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The impact of online  
Freedom of Information tools:  
What is the evidence?

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## Part 2. Practitioner study



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# **The impact of online Freedom of Information tools**

## **What is the evidence?**

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### **Part 2: Practitioner study**

Savita Bailur and Tom Longley

November 2014

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**This report, and accompanying material, can be downloaded at  
<http://mysociety.org/alaveteli-research>**

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## About the authors

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## Executive summary

Between July and September 2014, we conducted in-depth research on the question ***“In what circumstances, if any, can the FOI [Freedom of information] tools mySociety builds be shown to have measurable impacts on the ability of citizens to exert power over underperforming institutions?”***. The FOI tools refer specifically to Alaveteli, mySociety’s free and open source software, now being customised for use in more than 20 countries.

- This is the second of the three documents in that research, the first being a review of existing literature on the impact of technology on FOI, and the third a document on critical success factors, which is informed by the primary research here. Here we share findings from 27 implementers of FOI platforms, both Alaveteli and non-Alaveteli.
- The Alaveteli implementers interviewed were from RighttoKnow (Australia), PravoDaZnam (Bosnia), Je Veux Savoir (Canada/Québec), Informace pro všechny (Czech Republic), AsktheEU.org (European Union), Guateinformada (Guatemala), KiMitTud (Hungary), Ask Data (Israel), Italy (Diritto di Sapere), Informatazytare (Kosovo), Слободен пристап (Macedonia), FYI (New Zealand), NuVăSupărați.info (Romania), AskAfrica (South Africa), TuDerechoaSaber (Spain), Marsoum41 (Tunisia), Ask Your Gov (Uganda), Доступ до правди (Ukraine), ¿Qué Sabés? (Uruguay) and WhatDoTheyKnow (United Kingdom).
- The non-Alaveteli implementations were: Acceso Inteligente (Chile), Open Data Georgia (Georgia), FragdenStaat (Germany), Öffentlichkeitsgesetz (Switzerland), iFOIA (USA) and MuckRock (USA). There was also one undecided in terms of platform (iLab in Liberia).
- Interviews were conducted over Skype, transcribed, loaded into qualitative analysis software, and coded according to roughly ten themes subdivided into 48 codes: issues of technology, relationships with government, resources and sustainability, users and community, partnerships with journalists, partnerships with CSOs, promotion and outreach, risks, and the overall question of impact. After analysis and writing up the reports, interviewees were asked for feedback and clarifications, which were incorporated into the documents.
- We found platforms were very young, mainly developed between 2011 and 2013. At the time of writing, we had data for 17 of the 27 platforms whose implementers we interviewed. The balance were either not yet operational, or don’t publish request statistics. To give a basic impression of growth in raw use over the last six months, we show the most up to date data (September 2014) below, along with a prior data point from March 2014 collected for Alaveteli implementations by mySociety. We have excluded WhatDoTheyKnow in the UK from the below chart: 228,167 requests have been made through it as of 8 September 2014. The total number of requests made through all other platforms is currently over 30,000.
- The platforms that have experienced the most dramatic growth in the last six months are those in Ukraine and Czech Republic.
- “Measurable impact” is as yet hard to ascertain, simply because it is not the aim of many of the implementers. Instead, the focus is on promotion and awareness-raising – and implementers are even happy with a lack of response because it can be equally useful. That said, implementers express a palpable sense of empowerment to the citizen, and some kind of shift in control in the FOI process itself.
- Around half (13 of 27) platforms were started and are still run by people with a technical background in software engineering, including web development.

- Almost all are funded by donors (especially Open Society Foundations) or by individuals, with the exception of MuckRock in the USA (which runs for profit) and *Öffentlichkeitsgesetz* in Switzerland (run by a media organisation).

## What are the findings of the study?

- **Technology:** Implementers frame the key benefits of using technologies in FOI processes in a number of ways. They can increase awareness and drive the use of FOI by stripping down the complexity of government. Bringing the process into the open, online and collecting data from the process offers the opportunity to independently monitor FOI at scale. Technologies can help NGOs use scant resources more efficiently to serve more people. The process of getting an FOI platform started can be daunting. Alaveteli was unanimously seen as the best FOI tool available if the purpose is to run an open, public service.
- **Relationships with governments:** Implementers face a mix of indifference, evasiveness and shortfalls in capacity from government. Even where conditions are favourable for an FOI platform, such as where there is a high level of basic digital coverage in government, implementers will always have to fight for the platform's use to be normalised by officials. However, there is always internal variability in governmental response to FOI requests, between different institutions and even within departments.
- **Resources and sustainability:** Most FOI platforms have been self-started without funding or with the support of small grants from private foundations. After this, direct grant funding from private foundations remains the predominant source of income for organisations running FOI platforms. Many of the usual challenges of managing grant-making processes affect those running FOI platforms: application, management, scope of grant, and so on. Many of the sites and their donors have not thought through long term sustainability.
- **Users and community:** Implementers generally do not collect demographic information about their users, for a combination of reasons including lack of resources, wanting to maintain privacy and a greater desire to collect data on government responsiveness. Where the platform is not specifically aimed at journalists, implementers have the impression that "active citizens" are their primary user base. The information most commonly requested by users of FOI platforms is financial, relating to government salaries and public expenditure. Most see a need for general awareness-raising and targeting specific potential users, but few felt they had the resource to do so at any scale.
- **Journalists:** Journalists can benefit from the request tracking and publication aspects of FOI platforms. Implementers have variously targeted them with workshops and inducements. Some have in-house journalists reporting on the use of the FOI platform, as in Hungary and Spain, contributing to increased general awareness of the platform and, to some extent, usage. Of the non-Alaveteli platforms, most are run or co-run by media organisations. However, long response times, fear of losing a scoop, and the existence of a "leak culture" means journalists rarely use FOI platforms based on Alaveteli. A growth in collaborative reporting, and for journalists to use, acknowledge and promote FOI more generally in their work would greatly benefit FOI platforms.
- **CSOs:** Most of the implementers of Alaveteli are CSOs themselves, and use the platform for their own work or interest. As with journalists, implementers see CSOs as a likely and desirable user group for FOI platforms. Some CSOs have set up platforms to co-ordinate or manage their existing FOI work. However, there is little evidence to say that CSO use of FOI platforms

is common and widespread. Competitiveness, better existing channels and long waiting times feature as constraints on the use of FOI platforms by CSOs.

- **Promotion and outreach:** Implementers see promotional activity as essential in driving up usage of FOI platforms and there is some evidence to show that they are correct in this. It is still too early to say whether promotion is the key factor, but the sites that manage (or have managed in the past) to engage in intensive promotion – and retain media exposure – process higher numbers of requests. However, few are able to do this successfully because of financial constraints. Nonetheless, implementers have put in place a wide range of activities, including workshops focused on specific groups of potential users, blogging and so on. Implementers expressed a desire to learn about promotional efforts from each other, and feel mySociety could do more to help with this.
- **Impact:** Overall, it seemed that impact, evaluation and measurement were very nascent. It seems that this is an ideal time to involve the Alaveteli community in designing comparative country surveys, A/B testing, testing promotion success, and providing tools to standardise the assessment of impact from those implementers who have started thinking about it.

## What are the overall conclusions we draw from this?

- **The UK platform, WhatDoTheyKnow, is an outlier in terms of success.** There is a role here for WhatDoTheyKnow to offer more outreach sessions to other countries on how they achieved their level of success.
- **FOI platforms are still young but have real potential to be used extensively.**
- **The technology is not usually the challenge.** Although there are technical challenges, these pale in comparison to the logistical challenges that the technology brings with it: finding, relating to and retaining capable technical people; localising the platform by translating, and adapting it to the local FOI regime.
- **Data about requests, and the database of prior requests made through the platform are the features implementers believe to be most critical, but their potential is largely untapped and little impact has yet been evidenced.**
- Publishing and archiving define the most distinctive aspect of FOI platforms like Alaveteli, which **is the shift in control over the existence and authenticity of the FOI dialogue** to the platform implementer.
- **All implementers have faced challenges in getting government acceptance.** Some have partnered with government, but these are at a very early stage.
- **The establishment of a FOI platform like Alaveteli is a radical act which relies on a commitment to a very specific form of communication between public bodies and citizens.** Establishing a fully open, always public, automatically archived FOI process is challenging in some way to nearly every party with an interest in FOI – whether CSOs, journalists, officials or politicians.

We recognised some of the limitations in our research – for example, only interviewing the implementers of platforms, rather than users, and not interviewing government providers, e.g. in Honduras, India and Mexico. This was largely because we decided that first a broad brush baseline study was needed, especially given our three-month time limit. We see this study as a useful insight into the status of FOI platforms, and suggest a number of future research paths, such as: conducting this study again with site implementers after six months and/or one year; conducting more

quantitative comparative research across sites (this was particularly challenging at this stage, as many of the sites either did not collect statistics or collected them in different ways – hence one of the recommendations to standardise this), running site surveys and focus groups with users; interviewing a broader cross-section of FOI actors (notably government departments/Information Commissions, lawyers and so on, in addition to users); and also interviewing government site implementers.



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# 1. Introduction

## 1.1 Aim of this report

The aim of this report is to ask the question *“in what circumstances, if any, can the FOI [Freedom of information] tools mySociety builds be shown to have measurable impacts on the ability of citizens to exert power over underperforming institutions?”*. It is the second of three documents, the first being a literature review of published literature on Freedom of Information (including both technical and non-technical issues), and is followed by a synthesis piece outlining ‘critical success factors’, including recommendations for mySociety and future implementers of FOI filer sites. Around 98 countries have implemented FOI laws, with many others in the process of implementing legislation<sup>1</sup> and over 30 are known to have established FOI request sites, either official or those set up by CSOs [Civil Society Organisations] such as mySociety.

However, our literature review revealed little published evidence on the effectiveness of these sites. In this practitioner review, we conduct first-hand research to ask implementers of such sites about impact – what have they learned about running FOI filer sites, do they believe anything has changed as a result, if indeed they set out to change anything at all? To what extent are claims that FOI sites have a role to play in realising open, transparent and accountable government valid? Are citizens using them? Are governments responding? Does usage come from all parts of society, or are some sections not using them; of those who do use them, can it be said that they are better informed, empowered, and participating meaningfully in a democracy? What is the role of CSOs and the media? How does this particular model of engagement between government and citizens work in diverse countries, with social, technical and economic differences? Are there better and more effective ways that FOI requests can be made and a change realised? Many questions, all under the overall umbrella of “is there any impact?”

## 1.2 Methodology

In parallel with writing the literature review document in June-July 2014, a semi-structured interview guide was drafted for this stage of the research. We identified five broad themes we wanted to talk about with implementers:

- their motivations and experiences
- the country context
- technical issues around the site
- questions on users and inclusivity
- the big questions on impact: did the implementers think that the site had had an impact, and how were they measuring this?

Each of these broad sections contained five to ten smaller questions, although we did not ask each question, and tailored the interview in each case (full guide in Appendix).

Interviews were scheduled with as many implementers of Alaveteli and non-Alaveteli sites as possible. These were:

<sup>1</sup>See [http://www.rti-rating.org/country\\_data.php](http://www.rti-rating.org/country_data.php) for a complete and searchable list.

Table 1: Interviews conducted

Country	Platform name	Interviewee(s)	Platform URL	Alaveteli/ non-Alaveteli
Australia	Right to Know	Henare Degan	<a href="http://righttoknow.org.au">righttoknow.org.au</a>	Yes
Bosnia	PravoDaZnam	Darko Brkan	<a href="http://pravodaznam.ba">pravodaznam.ba</a>	Yes
Canada (Québec)	Je Veux Savoir	Stéphane Guidoin	<a href="http://jeveuxsavoir.org">jeveuxsavoir.org</a>	Yes
Chile	Acceso Inteligente	Pedro Daire	<a href="http://accesointeligente.org/">accesointeligente.org/</a> <a href="http://AccesoInteligente/#home">AccesoInteligente/#home</a>	No
Czech Republic	Informace pro všechny	Richard Hunt & Hana Huntova	<a href="http://infoprovsechny.cz">infoprovsechny.cz</a>	Yes
European Union	AsktheEU.org	Pam Bartlett Quintanilla & Andreas Pavlou	<a href="http://asktheeu.org">asktheeu.org</a>	Yes
Georgia	Open Data Georgia	Sophio Chareli & Tamar Iakobidze	<a href="http://opendata.ge">opendata.ge</a>	No
Germany	Frag den Staat	Stefan Wehrmeyer	<a href="http://fragdenstaat.de">fragdenstaat.de</a>	No
Guatemala	Guateinformada	Oscar Vásquez	<a href="http://guateinformada.org.gt">guateinformada.org.gt</a>	Yes
Hungary	KiMitTud	Marietta Le	<a href="http://kimittud.atlatszo.hu">kimittud.atlatszo.hu</a>	Yes
Israel	Ask Data	Nir Hirshman	<a href="http://askdata.org.il">askdata.org.il</a>	Yes
Italy	Diritto di Sapere	Andrea Menapace	<a href="http://www.dirittodisapere.it">http://www.dirittodisapere.it</a>	Yes
Kosovo	informatazyrtare.org	Arianit Dobroshi	<a href="http://informatazyrtare.org">informatazyrtare.org</a>	Yes
Liberia	iLab	Teemu Ropponen	Not yet named	Not yet decided
Macedonia	Слободен пристап	Elena Ignatova	<a href="http://slobodenpristap.mk">slobodenpristap.mk</a>	Yes
New Zealand	FYI	Rowan Crawford	<a href="http://fyi.org.nz">fyi.org.nz</a>	Yes
Romania	NuVăSupărați.info	Andrei Petcu	<a href="http://nuvasuparati.info">nuvasuparati.info</a>	Yes
South Africa	askafrica.org.za	Gabi Razzano	<a href="http://askafrica.org.za">askafrica.org.za</a>	Yes
Spain	Tu derecho a saber	David Cabo & Eva Belmonte	<a href="http://tuderechoasaber.es">tuderechoasaber.es</a>	Yes
Switzerland	Öffentlichkeitsgesetz	Martin Stoll	<a href="http://oeffentlichkeitsgesetz.ch">oeffentlichkeitsgesetz.ch</a>	No
Tunisia	Marsoum 41	Radhouane Fazai	<a href="http://marsoum41.org">marsoum41.org</a>	Yes
Uganda	Ask Your Gov Uganda	Gilbert Sendugwa	<a href="http://AskYourGov.ug">AskYourGov.ug</a>	Yes
United Kingdom	WhatDoTheyKnow	Richard Taylor	<a href="https://www.whatdotheyknow.com/">https://www.whatdotheyknow.com/</a>	Yes (pre-)
Ukraine	Доступ до правди	Alisa Ruban	<a href="http://dostup.pravda.com.ua">dostup.pravda.com.ua</a>	Yes
Uruguay	¿Qué Sabés?	Fabrizio Scrollini	<a href="http://quesabes.org">quesabes.org</a>	Yes
United States	iFOIA	Emily Grannis	<a href="http://www.ifoia.org/#/">www.ifoia.org/#/</a>	No
United States	MuckRock	Michael Morisy	<a href="http://www.muckrock.com">www.muckrock.com</a>	No

