability) and (1.02.2) Enhance the powers and remit of the Comptroller and Auditor General).
* Regarding commitments in submissions, DEPR said it was exploring data sharing, a proposal made by Fingal Co. Council on open data and aid transparency and a proposal made by Friends of the Environment on lowering costs for databases.
* The Conference (8/9th May) planning is in progress. Themes being decided and call for proposals is out.

**The next Joint Working Group Meeting:** TBC.