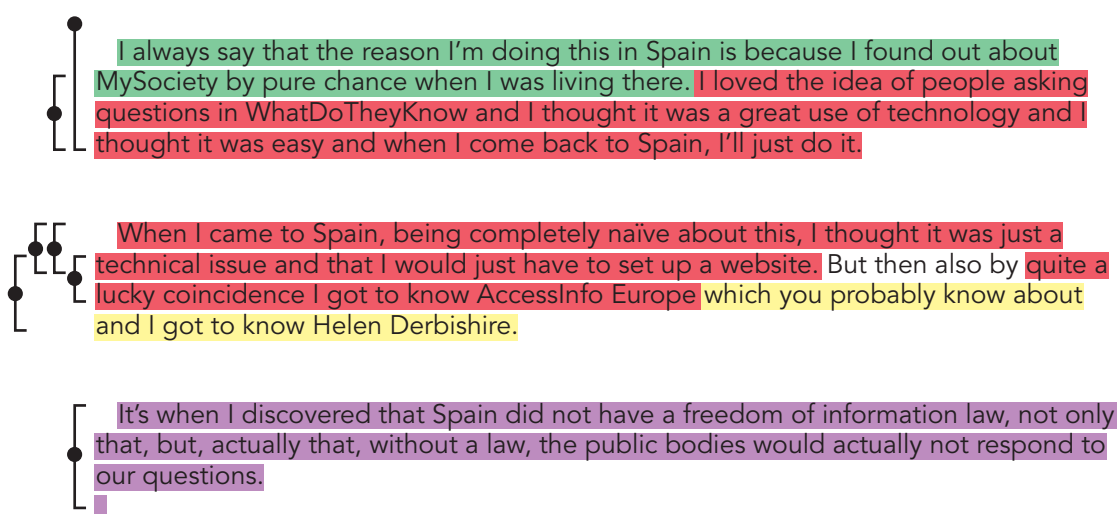
We were unable to schedule interviews with Alaveteli implementers in Brazil, Croatia and Serbia within the time available. We were not able to make contact with implementers in Indonesia. The team behind a forthcoming site covering Norway felt that their initiative was too young for them to participate in this study. We did plan to talk to the implementers of government-run platforms in Honduras, India and Mexico, all of which are said to be successful. After attempts to contact them, we decided that it was too time-consuming in our available time limit of three months.

All those to whom we did talk were overwhelmingly interested in the research and willingly gave up at least an hour of their time, through Skype. We had a final count of 28 interviews – 20 Alaveteli implementers (including WhatDoTheyKnow), six non-Alaveteli, one undecided yet in terms of final platform (Liberia) and an informal interview with Tony Bowden, the staff member of mySociety heavily involved in the set-up of the first Alaveteli implementation across Central and Eastern Europe (interview not cited here). Four interviews – with Informace pro všechny (Czech Republic), AsktheEU.org (European Union), Open Data Georgia, and TuDerechoaSaber (Spain) – were conducted with two interviewees on the same call. As a rule, we tried to speak to the founder or principal paid employee behind the platform.

We offered all interviewees the option to conduct the interview in their mother tongue, with the assistance of an interpreter – this option was only taken up by Martin Stoll from the Swiss *Öeffentlichkeitsgesetz* which was interpreted simultaneously. All interviews were recorded with permission, transcribed by one of a team of seven different transcribers, checked by us for accuracy and loaded into Dedoose<sup>2</sup>, a proprietary web-based qualitative analysis software.

The main benefit of Dedoose was that we were able to organise and encode transcripts in great detail, collaboratively, as we have been based in different locations for the duration of the research. As is common in off-the-shelf mixed method qualitative software, we were able to design a code-tree, apply the codes to the relevant passages in the transcripts to create excerpts, and then analyse collections of excerpts. Below are a few screengrabs to give an idea of how the tool works.

**Figure 1:** *Snippet of transcript of interview with David Cabo and Eva Belmonte from TuDerechoaSaber, as marked up in Dedoose*



Note: The brackets on the right indicate the start and end points of the excerpt. Multiple codes can be attached to each excerpt.

<sup>2</sup>See <http://www.dedoose.com>.

**Figure 2:** Individual excerpt and encoding in Dedoose

had people working part-time doing different things but Eva was the first full-time employee and she came at a time when we realized that we needed to have journalists to exploit some of the projects we did. So the journalist angle of all the stuff we do has been there since the beginning. Last year and a half ago, a user came.

Range: 4551-1510 User: SBalun

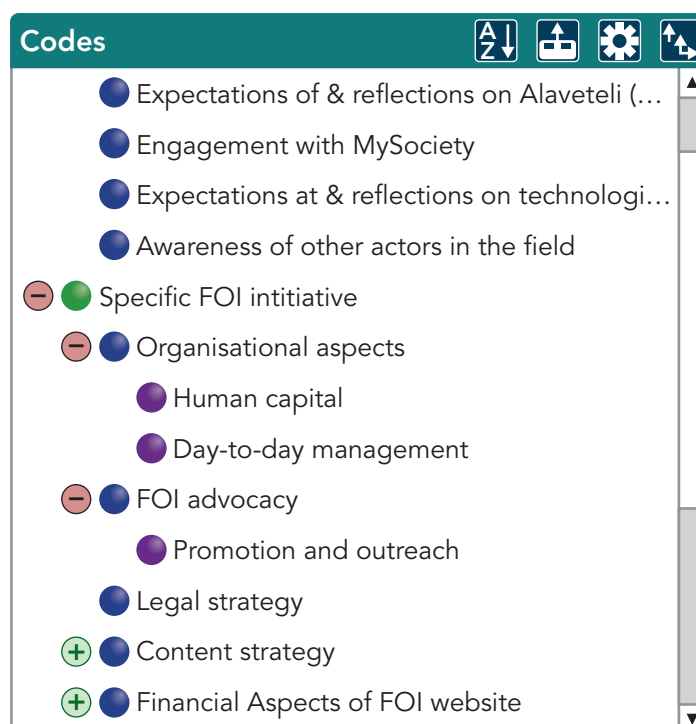
Expectations of & reflections on technologi...

Human capital

Tom Motivations of implementers

David, what was your technical specialism before you moved in to Civio?

Date: 09/11/2014

**Figure 3:** Dedoose code tree

In total, using a tree of 48 codes we created 1,891 excerpts with over 5,000 code applications. We made sure that the “first coding” was always checked by the other research partner for consistency and rigour, and we reconciled any differences of opinion. We exported the excerpts relevant to particular themes, and further analysed them to form the basis of the material in this report. Finally, we were happy to be able to share all our documents with interviewees before final publication so they could correct and expand on any of their remarks.

A loose mapping of interview themes, codes and the structure of this report is described in the table below.

**Table 2:** *The relationship between broad themes, codes and analysis*

<b>Broad interview themes</b>	<b>Code in Dedoose</b>	<b>Discussed in these sections in this report</b>
<b>Implementer motivations and experiences</b>	Motivation of implementers Expectations and reflections on Alaveteli Engagement with mySociety Organisational aspects Anecdotes and examples Statistics	Resources and sustainability Technology issues
<b>Country context</b>	Awareness of other actors in the field Public perceptions Official perceptions Journalist perceptions Risks (perceived or actual) Notable feature of FOI law Overall social, technological, economic and political context [STEP] of country Generally interesting	Relationship with governments Partnerships with journalists Partnerships with CSOs Risks (perceived or actual)
<b>Technical issues</b>	Expectations and reflections on technologies Technical issues	Technology issues
<b>Users and inclusivity</b>	FOI advocacy Legal strategy Content strategy Composition of user base Requestor experiences of making FOI requests Inclusivity of FOI site user base End user groups development and support	Users and community Promotion and outreach
<b>Impact, evaluation, success and measurement</b>	Change in government behaviour as a result of FOI requests Other actions taken by governments as a result of FOI requests Change in behaviour by other stakeholders (journalists, citizens, CSOs) Specific change attributed to online FOI systems Financial aspects of FOI site Strengths of the FOI site Limitations of the FOI site Monitoring and evaluation	Defining success / monitoring and evaluation

### 1.3 Report structure

We begin our findings section by outlining some of the general statistics: the background of implementers, types of financing, the age of different sites, self-reported “success” statistics and so on. We then dive into the rich qualitative data we gathered, structured by the themes in Table 2 above, namely: technology issues, relationships with governments, resources and sustainability, users and community, partnerships with journalists and partnerships with CSOs, promotion and outreach, risks, and the big questions of how success is defined and what monitoring and evaluation is taking place. We draw lines of analysis from this and discuss the preliminary research, making recommendations for future research and policy. Note that these recommendations also feed into our third paper in this series on critical success factors.



## 2. Start-up stories and statistics

### 2.1 Who's behind FOI platforms?

**Whether based on Alaveteli or not, some of the FOI platforms we have looked at were started by individuals using mostly their own time, money and skills.** For example, here's Rowan Crawford talking of how he started FYI in New Zealand: "By the time I was on the plane back [from a hackday] I had something running and three or four months later I had something I could deploy, and that was, yeah that was it." David Cabo launched a crowdfunding campaign with Access Info Europe in 2011 to obtain initial funding (reaching around €6000), and launched the site in March 2012. As Access Info as an organisation did not have any allocated funding for the site, TuDerechoaSaber ran on free time and savings.

With a friend, Michael Morisy set up MuckRock in 2010 as a way of funding their own writing: "Our cost was really minimal. I was a broke journalist at the time, and we both had day jobs. I think we initially put in maybe a couple of hundred dollars each in it." Frag den Staat in Germany was created from scratch by Stefan in 2011. Radhouane in Tunisia and Andrei in Romania also started Marsoum41 and Nu Vă Supărați respectively just to hack around technology.

**Around half (13 of 27) platforms were started and are still run by those with a technical background in software engineering, including web development.** For some, a benefit of setting up an FOI platform was developing new skills in a particular programming language. For example Rowan Crawford from New Zealand states: "I had just read an article which said you should learn a new language every year [laughs] and I was thinking 'ok well, you know, I've got five or six years to make up for now'". Similarly, Stefan from Germany: "I want to keep my blade sharp on the technological side". In terms of gender, 20 out of our 31 interviewees (as four calls had two interviewees each) were male, and 11 female. This seemed to generally reflect a male gender bias in the "civic tech" space although it is a broad assumption to make.

**Other "techies" already had the required skills and mentioned specifically wanting to contribute to civil and political life in their society.** Radhouane from Tunisia says, "I am the ordinary ICT guy [...] I can't go fight terrorism... I'm very good with machines". Paulo from Chile worked in an international corporation, but had previously started up civil rights projects. Henare from Australia puts it this way: "I was a technical person and you know, passionate about politics. But especially in Australia is that kind of feelings of helplessness with engaging with the political space here." Andrei, a software engineer from Romania, had previously collaborated on technical projects with friends working in NGOs before setting up Nu Vă Supărați. That Alaveteli and other tools already exist is noted as an encouraging factor, with implementers expecting that it would be more convenient and less costly to use.

**"Civic hacking", "open data" and "free software" organisations and collectives often inspire and incubate the startup, and sustain FOI platforms, supporting individuals in their work.** The development of FragDenStadt in Germany was cross-financed through its developer's other work with Open Knowledge Foundations Deutschland, with which it is now affiliated. Nu Vă Supărați in Romania incubates Fundația Ceata. DATA Uruguay now hosts ¿Qué Sabés?. In Israel, Ask Data is a tool of Hasadna. As mentioned, Access Info and Civio co-host TuDerechoaSaber in Spain and have assisted Transparency International in Guatemala to start up GuateInformada. WhatDoTheyKnow in the UK is a project and tool of mySociety. Numerous Alaveteli-based sites have emerged (or are emerging) though collaboration with and support from mySociety.

**If the platform is not directly set up and run by technicians or civic hacking groups, it will be established by an NGO or media organisation with a transparency focus.** For example Open Data Georgia was established by the Institute for Development of Freedom of Information, and joined by three other NGOs in February 2014. Átlátszó in Hungary run Ki Mit Tud, Centre UA in Ukraine run Access the Truth in partnership with Pravda. iFOIA in the US is the second major version of an FOI letter template generator which the Reporters Committee had created nearly 20 years previously. Here, the main drivers of the sites are more likely to be from non-technical professions, including journalists (Hungary), lawyers (Georgia, Ukraine), researchers and “wonks” (Uruguay, Italy), and self-defined “ex-bureaucrats” (Israel). Of course, this is not exclusive – for example, Tamar from Open Data Georgia lists the composition of the team as “a historian, political scientist, policy analyst, economist, lawyer. Also, one of the four organizations that has joined us since Feb 2014 (Green Alternative) is mainly working on environmental issues”.

An overview of the launch year and current host of the FOI platforms under study is contained in the table below:

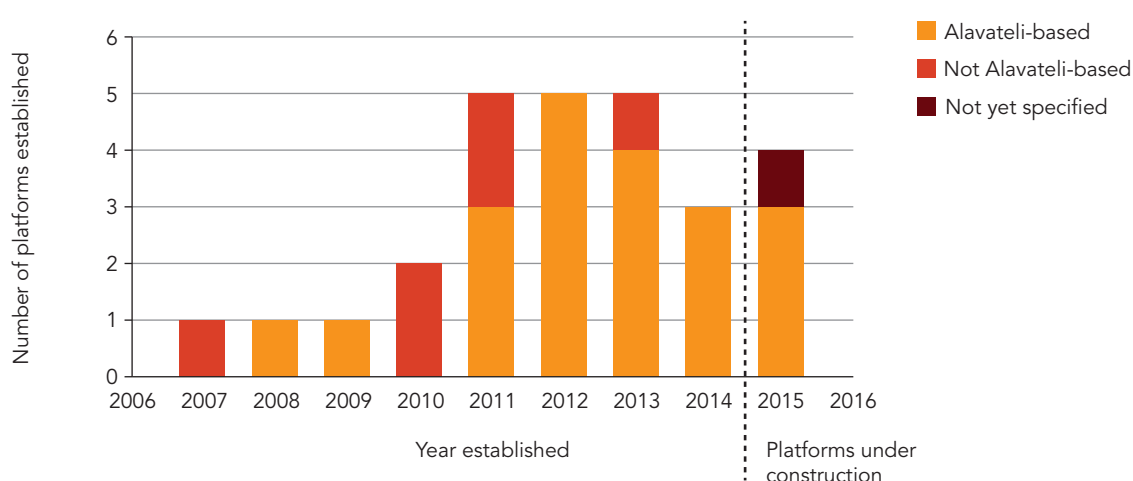
**Table 3: FOI platforms by year and host**

Year launched	Country	Name	Name of host organisation(s)
2007	Switzerland	Öffentlichkeitsgesetz	Öffentlichkeitsgesetz
2008	United Kingdom	WhatDoTheyKnow	mySociety
2009	New Zealand	FYI	Independent project
2010	Georgia	Open Data Georgia	Institute for Development of Freedom of Information (IDFI), joined in 2014 by Georgian Young Lawyers Association (GYLA), Green Alternative, Transparency International Georgia
2010	USA	MuckRock	MuckRock
2011	Chile	Acceso Inteligente	Fundación Ciudadano Inteligente
2011	Germany	Frag den Staat	Open Knowledge Foundations Deutschland (OKFN De)
2011	Kosovo	Informata Zytare	FLOSS-K / GAP Kosova
2011	EU	AsktheEU.org	Access Info Europe
2012	Spain	TuDerechoaSaber	Access Info Europe/Civio
2012	Australia	Right to Know	OpenAustralia Foundation
2012	Bosnia and Herzegovina	Pravo da Znam	Zasto ne
2012	Czech Republic	Informace pro všechny	Informace pro všechny
2012	Hungary	KiMitTud	Átlátszó
2012	Uruguay	¿Qué Sabés?	DATA (datauy.org)
2013	Canada/ Québec	JeVeuxSavoir	Open North
2013	Israel	AskData / “Tavita”	Public Knowledge Workshop – Hasadna

Year launched	Country	Name	Name of host organisation(s)
2013	Romania	NuVăSupărați.info	Independent project, developer affiliated with Ceata
2013	Tunisia	Marsoum41	Touensa, OpenGov.tn and l'Association Tunisienne des Sciences Administratives (ATSA)
2013	USA	iFOIA.org	Reporters Committee for Freedom of the Press
2014	Macedonia	SlobodenPristap	Metamorphosis/Open Society Institute
2014	Uganda	Ask Your Gov Uganda	Africa Freedom of Information Centre (AFIC)
2014	Ukraine	Access the Truth ("Доступ до правди")	Centre UA
Under construction	Guatemala	Guateinformada	Acción Ciudadana
Under construction	Italy	Diritto di Sapere	Diritto di Sapere
Under construction	Liberia	Unnamed	iLab
Under construction	South Africa	Ask Africa	Open Democracy Advice Centre (ODAC)

We find that the most common years of implementation are between 2011 and 2013 inclusive, showing just how young the field is:

**Figure 4:** In what year were FOI platforms established?



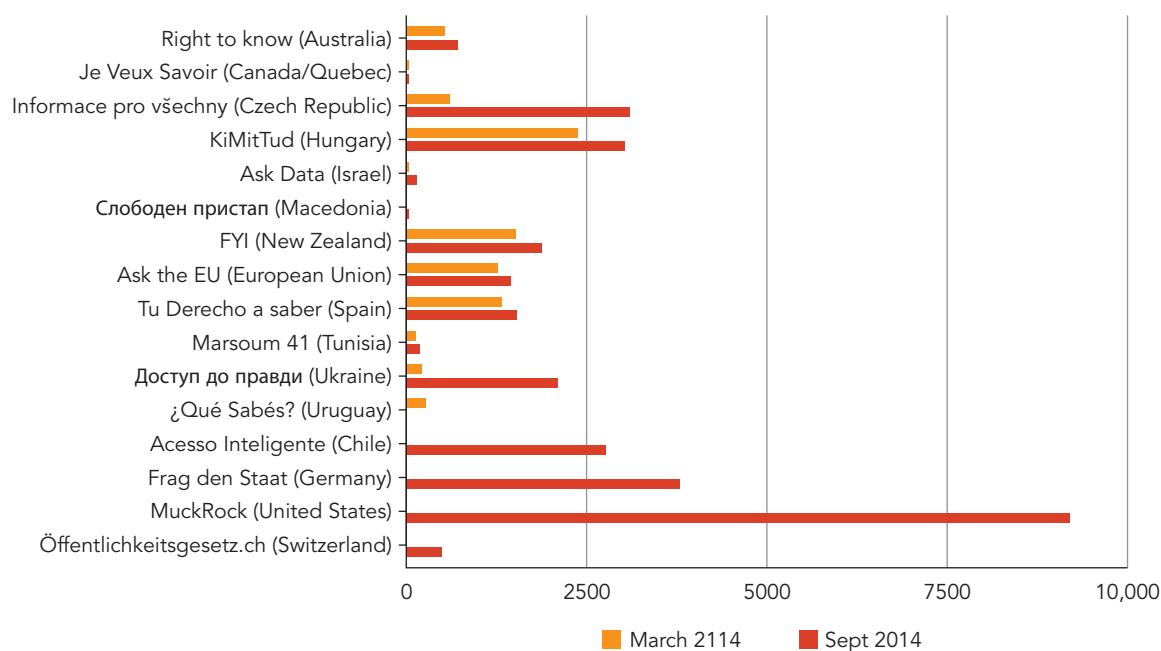
Note: The data here is collected from interviews with FOI implementors. The source data and interactive version of this chart are available here: [https://docs.google.com/spreadsheets/d/1c\\_bryKN1Dj29J-kjpkSsm4stalExKYnT4ZonH9E7RAg/pubhtml#](https://docs.google.com/spreadsheets/d/1c_bryKN1Dj29J-kjpkSsm4stalExKYnT4ZonH9E7RAg/pubhtml#).

## 2.2 Overall use of FOI platforms

Data on the use of FOI platforms is available but incomplete over time, so tracking growth in use of the complete cohort of platforms in this study is not possible. At the time of writing, we have data available for 17 of the 27 platforms whose implementers we interviewed. The balance were either not yet operational, or don't publish request statistics. To give a basic impression of growth in raw use over the last six months, we show below the most up to date data (September 2014), along with a prior data point from March 2014 collected for Alaveteli implementations by mySociety. We have

excluded WhatDoTheyKnow in the UK from the below chart: as at 8 September 2014, 228,167 requests have been made through it. The total number of requests made through all other platforms is currently over 30,000.

**Figure 5:** Total number of requests made through currently operational FOI platforms (where data available)



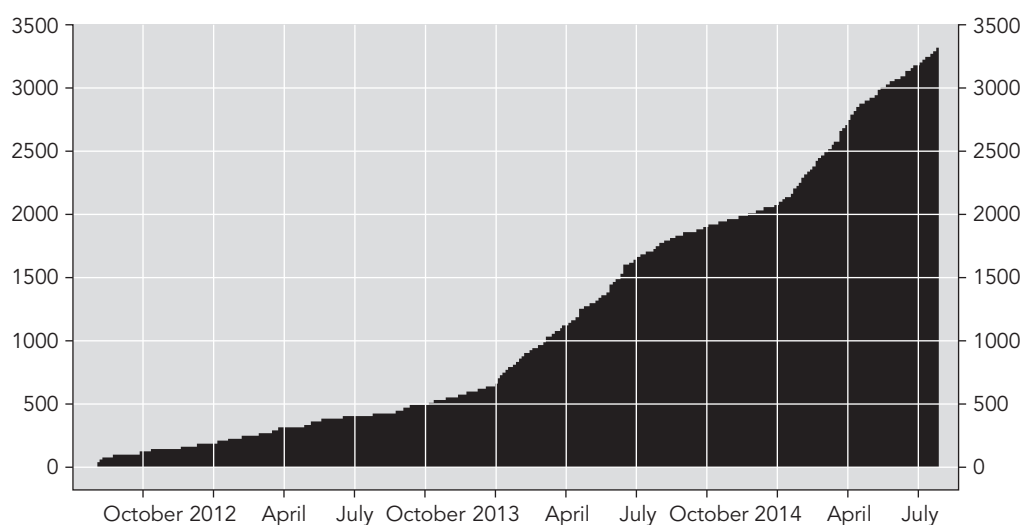
Note: This data was collated in September 2014. It is from multiple sources, including mySociety's own data collection, data directly provided to us by implementers and figures given in interview. The source data and interactive version of this chart are available here: [https://docs.google.com/spreadsheets/d/1c\\_bryKN1Dj29J-kjpkSsm4stalExKYnT4ZonH9E7RAg/pubhtml#](https://docs.google.com/spreadsheets/d/1c_bryKN1Dj29J-kjpkSsm4stalExKYnT4ZonH9E7RAg/pubhtml#).

**Table 4:** Total number of requests made through currently operational FOI platforms (where data available)

Platform	March 2014	Sept 2014
Right to Know (Australia)	536	718
Je Veux Savoir (Canada/Quebec)	26	30
Informace pro všechny (Czech Republic)	617	3,095
KiMitTud (Hungary)	2395	3037
Ask Data (Israel)	26	147
Слободен пристап (Macedonia)	–	32
FYI (New Zealand)	1519	1898
Ask the EU (European Union)	1281	1462
Tu derecho a saber (Spain)	1320	1531
Marsoum 41 (Tunisia)	138	196
Доступ до правди (Ukraine)	215	2109
¿Qué Sabés? (Uruguay)	288	–
Acesso Inteligente (Chile)	–	2779
Frag den Staat (Germany)	–	3790
Muckrock (United States)	–	9195
Öffentlichkeitsgesetz.ch (Switzerland)	–	500

The platforms that have experienced dramatic growth in the last six months are those in Ukraine and Czech Republic. Where detailed use statistics are available, the picture can be quite interesting, for example in this detailed growth chart of Frag den Staat in Germany:

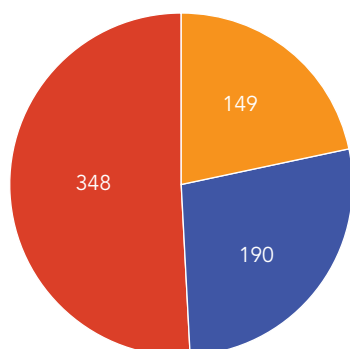
**Figure 6:** An example of growth of requests (Frag den Staat, Germany)



## 2.3 Quality of responses to requests

Most platforms have the capability to track the state of a request – for example, whether it has received a response, whether in the view of the requestor the request was successful, partially successful or rejected. The application of these codes is often done by the requesters themselves, and there are variations in how coherently and completely they do this. There is a variety of definitions of request, criteria, guides and standards for classification, which makes comparison tricky and potentially misleading. For example, on Open Data Georgia there are different views among the partners running the site about what constitutes a request – IDFI considers each question to be a single request, even if send in a single email or letter; other partners consider each letter to be a single request, irrespective of the number of questions asked.

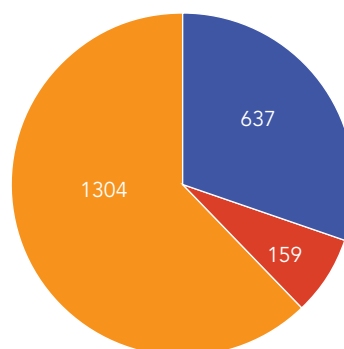
Overleaf, we reproduce some of the data provided to us, along with the caveats and criteria pointed out by the implementers.

**Figure 7: Some comparisons of successful, unsuccessful and unanswered requests****Right to Know  
Australia**

■ Successful ■ Unsuccessful ■ Unanswered

**Qualifying remarks:**

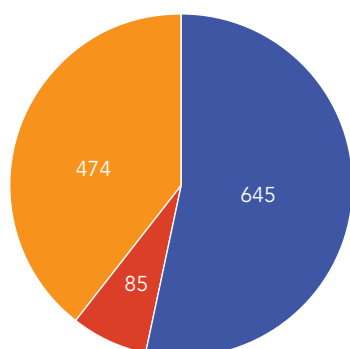
"Our categorisation data is very good thanks to a dedicated volunteer keeping on top of it. The 'unanswered' number above is more accurately 'unanswered so far': <https://www.righttoknow.org.au/list/awaiting?#results>"

**Доступ до правди  
Ukraine**

■ Successful ■ Unsuccessful ■ Unanswered

**Qualifying remarks:**

"Most of the users do not classify the requests and then they get into the 'unanswered' group"

**AsktheEU.org**

■ Successful ■ Unsuccessful ■ Unanswered

**Qualifying remarks:**

"These statistics are only from the classification given by users and therefore may not reflect a full/accurate picture for the state of requests on AsktheEU.org. The 645 'successful requests' are divided as follows – successful [394], partially successful [244], went postal [7]. In addition, there are 181 requests that are defined as 'info not held' which we deem to be a successful response but that you might consider otherwise (we think it is unfair to say such a response is unsuccessful because it is not fair to criticise them for not providing information when they do not have it). The 85 'unsuccessful requests' are only those that have been classified as rejected. The 474 unanswered requests are made up of those that have been classified as rejected. The 474 unanswered requests are made up of those awaiting response (370) and those that are currently undergoing internal review (104). Many of these requests are still ongoing, so we cannot say if they are administrative silence or not, there is no automatic way to measure this!"

## 2.4 Funding and finances

FOI platforms are largely funded directly or indirectly through grants from private foundations. The table below summarises the main financial backers of each platform.

**Table 5: Main sources of funding**

Country	FOI Platform	Financier	Type
Australia	righttoknow.org.au	High-net worth individual	Private donations
Bosnia	pravodaznam.ba	Open Society Foundations Information Program	Private foundation (international)
Canada/ Québec	jeveuxsavoir.org	Government of Québec	Public sector

Country	FOI Platform	Financier	Type
<b>Chile</b>	acesointeligente.org/ AccesInteligente/#home	Open Society Foundations / Omidyar Network / Hewlett Foundation	Private foundation (international)
<b>Czech Republic</b>	infoprovsechny.cz	Open Society Fund – Prague	Private foundation (national)
<b>Germany</b>	fragdenstaat.de	Self-funded start / Open Knowledge Foundation (international and German)	Self / International NGO / National NGO
<b>Georgia</b>	opendata.ge	Open Society Foundations Information Program	Private foundation (International)
<b>Guatemala</b>	guateinformada.org.gt	Transparency International	International NGO
<b>Hungary</b>	kimittud.atlatszo.hu	Norwegian NGO fund	Public sector (foreign)
<b>Israel</b>	askdata.org.il	None	Self-funded
<b>Italy</b>	italy.alaveteli.org	Open Society Fund Human Rights Initiative	Private foundation (international)
<b>Kosovo</b>	informatazyrtare.org	Open Society Foundations Information Program	Private foundation (international)
<b>Liberia</b>	(yet to launch)	HIVOS	Private foundation (international)
<b>Macedonia</b>	slobodenpristap.mk	Open Society Foundations Macedonia	Private foundation (national)
<b>New Zealand</b>	fyi.org.nz	None	Self-funded
<b>Romania</b>	nuvasuparati.info	None	Self-funded
<b>South Africa</b>	askafrika.org.za	African News Innovation Challenge / Indigo Trust	Private foundation (international) / Public sector (foreign)
<b>Spain</b>	asktheeu.org	Open Society Foundations Information Program	Private foundation (international)
<b>Spain</b>	tuderechoasaber.es	Self-funded startup. Open Society Foundations for core.	Self / Private foundation (international)
<b>Switzerland</b>	oeffentlichkeitsgesetz.ch	Tomedia	Private sector organisation
<b>Tunisia</b>	marsoum41.org	World Bank Institute	Intergovernmental organisation
<b>Uganda</b>	AskYourGov.ug	World Bank Institute	Intergovernmental organisation
<b>Ukraine</b>	dostup.pravda.com.ua	Omidyar Network	Private foundation (international)
<b>United Kingdom</b>	whatdotheyknow.com	Joseph Rowntree Reform Trust (initial development)	Private foundation (national)
<b>Uruguay</b>	quesabes.org	Self-funded	Self-funded

With this introduction to the sites, motivations of founders and financial resources, we now turn to the issues they face.

## 3. Thematic findings

### 3.1 Technology issues

*"I mean no technology can really re-shape what is intrinsically a political question but [it] can make a contribution towards making that point."* (Fabrizio Scrollini, Uruguay)

*"It's like the **smallest** part of the project. But I think we always underestimate that as civil society because we are a little intimidated by the technology thing [...] but the main component of the work is the same work we have been doing the whole time."* (Gabi Razzano, South Africa)

#### 3.1.1 The hoped-for benefits of technology to FOI processes

What is the value of an FOI platform? In reflecting about their own projects and more generally about the place that technologies have in FOI, implementers mentioned numerous anticipated benefits.

**FOI platforms can raise awareness about FOI:** this was the end goal most consistently mentioned by implementers. Setting up an open online platform for public use is viewed as a way of raising awareness and boosting use of FOI through the platform itself. For Richard from the UK, increased use creates increased awareness through exposure to search engines: "It's not like we have a newspaper behind us or anything, or that we get lots of mentions in the media. We get a number of mentions but it is not huge, and it is not the source of our traffic. Essentially it is people finding it on the internet. I think it is growing organically due to its content."

**Widely shared among implementers is the idea that FOI platforms strip the complexity away from making FOI requests;** reciprocally, the view that offline systems as they are present a number of hurdles to users of FOI, and to transparency and accountability efforts. Alisa from Ukraine puts it this way: "And so we simplified the procedure of making requests. [...] We did everything for you to gather this, I don't know, base of mails of authorities. We made this, when you write a request on the website, everything is according to the law, articles from the law so you shouldn't have to find them". Similarly, here's Elena from Macedonia: "We've already mentioned to make it easier for people to send requests but also for them to see how open the institutions are. Also less use of paper!". Designing the tool in a way that is simple and unobtrusive seems key to this: "We've seen a lot of people come along in the US and claim that they were going to do what we're doing better and for free and all sorts of great things and nobody has yet", as Michael from MuckRock says.

**They show the step-by-step interaction between citizens and governments in ways that can be useful** – in most FOI platforms each step of the FOI request process is public, along with metadata like the date and time of responses, from which analysis can be made and the entire exchange can be tracked. This gives form to a tacit understanding about the functioning of the FOI system: "By making all these problems that everyone knows anecdotally exist public and very tangible, we hope to be able to make positive change around FOI in Australia", says Henare Degan.

**In general, implementers thought that making the FOI request process public and visible in this way helps other people make better requests.** At root is the idea that in making a request in public, the public interest is served.

Henare from Australia puts it this way: "So if I put in a request privately, it feels bit kind of self-interested. But if I am putting in a website like Right to Know, it's out there for everyone to use." The ability to see requests that have already been made is viewed as a benefit.



David from Spain says, “You don’t know where to start. So having a few thousand questions in there, showing the type of questions that people are doing, I think that’s being very helpful.”

However, the evidence that visitors to FOI platforms use it in this way is mixed; as Marietta from Hungary puts it, “People don’t really know that there is information on the site so they wouldn’t go first to look at it to file a request, that’s sure.” On the other hand, this level of transparency is not welcomed by many, including journalists (discussed further below).

A related benefit is noted by Emily from iFOIA in the US: “One of the things we have done is put in the wiki some of the average wait times for people. [...] I think having that sort of information for users is really helpful and it keeps them calmer and more understanding as they are dealing with the government on this stuff because they don’t feel that they are being singled out for mistreatment”.

Implementers also considered **performance monitoring** to be a key benefit. All FOI platforms have some capacity to create data from the FOI process. There are different takes on how this might be used:

- **To give a picture of performance where none exists:** While many of the sites are still focusing on the basic mechanics of getting set up, some are producing reports on request and response rates, as cited in our literature review (see Access Info Europe (2014); Marshall (2013); Menapace et al (2013); Scrollini and Rodríguez (2012); TuDerechoaSaber (2013); TuDerechoaSaber (2014)). As seen, all indicate low levels of government responses. However, any response is good, and even non-response can be a good indicator. As Andrea from Italy says, “Even if they say “no” [to a request], it’s good to get a reply. And then I guess most of the replies at the moment are essentially non-replies”.
- **To provide an alternative to official reporting about FOI use and government performance:** Some interviewees viewed self-reporting by institutions about their own performance with regards to FOI as very problematic. They saw the opportunity to carry out FOI requests in public, in a way that could be quantified, as a powerful form of independent monitoring (Spain, Ukraine). A related benefit is **the capacity to give a shape to administrative silence** to FOI requests. In some countries, like Italy, non-response is a legally acceptable route for institutions to take. In others, it occurs anyway. Also related would be the ability **to drill into other qualities of institutional performance**, assessing the quality of responses, variability in capacity across government, and so on.

**For organisations that advocate stronger FOI and provide support to users of FOI laws, FOI platforms appeal as a way of using their time and resources more efficiently.** As Andreas puts it, “One of the great things about having AsktheEU.org is that as an organisation we can only make so many requests and follow so many different lines of attack. With something like AsktheEU.org we cannot just see how our requests are developing and the problems that we find, but we can see and tap into and help other people who wouldn’t necessarily have come to us in the first place about the problems they are having related to getting information from the EU.”

Gilbert from Uganda notes that the paper-based processes can be resource intensive: “Using gazette forms would require a requester to approach a public agency to acquire the form, fill it and submit the request. This would involve some travel costs and time but also, may be risk finding the form or officer not at station.” Gabi from South Africa echoes this: “What happens is we are a small organisation and we have journalists and members of the public approaching us all the time to submit requests on their behalf. The biggest thing about doing that is obviously it’s not an issue to send an email, but the tracking the communication, the follow up and stuff, is labour-intensive. In

no way is it actually doable from a financial point of view, as organisation, for us to do that for people.” Some non-Alaveteli platforms are more specifically designed towards this task. For example, here’s Emily from iFOIA in the US, which aims to help journalists manage their FOI requests: “I think the fewer things that one person has to keep straight in their head, the easier their job becomes and so this is really meant to keep track of those things and keep an eye on things through the process so that the reporter doesn’t have to be quite so independently vigilant.”

Finally, **free and open source principles and working methods have strong resonance with implementers as a general benefit**, creating re-useable software that addresses the basic requirements of submitting and managing FOI requests. As Stefan from Germany puts it: “Right now I wouldn’t recommend anyone to write their own FOI software because now we have at least two,<sup>3</sup> probably more. I mean MuckRock is also running its own software and there’s FOIAMachine<sup>4</sup> in the US, so if you don’t want to run Alaveteli, you don’t have to run it, you have enough choice.” Linked to this is the hope that support will accompany the software. This is borne out: inputs and advice from other developers, particularly on the developer mailing list, is one of the consistently reported benefits of implementing Alaveteli. Here’s Andrei from Romania, echoed by numerous others: “Subscribe to the Alaveteli developer mailing list, and ask questions there. Those people are awesome, they answer in two days maximum”.

### 3.1.2 Challenges with technology

Where have implementers struggled with FOI technologies? We can see two main themes here:

- Recruiting and retaining people with the necessary technical skills to set up, adapt and maintain an FOI platform
- Getting context-specific material into the FOI platform

**Those interviewees who are software developers themselves have not reported any particular difficulties in setting up and maintaining Alaveteli or other platforms.** Alaveteli is not a simple platform, though, and they do report that Alaveteli requires knowledge of the Ruby on Rails programming language and particular technologies associated with the operations side of Alaveteli – such as the email engines (EXIM or Postfix) – which can be tricky. For example, as Michael from MuckRock in the US says, “My co-founder is a very technically gifted individual but as the Alaveteli team has seen, you need to know a lot about technologies like email. We don’t have a big staff; we definitely don’t have an email expert, and we don’t have a design expert [...] you beg, borrow or steal somebody who knew a lot of email which is a huge part of what we do and was very tricky [...]”

**A recurring theme raised by implementers is the challenge of building good working relationships with technical people.** Whether through outsourcing, recruiting in-house, or working with a partner, ongoing, competent technical support is essential but difficult to find and manage. Here’s Elena from Macedonia: “...be sure that they have the proper people with proper knowledge to do the website because it seems quite simple but it could be tricky at moments”.

This is echoed by Pam from AsktheEU.org: “You need always to have an IT developer support person who you can call on any point in time, whether it be because you need an upgrade or because something has gone wrong with the server or because something else is going on. We are really heavily reliant on a techie person.”

<sup>3</sup>Stefan is referring to Alaveteli, and Froide, the code behind FragdenStaat in Germany: <https://github.com/stefanw/froide>.

<sup>4</sup>See <https://www.foiamachine.org> (the code is at <https://github.com/cirlabs/foiamachine>).

However, it's not a given that the relationship works. Here's Richard from Czech Republic: "So I think the first year you can write off because we had a couple of false starts with one guy we thought was an IT specialist and basically he just wanted to order proper IT specialists around and just drove all of us mad."

And Gabi from South Africa again: "There's not the in-house capacity to do that so you have to outsource that. Outsourcing means a) it's difficult to manage but b) you also have people who aren't very engaged in the process [of] implementing your project, and that's very difficult. I've had quite a lot of difficulty managing the development from that side." These echo the general challenges civil society groups everywhere have in setting up and maintaining web services.

**Related to the challenges of developing technical capability to establish a platform, there are cases where implementers feel their context requires changes to the way the standard Alaveteli platform functions.** Interviewees wanted to update the standard capabilities of Alaveteli along five lines: changes to visual appearance (theming), handling of multiple and overlapping FOI jurisdictions, management of the identity of request-makers, tools for campaigning and fundraising, and in rare cases integration with third-party software. The Romanian team adapted the look of their Alaveteli, but now regret doing so as it is not compatible with later versions of Alaveteli (and creates a further obstacle to upgrading). In South Africa, Ask Africa is trying to improve the document repository on Alaveteli by integrating it with a platform called DocumentCloud, which is proving to be difficult. Where an adaptation is fairly major, it is likely that the work will need to be done directly by the mySociety team (or with their intense involvement).

**Once running, Alaveteli and other FOI platforms are afflicted by the common infrastructural issues that can affect all web services.** For example, the Ukraine instance of Alaveteli crashed on live television at its launch event and remained down for a week afterwards. The server hosting the Uruguayan site was hacked and briefly used in a DDOS attack. In South Africa, as soon as early testing began, the server chosen to host Alaveteli went down. In Hungary, following some technical work on the server hosting Alaveteli, the service was non-operational for a fortnight. Having good relationships with capable, responsive and reliable technical support is essential in mitigating these inevitable problems.

The other major challenge of getting Alaveteli up and running is getting context-specific material into the FOI platform. This has two main aspects: language translation, and the collection and maintenance of a contact directory for public institutions.

**Translating Alaveteli from English into another language is a substantial amount of work, with over 1,200 pieces of text to deal with<sup>5</sup>. Whilst it does not seem to have been a huge problem for implementers,** some difficulties were reported with how specific languages work within the technical mechanism<sup>6</sup> used by Alaveteli to accomplish this.

As Hana from Czech Republic says: "So for example you have a line which is "Freedom of Information request" and then it puts it in every sentence where it is needed on the site. The problem is that in Czech it doesn't work the same way. It took us a long time to figure out how to use it so that the website in the end doesn't look like it has been translated by mad people. We are still battling with that because with every upgrade you will discover English words in the middle of the Czech sentence. It is the mystery that we still sort of have."

<sup>5</sup>The full list of "strings" that Alaveteli uses is published online here: <https://github.com/mysociety/alaveteli/blob/rails-3-develop/locale/app.pot>.

<sup>6</sup>"gettext" see <http://www.gnu.org/software/gettext/manual/gettext.html>.

**Pulling together data about public institutions, including valid email contacts, remains one of the most time consuming and difficult parts of establishing Alaveteli or other FOI platforms.**

As Andrea from Italy notes, “The most difficult part is cleaning up the data and email addresses of the local, on local level and on central level as well. It’s very time consuming, and sometimes you need to test if the email address is still active, and then include [that] in the spreadsheet. But we just started to work on that, we have thousands and thousands of email addresses to vet [...] so it’s going to be fun.”

Even where the required email addresses are published in one place, there may be difficulties, says Fabrizio from Uruguay: “[We’re] not going to be able to extract the email [addresses] that easily from the guide. It’s the nastiest PDF ever. And then the other issue of course is about those email [addresses] actually working.” MuckRock, in the US, is still trying to get a full directory of the public bodies which accept FOI requests and offers its users the incentive of being able to make free requests if they assist with this process.<sup>7</sup>

Implementers encounter both technical and non-technical issues in maintaining the contact dataset. At the technical level, when the platform is running, implementers have to combat the issue of their emails being categorised as “spam” by government email servers – which seems in some cases easily resolved with a phone call to the relevant department (as in Uruguay, and Hungary).

However, in some instances, emails from Alaveteli instances have gone missing, and technical issues might be used by ministries as an excuse to not deal with FOI requests.

Here’s one interviewee’s experience: “We tried *everything*. We did all the debugging that we could on our site. On our site everything looked good. They swore that it never arrived on their site; it didn’t fall into their spam; so it’s a kind of mystery. I tend to think that it’s not bad but compliance on their side and that it’s just that they are searching for ways to avoid it. Because we have the proof that it was delivered to their mail server and then it seems that once on their mail server, the emails disappeared!”

Non-technical issues seem equally problematic when it comes to maintaining correct contacts with FOI officers. As mentioned in the next section on government, privacy regulations and the use of personal emails for official correspondence present challenges to the effective operation of an FOI platform.

### 3.1.3 Divining the line between technical and non-technical challenges

There can be tensions between what Alaveteli is designed to do, and how those implementing it see their role. Alaveteli is an aspirational platform designed around a set of principles about how FOI *should* work: simply and unobtrusively, in public, archived online for others to use, as a productive dialogue with as little insistence on form as possible. It projects a specific view of an ideal relationship that citizens should have with their governments. It’s particular, inflexible and demanding but in no cases have implementers indicated that this diverges substantially with their own intentions. However, the pressure to back off from this ideal when faced with bureaucracy and legal threats, or even complete silence, can be intense – the litany of challenges that implementers have experienced is listed below in our discussion on government (Section 3.2).

When implementers encounter pushback from officials to engaging with an Alaveteli instance, the temptation is to try and change the tool to acquiesce, simply in order to keep the service running (for example, incorporating personal identity requests, or using specific forms). Addressing the

<sup>7</sup>See <https://www.muckrock.com/assignments/jurisdictions/>.

problem as a technical issue may seem more straightforward than challenging evasive or pedantic behaviour, or seeing it as a policy issue, which requires legal, advocacy and campaigning resource. However, this approach is not likely to be simpler: technical work can be expensive, time-consuming and introduce new frustrations on top of those that already exist. This may lead to the belief that “our FOI platform isn’t working”, when a more accurate conclusion may be that “our campaign for FOI isn’t working”.

On the other hand, why shouldn’t implementers duck and weave? At the present time, there is no evidence base to say that adapting and altering online platforms is any less effective than not doing so. In fact, there is evidence that FOI sites which diverge from the Alaveteli model are also thriving (US, Georgia, Switzerland). mySociety as a funder/backer are unlikely to fund adaptations and alterations so this returns to the issue of funding.

**The non-technical resources and support around Alaveteli are not as well developed as the technical ones.** For example, even though a non-technical mailing list has been created, it doesn’t really deal with non-technical issues: as Stéphane from Canada reflects, “It’s mainly discussions about technical stuff even on the mailing list which is not supposed to be technical. And all that I consider is the serious stuff which is ‘how do you do it besides the technical stuff’ is not discussed. I think that it’s what’s missing in both cases”.

Implementers mentioned numerous non-technical factors which are helpful, including defining clear aims (Italy, iFOIA in USA), promotional resources (Bosnia, Québec) (see below in Section 3.7 on promotion), seeding the database with requests, legal and procedural knowledge (European Union, Chile), and getting people to assist with running the site as a public service (Chile). With more help and community development around these non-technical issues, perhaps the temptation to class challenges as technical would be reduced, and the pressure to acquiesce to officialdom less daunting.

### 3.1.4 General factors influencing official acceptance of FOI platforms

The ability of FOI platforms to gain basic acceptance by government and begin to function normally is framed by a number of general factors, outlined below:

- The existence of an FOI law or other, equivalent, empowering regulations. Without a law, even an inadequate one, implementers of FOI platforms will not be able to run a reliable or widely-used public service, although the site can be part of a campaign for the adoption of a law (Spain).
- **The extent of basic digital coverage and capacity across government.** In some countries, implementers could not rely on an authority having the technical capacity to receive and send email (Guatemala, Macedonia, South Africa, Liberia). In Liberia, Teemu states, “Lately many of the government officials have had difficulty getting electricity. It’s not like your public information officer will be online all of the time, for example, or sometimes maybe not online at all. At the iLab space we actually have government officials coming in to do work at iLab sometimes, when they can’t do their work at their own office.” Where there is email, officials’ ability to use it may be unpredictable (Spain) and they may use personal email (Romania, Macedonia) or there may simply be no single standard for receiving e-requests as in Georgia, where Tamar states “some institutions accept requests from a special e-form on their website, others use the website [www.my.gov.ge](http://www.my.gov.ge), which is a collection of dozens of state/private services, still others accept e-requests via e-mail, while some do not accept e-requests at all”.

Low technical capacity may inconvenience requesters, who get paper replies or smacked with a postal charge for a CD containing 500 KB of data, but this doesn't automatically equate to an unwillingness of officials to fulfil FOI requests; rather, an inability to do it in the way the requester wants (US). Michael from MuckRock says, "It's amazing how often somebody will print out a Powerpoint and then mail it to us".

- **Attitudes of officials towards FOI requests.** Negative perceptions of official attitudes to FOI are common in interviews, ranging from generalised dislike of transparency (Italy), "jobsworth" behaviour (Tunisia, Czech Republic) and habitual bureaucratic formality (Spain, Israel and others). "I think that the trouble is that [they] are in love with PDF, and they are in love with the stamp and signature", says Richard Hunt about the Czech Republic. David from Spain reflects on the point where hierarchical government meets the more horizontal networks of technology: "The Spanish administration is very formal, let's say. We are going to have issues with the fact that we are asking questions by email and not through a government-approved form and stuff." However, it is not a wholly negative picture. Officials' unfamiliarity (rather than deliberate obstruction) with dealing with FOI requests is a factor (Kosovo, Tunisia). Implementers have also reported experiences where officials have taken steps to make sure the FOI platform can function (Georgia, Australia, Germany, Czech Republic and others).
- **Institutional arrangements to handle FOI requests.** Once a request is made through electronic means, some implementers have reported that it falls foul of a lack of defined workflow inside the institution. Senior officials mandated to respond to FOI may not have delegated their responsibility internally (South Africa, Uruguay), causing requests to be lost in the administrative process rather than actively processed. Here's Fabrizio from Uruguay: "Technically, according to Uruguayan law, it's the Minister who should be saying what request is going to be answered and what request is not going to be answered. If you don't have a specific email [address] for requests, the default email is the Minister's email. So some Ministers are not really happy about receiving this."
- **Awareness of the specific FOI platform.** Lack of knowledge of the existence of the FOI platform, and how it works, may be a root cause of official intransigence (Tunisia). However, there is no guarantee that increased awareness leads to official co-operation (Spain).

### 3.1.5 Summary

Implementers find that Alaveteli, in particular, does exactly what it set out to do (see the mySociety (no date) paper *Turbo Transparency* for a list of aims). It can increase awareness and drive the use of FOI by stripping down the complexity of government. Bringing the process into the open, online, and collecting data from the process, offers the opportunity to independently monitor FOI at scale. The tools in general can help NGOs use scant resources more efficiently to serve more people.

The process of getting an FOI platform started can be daunting. The technologies themselves are tricky, but not overly so. Alaveteli, in particular, appears to be the best FOI tool out there at the moment. When we asked Pedro Daire of (non-Alaveteli) Acceso Inteligente whether they'd been approached for advice, they said yes ""[by] Costa Rica, Bolivia, Peru, Argentina. But we knew that our technology wasn't good enough to be reusable so we only keep on [giving] the [same] advice: and we advise to install Alaveteli". The real challenges, then, are non-technical: finding the right people to manage the technology; gathering accurate information about public bodies; sticking to your plan in the face of governmental intransigence; and understanding when a problem that looks technical is not.

## 3.2 Relationships with governments

*“And this sixty-something, almost 70, retired public official, he said to the lawyer, ‘look we know that information is power, we’re not going to give it away’. Which was really telling, because he wasn’t aware of anything about transparency or accountability or Right to Know at all, he was just the average bureaucrat telling the truth.” (Andrea Menapace, Italy)*

### 3.2.1 A catalogue of evasiveness

**FOI platforms tend to reflect the governmental legalism, evasive behaviour, pedantry and passivity that we found in FOI generally (Hazell et al, 2010); such behaviour can be equally incapacitating for an FOI platform.** FOI tends to be a low-profile political issue in its own right. Concentrated, overt political hostility to an FOI platform is rare. Where there has been such hostility, this appears motivated by aggressive governmental behaviour to civil society in general, rather than anything FOI-specific (Hungary). This is discussed more below in the Section 3.9 on Risks.

Where an FOI platform is technically able to function, the range of evasive behaviour by officials is quite extensive and universally experienced by implementers of FOI platforms, which appears to extend the evasive attitudes found generally in FOI (see Hayes, 2009; Open Society Foundation, 2006). Below is a list of the many ways that implementers have reported that their FOI platform has been challenged by officials:

- **Challenging the legitimacy of the platform as a channel to make FOI requests.** Some public bodies have tried to claim that requests made through FOI platforms do not meet the requirements for a request. Some have tried claiming requests made via the FOI platform aren't email because the platform isn't an email provider (Germany). Most commonly, officials want the request to be made directly, using their own paper or PDF forms, or online contact forms (South Africa, Uganda, others).
- **Challenging the legitimacy of the person making the FOI request.** It seems less common that FOI requests can be made anonymously, or that where authorities have the discretion not to ask for applicants' identities they do so. Some public bodies require requesters to pre-register or obtain a certificate to communicate with government bodies via email (Italy, Macedonia); some have the power to ask requesters to give personal information (Czech Republic, Georgia) including valid postal addresses (European Union). These present both technical and ethical problems for the FOI platform (which may require adaptation to manage requester identity and privacy) and hurdles for the requester which may have deterrent effects. In a few cases, officials have tried to claim that the FOI platform itself is the owner of all requests made through it, which allows them to cite exemptions based on cost and vexatiousness (United Kingdom, Australia).
- **The use of competing legal regimes to deny requests or force the suppression of responses.** FOI laws work in concert with copyright, privacy and defamation laws. Implementers report the use of these laws to prevent the publication of FOI requests. In Germany, officials claimed that whilst a request could be fulfilled, publishing the document online (as FOI platforms mostly do) would violate the copyright held by the public official who created the information. Strong data protection laws can be used to prevent disclosure in various ways (Spain). Defamation (and libel) is a rare but serious risk, not only in the content of the official response, but also the questions made by requestors (United Kingdom, European Union).

- **Fees and charges**, both mandatory and discretionary, are common parts of FOI regimes. Costs of processing are often capped, and can be a legitimate reason for a public authority to deny a request. However, they can also be used to deter requests from being made. Some implementers report that where a request is made through an FOI platform, an official demand for a charge can deter the requestor from going forward (Australia). In some cases, the charge may be small but officials make the payment process tedious enough for requesters to drop the request (Canada/Québec). Sometimes, officials have claimed there would be high costs involved in gathering and processing the information requested (Switzerland, Germany) and that it would disrupt their normal operations (United Kingdom).
- **Pushing the request out to an ombudsman.** Internal appeal processes seem to map reasonably well onto FOI platforms, but when the action shifts out to another institution the process becomes more complex, potentially costly and time consuming. Rowan from New Zealand frames it this way: “Mostly they give up. They take what they got and they give up, is basically what happens. Point them to the Ombudsman’s office but when you’re telling them it’s going to be – I believe it’s four years, the backlog.” (NZ)
- **Other general pedantry.** Beyond insisting on the use of specific forms (South Africa, Spain) and using non-digital formats, implementers report that officials have offered to show the response documents in hard copy at specific time and specific locations (Kosovo, Uruguay), to send them by post (USA), or to send delayed replies pending the outcome of a local election (Macedonia). In Québec, Stéphane points out that the law is “access to document” not “access to information” so a specific document has to be asked for (a request for Ministry expenses was denied on the grounds that a document for it did not exist).

Whilst all the above impact on individuals making requests privately, their effects appear amplified with regards to the smooth functioning of public FOI platforms thanks to the “glare effect” (mySociety, no date; Wittemyer et al, 2014).

### 3.2.2 Variations in FOI compliance across government

Implementers point out two ways in which governments’ responses to requests made through FOI platforms vary:

- There is variation in general FOI compliance and in the acceptance of an FOI platform between different parts of government.
- Responses to FOI requests can vary depending on the official’s perception of the power of a requester.

Whilst implementers do not report a common pattern in the type of public bodies which are more or less responsive to FOI requests made through their platforms, they agree that there can be large differences in responsiveness. For example, Alisa from Ukraine says, “Sometimes the law doesn’t work on the highest level, like the Ministry’s level or top authorities’ level, but on the local levels; when you have to solve some small problem we have a lot of success stories of how the law actually helped.”

Even when a request is made for the same dataset, there can be variations, and Andrea from Italy notes: “For example when we asked [for] the data about mortality rates in hospitals, you had regional administrations giving you the data, all the data we needed, we wanted, and other public bodies in, for example, at a ministerial level or at a regional level, denying the data”.



Variability can also be down to the scale of FOI requests and the backend capacity to handle them. Here's Emily from iFOIA in the US: "Some agencies also get hundreds of thousands of requests a year and others get three so your ability to efficiently process can depend a lot on how much of this you get."

Variability can translate into changes in how implementers approach their monitoring and advocacy. As Pam from AsktheEU.org says, "We realised it made more sense to do these reports institution by institution because [...] we all say 'the EU' but it's not THE. There are many, many different parts, lots of different institutions: you have got the member states, who all have different levels of transparency. So it's complex, so we realised it made more sense to analyse institution by institution the Access to Documents regulation so we could make, as well, specific recommendations to that specific institution. Also it's easier to get change to one institution than abstractly making generic recommendations to something called 'The EU'."

Responses to FOI requests can vary depending on the official's perception of the power of a requester. The ability of FOI platform implementers or their partners to litigate in the event of unsatisfactory responses by public bodies is commonly mentioned as a valuable capability. Some implementers relate the ability to get a satisfactory response to an FOI request to how much public or legal attention will be drawn to the request.

For example, as Sofo from Georgia puts it, "Because everyone knows GYLA, IDFI and other organisations that are quite active in this field, public institutions know when that these organisations are requesting public information if they don't answer properly we are going to go the courts and use any way to get the desired public information. Maybe because of this they try to answer at least us, because they know in case of non-responsiveness things are going to get complicated." This is echoed by implementers in Bosnia, Chile and Italy.

### 3.2.3 Partnerships with government and official institutions

#### **Some implementers have created partnerships with independent FOI ombudsman institutions.**

Whilst numerous implementers have developed relationships with the relevant ombudsman institutions (Germany, New Zealand) some groups have gone a step further in setting up their FOI platform as a joint venture (Guatemala, Macedonia). In these cases, FOI platforms are not used purely as services, but also as complementary monitoring tools where official reporting is weak or non-credible. One of the key benefits that FOI platform implementers anticipate they will gain through setting up a platform is the ability to gather independent data on the use of the FOI law (Spain, EU, South Africa, US, Uganda).

Set against this is the mistrust of official reporting. For example, here's Gabi from South Africa: "But we can't get statistics from the Human Rights Commission because the Human Rights Commission get a report every year about how many requests the departments say they have got in. But too few departments submit their reports and from what I can tell they are totally inaccurate", and Michael from the US: "The Justice department comes out and says hey here's our numbers, look how great things are, you know we're only sort of large scale counterpoint to say actually those numbers are off by a factor of ten."

**In some cases, government has been involved in the development of an FOI platform with civil society.** Though implementers more commonly describe evasive behaviour, there are a number of positive stories where government has been encouraging. Implementers run their FOI platforms independently, but some have sought government buy-in through direct partnership. In Canada, OpenNorth have partnered with and received a grant from the Government of Québec to develop

JeVeuxSavoir, a pilot platform covering five ministries. In Uganda, AFIC have partnered with the Government of Uganda to create AskYourGov Uganda. The benefits of creating this relationship appear to be an easier removal of political obstacles to implementation, and practical assistance in assembling institution contact information.

**Some implementers express concerns about direct government involvement in running FOI platforms.** Here's Gabi from South Africa: "We have enough experience working with government to know that you always have to have both: the threat of taking it back and using it. You can't just hand it over because it will just filter out." And Pedro from Chile: "We have always thought that being on the other side of the street is always valuable. Because of persistency of the data and the statistics. Because you have the risk of data being manipulated because they want to raise or lower some awareness". However, the partnerships that have been struck with government are in the early phases, so it is too early to assess the value of these strategies.

### 3.2.4 Summary

Sustained antagonism to FOI platforms is as rare as sustained and proactive help from government in getting acceptance for an FOI platform. Implementers face a mix of indifference, evasiveness and shortfalls in capacity from government. Even where conditions are favourable for an FOI platform, such as where there is a high level of basic digital coverage in government, implementers will always have to fight for the platform's use to be normalised by officials. Even where it is normalised, and requests are commonly responded to, implementers and people using the platform can expect to face shortfalls in official capacity in using digital systems and a range of evasive behaviour. However, there is always internal variability in governmental response to FOI, and to interaction with FOI platforms. Implementers can capitalise on this, but there doesn't appear to be a single path to success.

## 3.3 Resources and sustainability

*"No funders. Except from the guy who gave the £12 to register the domain! We'll need to buy him something. Maybe we need to get him socks or something!" (Nir Hirshman, Israel)*

*"We send out thousands of requests each year and it costs quite a lot. At the moment we cannot send all the requests electronically because not all the public institutions accept such requests, which is one challenge. So that means that in order to continue as we have been doing until today, we certainly need financial assistance." (Tamar Iakobizde, Georgia)*

### 3.3.1 General financing situation of FOI platforms

**As mentioned in section 2, whether based on Alaveteli or not, some of the FOI platforms we have looked at were started by individuals using their own time, money and skills. Other start-up organisations have sought small grants, mostly from private foundations or individuals.** For example, Martin Stoll started Öffentlichkeitsgesetz in 2011 with a grant of CHF 20,000 from his publishing house. Richard Hunt and Hana Huntova received a grant of EUR 1,200 from the Open Society Fund in Czech Republic to bring infoprovsechny.cz to life.

**As seen in Table 5 above, a number of existing Civil Society Organisations have also sought funding from private foundations to establish FOI portals.** With a few exceptions, direct grant funding from private foundations remains the main way through which FOI portals are sustained

after being set up. We did not go into the details of each of the grants. However, one factor, mentioned by Michael Morisy, was that funding is often just as psychologically motivating as it is financially, because someone is willing to support “your cause”.

### 3.3.2 Donor funding and its challenges

At the current time, the financial sustainability of FOI platforms is mostly dependent on grant funding. Interviewees have pointed out a number of challenges with this:

- **Grant-maker program scope.** A small number of foundations currently support FOI platforms, mostly from international rather than country-level pots. Some interviewees report difficulties in getting national-level grant-makers interested in these types of projects. For example, Fabrizio from Uruguay says: “The issue is that if you are looking for really long term sustainability, well, funding is a major issue and obviously Uruguay being a small recognised country and with just a little group of funders doing this they just don’t care about it”. It was also apparent that many “developed” countries, such as Spain and Italy, felt they were excluded by donors who tend to focus on “developing countries”.
- **Amount of work involved in grant application and management.** Richard Hunt reports of his wife attempting to get a small grant from the Open Society Fund: “It was very hard work getting it; part of Hana’s frustration was dealing with the Open Society Fund, and the qualifications for getting the money and then the reporting systems (or the lack of systematic reporting) that they wanted for it.”
- **Grant coverage.** During the grant-making process, coming to agreement on the scope of a project can be challenging. Here’s Darko from Bosnia and Herzegovina: “To be honest, it was because that was the only thing that we could do according to the programme that we did with mySociety. We proposed at least 2 or 3 other things that we wanted to do but in the end it was, kind of... you do Alaveteli or you don’t do anything – that was the kind of decision. And we thought, ok, it was better to set up a site like that than nothing.” One of the most commonly mentioned regrets amongst interviewees is the lack of much resource for promotion and marketing: “...if you want citizen users you need to have a marketing budget. Very obvious yet no one does it. Having a budget of £100 for a launch event does not constitute a marketing campaign,” says Gabi Razzano from South Africa. Pam from AsktheEU.org mentions needing to “[a]dd in money for an upgrade of the software which – when you ask me about problems will be the first one I shall say. So we had to get additional funding for that which mySociety very kindly put forward for us. So they put an extra 3,000 Euros in so we could pay a developer to do the upgrade for us.”
- **Possible distortion of incentives to collaborate around and continue FOI platforms.** Darko from Bosnia and Herzegovina again: “Or at least there needs to be a clear vision that it should be there before you even start with the project. Because what happens with these ‘develop and leave it projects’ is that once there is a commitment by a donor and an organisation or whatever and it stops with making the project live, then everybody else who might support it is very reluctant because they see it’s somebody else’s project.”

**The effect of reduced or ceased funding is variable. For established NGOs the challenge of doing anything without funding is considerable.** As Tamar Iakobidze has been quoted above, financial assistance is imperative especially for the thousands of requests opendata.ge sends out every year.

**If grant funding is reduced or discontinued, some implementers would continue to maintain the site but stop additional work and cease to develop the service.** Where the FOI platform is set up by people who have the technical skills to maintain it themselves, the site has a chance of enduring without financial support (as, for example, in New Zealand). Asked if TuDerechoaSaber in Spain would continue without funding, David said: “Probably, yes. Because if Civio closed tomorrow, we would probably maintain the site in our free time, answering emails, answering people’s questions, things like that. Yes, I’m quite sure.”

However, others were less sure: “We wanted to do it because we think it is a good thing to do. If we did not have that funding it would be very difficult for us to continue, to be able to focus on as much as we do”, says Henare from Australia. Whilst many implementers do put their own time into the site, and the financial outlay for keeping a site running can be quite small, there will certainly be expensive and unavoidable technical costs which may push a service to close. Asked why their instance of Alaveteli was closed down, Arianit from Kosovo says: “There were security issues. Then it went offline. The hosting was quite expensive and we were paying for it through private funds, because we didn’t have any available to us from elsewhere. So that was the situation. It also needed some updating to keep it safe.”

### 3.3.3 Other methods of financing FOI platforms

Implementers have completely financed or supplemented grant income for their FOI platforms in numerous ways, which we outline below:

- **Service charges:** MuckRock in the US is unique among the FOI platforms under study in charging its users to make requests: all the others systems are free at the point of use. MuckRock has a variable pricing structure starting with a “community edition” which has a “pay as you go” approach – USD 20 to make five requests. Moving upwards in cost, USD 40 monthly to make 20 requests and upwards of USD 2000 annually.<sup>8</sup> The more invested a user of the system becomes, the more control they have over the FOI submission process. MuckRock’s co-founder estimates that the average monthly income of the service is around USD 2,000 and growing at 10% monthly. MuckRock has also received grants and income from crowd-funding around requests, in addition to consulting and project income.
- **Crowd-funding.** David from Spain notes, “Like when we launched the site, we were in El País, the main newspaper. Part of it was because of the crowd-funding. This crowd-funding was a quirky way of getting the money at the time which wasn’t so good. It got media attention.” However, David and Eva also warn that sustaining a service through crowdfunding is more difficult, as such platforms have an emphasis on novelty. In response to specific interesting events, it might be viable to crowd-fund. For example where a public body claims the work involved would cost more than an individual would be prepared to pay, crowd-funding has been used to raise money. Here’s Stefan from FragdenStaat: “Most of the requests from FragdenStaat don’t cost anything but as soon as the public body says this will definitely cost the maximum amount of 500 euros many people just withdraw and don’t pursue this further. Even though we had one case where we crowd-funded a request quite easily over a weekend, so we got lots of money for one request.”<sup>9</sup> All in all, the use of crowd-funding remains ad hoc and small scale compared to other sorts of funding.

<sup>8</sup><https://www.muckrock.com/accounts/register/>.

<sup>9</sup><https://netzpolitik.org/2012/bisher-7000-euro-spenden-fur-acta-transparenz-klageweg/>.

- **Donations and subscriptions:** TuDerechoaSaber in Spain funds some of its general work through regular or one-off donations<sup>10</sup> as does mySociety.<sup>11</sup> Visitors to *Informace pro všechny* in Czech Republic and KiMitTud in Hungary can make micro-donations to support the service and the reporting based upon it.<sup>12</sup> Other implementers report that in their country a culture of charitable donation from the public does not exist (Ukraine, Georgia).

### 3.3.4 Support from technical and volunteer communities

**There are examples of non-financial support to FOI platforms.** Numerous FOI platforms have received donations of technical services like servers, domain names and caching tools, and in-kind technical support. Some of the routine work of managing the platform is also done by people volunteering their time. The UK site, WhatDoTheyKnow, is run by a volunteer team of around five people, backstopped legally by mySociety. In Australia, the platform has some formal volunteers and users who act as helpers: “There’s one, what we would call kind of a formal volunteer, Ben, he is one of our administrators on the site as well. He is immensely helpful to the people who are making requests, suggesting wording, approaches.” In the US, MuckRock runs an “assignments” scheme, where in return for a number of free uses of the platform, users find the contact details for public bodies not yet in MuckRock’s contact directory.

**However, most platforms do not yet have a strong “helper” community.** Hana from Czech Republic reflects on why: “I think people use it because they want to ask the questions, the system does allow you to follow requests of other people, and have the conversation. But it does it in a slightly quirky way and I am not really sure people are fully aware of those powers. It does not work on that social basis because the technology doesn’t allow it so much. But to be honest if it was developed up on a bigger scale, I am not really sure they would use it.” We explore this further in Section 3.4 on users and community.

### 3.3.5 Summary

Most FOI platforms have been self-started without funding or with the support of small grants from private foundations. After this, direct grant funding from private foundations remains the most predominant source of income for organisations running FOI platforms. Attempts to diversify income sources using crowd-funding and donations, while innovative, do not look likely to replace these.

Many of the usual challenges of managing grant-making processes affect those running FOI platforms: application, management, scope of grant, and so on. Where grant-maker funding is not available, or reduced, FOI platforms may continue to operate in a limited capacity until a major technical problem arises which forces implementers to close the platform.

One common consensus is on underestimating the amount of work that running an FOI platform takes. As Pedro Daire from Acceso Inteligente says, “A FOI site is not like publishing a book, it is like publishing a magazine. It’s our day-to-day work. It’s very naive to think you will provide a service that will be useable for three years – it requires maintenance.” And so one returns to the issue of funding.

<sup>10</sup><http://www.civio.es/dona/>.

<sup>11</sup><https://www.mysociety.org/donate/>.

<sup>12</sup><http://www.infoprovsechny.cz/ipvtheme/podporte-nas/?source=homepage>.

### 3.4 Users and community

*“Basically it doesn’t come down to FOI; it comes down to public pressure always.”*

(Darko Brkan, Bosnia and Herzegovina)

*“The Hasadna volunteers are really trolls and they are now trolling the government.”*

(Nir Hirshman, Israel)

#### 3.4.1 Users of FOI platforms

**FOI sites are only going to be sustainable if they are used, but who is using them?** One of the key challenges we found was that other than simple, raw use statistics, implementers didn’t keep details of user demographics. There are a number of reasons for this, including:

- Lack of time and resources to operate the platform.
- Protecting the privacy of requesters.
- A greater concern with how responsive governments are to requests, rather than who is submitting the requests.

**Having said this, most implementers had a rough idea of who was using the site**, and the consensus was that this was generally “active citizens”<sup>13</sup>, rather than usage by journalists or CSOs on a large scale. They are largely people who interested in the local issues (Italy, Spain, Switzerland, Ukraine). Stéphane from Québec says, “It’s been mainly citizens up to now, mainly from the open data community”; for Stefan from Germany it’s “factions that are very interested in the railway systems or the airport and how they are built, but probably around their own home and probably related to their own thing”; in Tunisia, Radhouane says, “It’s mostly people from the sphere of activism, open data, open government, access to information things. The general people are more interested in issues of terrorism but the general people mainly have the television as a source of information”. However, there is very little consistent in-depth analysis of the subjects of requests made through FOI platforms.

**Implementers’ views that citizens focus on largely local issues echo our literature review findings** (see Dunion, 2011; Worthy, 2012). Here’s Andrea from Italy: “[It’s] very very local, they want to know about a school, they want to know about a public service, they want to know about a hospital, the environment, but very focused on their community, because they want to see change at the local level. Change to their life, not generally in the community or big changes in issues like corruption in Italy”.

**The majority of the information requested is fiscal** such as expenditure on roads, salary information (Spain, Ukraine), public spending on health (Italy), public contracts and university expenditure (Hungary) and so on. In Israel, Nir says the Hasadna volunteers are asking for a wide range of data: “They’re asking the health ministry about medication; the finance ministry about the security forces’ pension; the Tel Aviv municipality about taxation in the city; oh, a lot of things for the MoD!”

However, the focus on finance is too limiting for David from Spain: “We want to know the meetings of our public workers, we want to know the internal reports, why laws are made this way or that way, things like that. But in Spain transparency is too often associated to salaries of this or that guy... So there is a risk that people will just settle on that and that there will be no sort of pressure, no interest beyond”.

<sup>13</sup>Michael Morisy from MuckRock has a nice definition of “active citizens” or “citizen activists”: “Where this isn’t their job but they believe in this or they have strong questions about this or they’re just curious about this and they find this stuff interesting”.

**In the cases of KiMitTud (Hungary), Öffentlichkeitsgesetz (Switzerland) and MuckRock (USA), there is an estimated higher percentage of journalist users:** unsurprising, as these platforms are run by and focused on journalists. Other sites also have the impression that there may be some government officials, either interested in information from other agencies, which was easier to obtain this way (Chile) or “disgruntled ex-employees” (the EU).

**Another common point was that these platforms seem to be attractive to young users,** so implementers felt they should be targeted better (see discussion below on inclusivity) (Germany, Italy, Spain, Uruguay). This is likely to be partly because of internet familiarity (“digital natives”) but also because of more trust. Even so, Radhouane from Tunisia says that “only a few portion of people go to the internet and use online services, so to get more people to use Marsoum41 [FOI site] it comes to time... currently there is no technology trust. If you ask someone... I don’t pay for anything online. We have few websites that have online payment and I don’t use them because I don’t trust them”. Alisa from Ukraine is in a minority when she thinks the older generation should also be targeted because “they are the most active part of society!”

**On the other hand, the strong consensus is that awareness of FOI is generally very low.** As Stefan from Germany puts it: “The public perception... in general no one knows about FOI law”. In the EU, there is an extra challenge because it’s “not someone asking about their bin collection or some kind of local government spending. It’s usually people who are more actively engaged in those kind of European affairs”. Across the board, the need for more training and general public awareness was raised by implementers as a key theme, but most felt they would need more financial resources to do this. Raising awareness amongst the government and getting buy-in there was more of a concern (Uganda).

**Some of the sites have plans in motion to partner with CSOs,** e.g. in Italy, with ActionAid on post-earthquake reconstruction finances (*Open Ricostruzione*<sup>14</sup>) or environmental organisations (Québec and Spain).

**There seems to be surprisingly little evidence of use of online FOI by the private sector.** Only Andrea from Italy mentions plans of working with digital startups and companies to spread awareness (and possibly also clout), although he points out that most of the private sector in Italy is still made up of small family businesses, who will probably already have contacts with the local government.

### 3.4.2 Challenges in building use

**The biggest challenge is the lack of general awareness of the right to ask.** Sofu from Georgia mentions “one of the biggest problems: people do not often realise what power they have and what rights they have”. In the EU, Pam Bartlett Quintanilla says, “Everyone has heard about the democratic deficit [laughs] but it really is so physically and conceptually far away that the idea you could ask the EU about anything and receive a response almost hasn’t quite made it into mainstream society”. David from Spain says: “they never came back to ask the same question again saying: ‘Come on, give me an answer!’ It’s already hard in the country where there is no strong culture of FOI or entitlement as in ‘you should ask this question’. And then when it’s not easy, getting the people to ask is extremely difficult.”

**Where a strong culture of requesting information doesn’t exist, implementers note there are two related variants:**

- Apathy: the focus on fiscal information may not raise public interest as much as requesters hope it might. As Teemu from Liberia points out, “You are in a country where, in a way, the

<sup>14</sup><http://www.openricostruzione.it>.

misuse of funds is not really ... it's always news ... but it's not in such a way like 'Oh wow' ... it's more like 'Here we go again'". Similarly Andrea from Italy: "If you're talking about corruption in Italy it's not news. Everybody knows about the scandals, every day there is a corruption scandal going on, in the government [...] or outside the government".

- A feeling, somehow, of not having the right to ask. This was mentioned in Czech Republic, Italy and Spain. Henare says in the case of Australia, "Australia is in this wonderful, unique position of having great laws and then no one uses them. It's an embarrassment, it's amazing that Australians don't use it and I don't really understand the psychology behind it. And I think that Australian people are not used to the concept that it is our government and we do have this right to know."

**The UK site, WhatDoTheyKnow, is so unique in its high usage that other countries want to emulate it.** Richard Taylor feels that "people do have an idea in the UK about [how] they expect civil society to work. There is an idea of right and wrong when it comes down to access to information. The people do find it easy to accept that it is right you should be able to find out about how your roads are being maintained, or where are your councils spending money and that kind of thing. The people expect to be able to get it and we provide a route to make it easy to make the request."

**There are some specific difficulties that platform users face:**

- Cost (Australia) and ID issues (Czech Republic, European Union) are understandably obstacles for use, as discussed above in Section 3.2 on relations with governments.
- Knowledge of how to frame requests: Users may not know how to write the request and need extra pointers, which are provided in some cases (Hungary, UK, US), but there are no resources in other cases.

**However, once a request has been made, efforts to support the requester to persist in their request can bear fruit.** There is a feeling (EU, Bosnia) that once a user makes a first request, a fear barrier is broken, and therefore there is more likely to be a smaller group of repeat users than new users. Pam from AsktheEU.org also hopes that not getting a response incites requesters into thinking "'Look how outrageous this is: we can't get the expenses of this person, or the rules about this procedure and as citizens we should have this kind of access to information', and it encourages people to pursue it further".

**Implementers face an ongoing tension between appealing to the minority (acknowledging "elite capture") or trying to broaden the user base.** Gabi from South Africa says, "So we try and capacitate people 'on the ground' – because that's always what everybody is saying, 'what about people on the ground?'. But to be honest people aren't using it anyway."

Similarly, Stefan from Germany: "You get it every discussion in Germany... 'yeah, but what do you do with the people who don't have access to the internet'. Great question, but what can I do? We already provide the upload of postal answers. That is basically the most offline it will get. I don't consider this our priority to include the population that has not access to the internet or a computer. You just can't manage that. We're not a public service. If we were funded by the government we would probably do something like that."

Even in countries with limited electricity and internet access such as Guatemala and Liberia, although these are mentioned as challenges, the limits of the tools are recognised, in that they will be used by a select minority. While implementers in most countries have tried to conduct awareness-raising workshops and so on, issues of inclusivity persist but do not seem to be a key concern.



### 3.4.3 Development of user communities

**There is very little evidence of communities forming around FOI platforms, even though this is one of the commonly cited aims of making FOI requests and exchanges public online.** Fabrizio's hope with ¿Qué sabés? In Uruguay was to be able "to hand this to the community. We know there's a couple of good users out there, who are really in to this. We wanted to set up some sort of community meetings but we didn't have the time or the resources". He feels there is some evidence of citizens helping each other out on the site, but this usage is in a minority.

For many of the interviewees, Alaveteli has more opportunity to "build community" than a government site, because the latter is there more to directly answer requests rather than facilitate a sense of community or activism. According to Scrollini: "they don't really care that much about you having a good experience. They don't care about building community. And again, that's a totally legitimate thing because you're a government, you're not there to build community, you're there to answer requests, right?" Having said this, David and Eva from Spain and Richard and Hana from Czech Republic all comment that Alaveteli's functions for community – such as the ability of users to follow request, and make comments – are not ideal for community building.

### 3.4.4 Summary

There is very little concrete information about the users of FOI platforms. Implementers generally do not collect demographic information about their users. Where the platform is not specifically aimed at journalists, implementers have the impression that "active citizens" are their primary user base. The information most commonly requested by users of FOI platforms is financial, relating to government salaries and public expenditure. Most implementers see a need for general awareness raising and targeting specific potential users, but few feel they have the resource to do so at any scale. The use of an FOI platform seems tied to general awareness of FOI.

## 3.5 Partnerships with journalists

*"There is a journalistic culture [in Switzerland] where decision makers and journalists can sit at a coffee table and they exchange information and so a confrontational request of information is not common. It would be as asking for war. So as a journalist you have to decide do you want to give up the peace [and be independent] or not. There's some cultural change that needs to happen in order for that."* (Martin Stoll, Switzerland)

*"After months of asking again and again, I didn't get the document [...] So that Friday I got to the TV programme and I was going to talk about how it was impossible to get this document and when I got there, [the producers] had the document. They had the document because they had called their friends in Congress, and they had it."* (David Cabo, Spain)

### 3.5.1 Benefits for and with journalists

In our literature review we found that although journalists were expected to be key users of FOI, and online FOI platforms, there was still little evidence that this was the case, for a number of reasons: the 20–30 day time limits for response, the fear of losing a competitive scoop, particularly for those sites which published the entire exchange online, and a prevailing "leak" culture in general in journalism. What were the corresponding findings in this empirical research?

**On the one hand, we found a lot of support for journalists in our research.** Six out of the 27 instances were hosted or co-hosted by journalistic organisations (Germany, Hungary, Switzerland, both iFOIA and MuckRock in the United States, Ukraine). The two most used Alaveteli sites are both hosted by media organisations (Ukraine, Hungary). Four out of the five non-Alaveteli instances are journalist focused (Switzerland, Germany, iFOIA and MuckRock in the USA). Those sites that are run by *journalists for journalists* are seen to be more successful by the implementers. For example, Alisa Ruban says, “Because if we will not have this cooperation with Ukrainian Truth, I think our website wouldn’t have that much success and not that many people would know about it.”

The benefits for journalists are seen as being able to keep track of requests (according to Emily Grannis, iFOIA) as well as being able to publish and cite the original source document (mentioned by Martin Stoll, Switzerland). Implementers in Czech Republic say of a specific journalist’s reason to use Alaveteli: “We understand that he uses the site because of its convenience in streamlining his work. It enables him to quickly and efficiently put in questions and keep track of what he is asking on all kinds of different projects. That is an interesting way for a journalist to view it, I think.”

**When non-journalist Alaveteli sites have attempted to establish partnerships with journalists, they have not had as much interest as anticipated,** as in the case of the Bosnian Alaveteli site and the Balkans Investigative Reporting Network, Spain, Québec and others.

This could partly be because of poor use of FOI in general. Stefan from Germany talks of a specific Press Law which is used more than FOI. Martin Stoll from Switzerland mentions FOI search fees reduced to half for Swiss journalists, perhaps encouraging use. Yet there appears to be a “not invented here” problem which might explain why FOI platforms run by journalists appear more successful than outsiders trying to appeal to investigative journalists. On the other hand, looking at similar studies<sup>15</sup>, it seems most tech-focused civic initiatives are having similar problems in penetrating newsrooms.

### 3.5.2 Lack of use by journalists

Our findings here reflect those of the literature review, that lack of use appeared to be because of three factors: lengthy time limit for response, the fear of losing a competitive scoop, and a prevailing “leak” culture in general.

**On the time factor,** Elena from Macedonia comments, “The problem is that if they send a written request, the institution in question can answer the request in 30 days which is a long time for journalists, right?” Gabi from South Africa states, “In terms of journalists using the law, we don’t have investigative journalists do we? As much [as we] like to think we do, we don’t; most of them are doing hourly news releases on stuff they see on Twitter.” Stefan from the German FragdenStaat says, “My belief is that the fault here lies with the media. Most of the time they get information but most of the time they don’t use FOI law, because it’s a bit cumbersome here – you have to wait for a month and it can cost money.”

**Losing the competitive scoop, particularly when the exchange is publicly available, was another key factor:** “We discussed this with journalists and they don’t want to use JeVeuxSavoir because they want to keep their scoop” (Québec); “The Press Officer is probably friends with them anyway. So the process of getting FOI information is not that much integrated in to day-to-day journalism right now” (Germany), “If everyone could see the questions that were asked online it probably wouldn’t work, but since they are not visible it does work” (in the closed FOI Swiss site) and “Even

<sup>15</sup>E.g. See <http://knightfoundation.org/features/knclessons/>.

like my friends, journalists, when I ask them like: ‘Why didn’t you send requests via our website’, they say: ‘Ya, come on but everybody will see the reply, and I want to have some of this unique information for me to write an article.’ So yes, we do face it.” (Alisa Ruban, Ukraine). Similarly, “The idea that we are going to publish every step of the process and invite everybody into it and sort of invite the [readers] to dig a little deeper I think it was very uncomfortable and non-traditional”, says Michael from MuckRock in the US.

**An FOI platform can effectively be seen as a competitor** then: “There is a problem – journalists who could be there, one of the main, the key players, are not willing to participate because they feel like civil organisation like us, and a platform like Alaveteli, is a kind of competitor to them, because of course they want to see the data first, and then run their own stories and so on. So there is a kind of, they perceive us as competitors. Of course we don’t care about who is using that data, but whenever there is a kind of juicy information they want to get it first. Plus they don’t want other people to see the data collected. So that’s the main, the main obstacle.” (Andrea Menapace, Italy).

**The third factor is this “cosy relationship” between the press and government.** In some cases, it may be a question of bribery to get information, as mentioned in Liberia (“You have some journalists who are saying, ‘Yes you have the FOI but that can be useless – you just need to bribe your way to get that information’” (Teemu Ropponen). In others, it is more of a “mutually beneficial” culture of leaking information. David from TuDerechoaSaber says, “Basically, investigative journalism doesn’t exist in Spain but when it does exist it’s based on leaks so the whole ecosystem of politicians and journalists is leaks ... In that environment it’s hard to change that method and start using FOI because you’re not used to it. And you don’t see the point because you can get the answer much quicker just calling your contact.”

David and Eva recount a story from their blog about how they had attempted for months to obtain a draft congressional budget document through FOI, and were about to appear on TV to berate this delay, only to find the TV journalists had obtained it through a leak.<sup>16</sup> The story highlights how comparatively easy it is for journalists to obtain information, and secondly how journalists can hoard their information, and be selective in what they finally publish.

### 3.5.3 Building in features for journalists

Can Alaveteli or any other Freedom of Information site challenge these existing attitudes and processes? The sites where requests, exchanges and responses are kept private seem to have more usage by journalists than Alaveteli sites do – that said, no hard statistics were provided by implementers.

One future possibility for Alaveteli is that it adapts itself and follows a similar model, where “you could get lots of documents which are public but in order for this to be useful for the journalists, then you have to build some features that would for example hold the documents for certain periods so that they get their research down, their article at the press.” (Darko, Bosnia and Herzegovina). Opendata.ge has done something similar, where they have requested information for journalists and not made it public until they wrote their piece.

However, there are three reasons this might not be desirable. First, this would go against the “access to all, publish all” engineering of Alaveteli, privileging a particular group rather than seeking as wide a user base as possible. There may be a possibility that most users, whether journalists or not, may want to keep their request private, and therefore classify themselves as

<sup>16</sup>Belmonte, E, 10 June 2013, “Las cuentas del congreso, al detalle”. Source: <http://blog.tuderechoasaber.es/2013/06/las-cuentas-del-congreso-al-detalle/>.

journalists if there are no checks in place. But how would such checks be introduced, and how should “journalist” be defined?

Second, as the lengthy time limit would still apply, there is no guarantee journalists would use the system. Stefan from Germany finds precisely this: “I expected more journalists to use [FragdenStaat] when we started up, because we also offer the possibility to make the request non-public in the beginning and just publish it later at a later stage. So it could be more attractive for journalists through that because they can make requests, get the information about a story and then publish a request together with their story. But this hasn’t manifested that strongly”.

A different perspective from Bosnia is that if journalists were to file as “normal citizens”, “it might be less conspicuous for them to use that way” (Darko Brkan, Bosnia and Herzegovina) so that governments would not be suspicious of their query – although this view seems to be in the minority, as most other site implementers felt that the more authoritative the query, the more likely it was to be answered (see Section 3.2).

A third point is that implementers do not “sell” FOI sites to journalists as only for request submission, but rather for browsing a database of past requests, finding trends and raising awareness, which are emerging uses mentioned specifically in Georgia, Macedonia and Ukraine.

In Québec, Stéphane says that the site was encouraged by an ex-journalist Minister: “He knew and understood that journalists would not use JeVeuxSavoir because that would make the information that they had to process public, sometimes months before they wrote an article. But he understood that using JeVeuxSavoir as a kind of champion to improve the FOI law would help everybody else trying to improve that law.” Similarly, in South Africa, Gabi notes: “Even though media aren’t the biggest users they do significantly use the act for headline, profile-grabbing stuff and that’s a win. So a big part of our focus is engaging and getting buy in from our media partners, getting them to use it and promote it in their work. That’s a way to try and get free marketing really isn’t it?”

The issue is that journalists – potentially the greatest users of FOI sites – are also “a tricky crowd for this because they are the ones who know the most about the whole situation. They know how to use the Freedom of Information” (Darko from Bosnia and Herzegovina).

How does one overcome, as Stefan from Germany mentions, the issue of a different Press Law for journalists? Or as Martin from Switzerland describes above, the journalistic culture where “decision makers and journalists can sit at a coffee table and they exchange information and so a confrontational request of information is not common. It would be as asking for war. So as a journalist you have to decide do you want to give up the peace [and be independent] or not. There’s some cultural change that needs to happen in order for that.”

### 3.5.4 Summary

Implementers perceive journalists to be key users of FOI laws, and a desired user group for FOI platforms. Journalists can benefit from the request tracking and publication aspects of FOI platforms. Implementers have variously targeted them with workshops and inducements. Some platforms have in-house journalists reporting on the use of the FOI platform, as in Hungary and Spain, contributing to increased general awareness of the platform and to some extent use (see Section 3.7 on promotion). Of the non-Alaveteli platforms, most are run or co-run by journalists or media organisations. However, implementers believe that the long legal time limits, fear of losing a scoop, and the existence of a culture of leaking means that journalists rarely use independent FOI platforms based on Alaveteli. The most optimistic angles are to hope for a growth in collaborative reporting, and for journalists to use, acknowledge and promote FOI more generally in their work.

## 3.6 Partnerships with CSOs

*“Civil society want to engage in these transparency projects. There’s not the in-house capacity to do that so you have to outsource that.” (Gabi Razzano, South Africa)*

### 3.6.1 Do CSOs use FOI and FOI platforms?

If journalists are not as likely to use Alaveteli sites, are CSOs? In the literature review document, we found mixed evidence of use by CSOs of existing (not purely online) FOI. While there have been some findings in the literature that CSOs use FOI, there have also been studies that suggest formal FOI requests are not the preferred way for CSOs to obtain information from government for fear of souring government-CSO relations and losing funding in some way (Spence and Dinan, 2011). There is little evidence in the literature on whether online FOI is changing this, particularly in the case of anonymous requests. What were the findings from the interviews with site implementers?

**On the one hand, online FOI implementers are again positive about the value of technology tools for CSOs.** Andrea Menapace from Italy states, “Civil Society Organisations found very difficult to get access, even to very very basic data on public interest data, public spending, anything related to public interest journalism” and something like Alaveteli would be a great help. Gabi Razzano from South Africa says, “Getting civil society to use it is probably pretty easy... send them an email and they will be like, ‘cool I never have to fill in a form again’. I don’t think it’s a hard sell.” Darko Brkan envisages that “NGOs would definitely be supportive”. Marietta Le from Hungary feels that CSOs are the key users of KiMitTud in Hungary.

In Israel, Nir Hirshman states that the site is being used by “activists, they’re really into it so they are doing a lot of asking of requests. They didn’t really have a way of doing that before”. However, the difference here is the Tavita site was actually set up by Hasadna, so the CSO is using its own site, rather than partnering with another NGO, with less of a chance of a conflicting agenda. Similarly, the Africa Freedom of Information Centre (AFIC) encompassing eight African CSOs is also planning to host AskYourGov.ug. In Georgia, three CSOs did join Institute for Development of Freedom of Information (IDFI)’s initial site to pool together their FOI requests. The platform was developed from scratch, rather than using Alaveteli. The advantages they perceive in doing this are multiple, including more extensive reporting on FOI compliance across the Georgian state, and capitalising on their collective reputation for litigating when requests are denied (although each organisation files its own request and hence own trials).

So, there is some evidence that CSOs are interested in and using FOI platforms, and investing in their development. However, there are issues around whether more general CSO use and partnership is occurring.

### 3.6.2 Constraints on CSO use

One theme is that like journalists, CSOs have other means of getting information than through FOI sites: “They usually have *better* means than Marsoum41, like direct access” (Tunisia) or “It’s really not the ideal way to get information ... If you need something it’s not a very fast and powerful mechanism” (Liberia). Similarly, Andrei from Romania states, “We talked to people from NGOs – they knew about the Freedom of Information law because it was launched in 2001 in Romania and the problem is that they still use email. I think they feel more comfortable using email because that’s the way they have done it since 2001, and it was difficult for us to promote it”.

### **“Secrecy” in campaigning organisations or CSOs was also pointed out by some implementers**

– Michael Morisy in the USA and Richard Taylor at WhatDoTheyKnow. “Even campaigning organisations want to behave in the same way [as journalists], so if they are going to run a survey via FOI then they will want the information first so that they can then pitch it as newsworthy to newspapers and promote themselves when they release the information”, says Richard.

**Some sites actively attempt to partner with CSOs.** For example in Québec, the aim is “to find a friend organisation that could help us promote that. We had some discussion for example from an environment organisation which usually uses the FOI law to make requests about what the government does, what organisations are doing and things like that for sustainable development and environments”. As mentioned, Italy is attempting to work with ActionAid in the disbursement of funds after earthquakes. Fabrizio Scrollini from Uruguay recounts “a kind of a local NGO dealing with access to information... decided to join this and they became partners in this process. It’s very important that they did so, because it was like bridging two communities that are not usually, like they don’t talk that much to each other, right? So that I think was very, very important to do this.”

### **Yet, the Romanian installation of Alaveteli is attempting to partner with a CSO but gets the impression that they may want to start their site independently and from scratch.**

In South Africa, Gabi understands the cultural conflict of sorts – “Civil society want to engage in these transparency projects. There’s not the in-house capacity to do that so you have to outsource that. Outsourcing means a) it’s difficult to manage but b) you also have people who aren’t very engaged in the process implementing your project, and that’s very difficult”. Darko from Bosnia noted something very similar about the challenges of passing on a platform to others. Gabi comments on CSOs that: “I’m noticing the longer I spend in this sector that mySociety is amazing to work with but everybody else I’ve worked with, from other organisations trying to collaborate with, it’s **like pulling teeth**”.

As with journalists then, there are similar obstacles of time, losing the competitive edge, perhaps a touch of a different agenda, and finally, also the fear of jeopardising government relations. This was experienced by Fabrizio in Uruguay: “They were really wary at the beginning that this website was going to delegitimise the work they had done. So there was a bit of fear around that. It didn’t happen, so that’s good.”

### **3.6.3 Potential incentives for greater CSO use of FOI platforms**

We were, frankly, very surprised by the low use of FOI sites by CSOs (although of course one must bear in mind that this was the impression given by the implementers, rather than a direct user study). Again, while there appear to be benefits (particularly in joining forces for strength in numbers, and saving time and money), the length of time taken and public glare, coupled with already established methods of contact with government or fear of formalising the request, may dissuade CSOs from using the sites.

There may be some things that governments can also do to facilitate requests from CSOs – for example, in Israel, where FOI requests usually cost 20 shekels (roughly US \$5), they are free for CSOs. Further, there may be tactical advantages to CSOs in understanding how overlapping FOI regimes relate. For example Pam from AsktheEU.org observes that “Many NGOs based on the national level that are actually looking for information from their governments don’t know that there is a trick: they could ask for that information from the EU and potentially, at least in countries such as Spain, the likelihood of getting information from the EU is actually greater than getting it from your own government. So that’s one thing we work on as well trying to spread the tool of FOI for organisations across Europe who haven’t quite seen that the EU holds a whole bunch of information”.

This may also help those CSOs that fear souring relations with government in some way (or feeling that the attempt is useless as the government won't respond). **Finally, CSO use might actually be higher than implementers believe.** Most implementers do not keep statistics on demographics, so there may be instances where the user is being reported as an ordinary citizen but actually belongs to a CSO. The term "activist" is also ambivalent – whether the query is being made professionally or personally (or if there is really much difference in some contexts).

### 3.6.4 Summary

Most of the implementers of Alaveteli are CSOs themselves, and use the platform for their own work or interest. As with journalists, implementers see CSOs as a likely and desirable user group for FOI platforms. Some CSOs have set up platforms to coordinate or manage their existing FOI work. However, there is little evidence to say that CSO use of FOI platforms is common and widespread. Competitiveness, better existing channels and long waiting times feature as constraints on the use of FOI platforms by CSOs.

## 3.7 Promotion and outreach

*"There is a saying in the web-world which is: "Build it and people will come"; which is obviously false. You can build whatever you want; if people don't know that it exists, they will not come. So you have to develop a strategy for people to know about it and to use it after that." (Stéphane Guidoin, Québec)*

*"When we launched, we got media coverage. We got like 300 questions, I think, on the first three or four days, which was huge and we thought 'Wow, we're going to have thousands of them by the end of the year'. But then after a week or two weeks, people are pissed off and they never came back to ask again." (David Cabo, Spain)*

### 3.7.1 What kind of promotion is occurring?

Implementers do see the need for promotion, either as something essential or that they feel they "should" do. However, the fact is that most implementers are finding it difficult to drive up use.

**There is a range of promotional and outreach activity**, from cash-strapped implementers relying on third parties to do the promotion voluntarily (e.g. a very prominent Twitter user in the case of New Zealand), to partnering with journalist organisations, or doing some of the work themselves through writing blogs (as in Georgia, for example), giving workshops and so on. The extent of promotion is very much dependent on funding, and some implementers have reported difficulties in persuading grant-makers to fund this sort of activity.

**By the metric of being on the government radar, the more successful organisations tend to be the ones which are doing more promotion and outreach** (and therefore intimidating the government more), and hosting awareness-raising workshops for the public as well as government (Hungary, Italy, Québec, Spain, Uganda, Ukraine).

**Workshop and face to face talks are popular and effective ways of promoting FOI and FOI platforms.** Here are two examples that stood out from the interviews:

- Ukraine seems to have one of the most concerted outreach efforts: "We also made some promotion, like T shirts, bags, everything. Now we also make regional tour around Ukraine – I'm like travelling all the time – and we just make presentations everywhere for authorities because we told them about the importance of the law of working with it and how they should react if they receive information requests from our website. We speak to journalists,

we speak to ordinary people and tell them that they really can solve their problems with sending requests [...] We made a lot of leaflets. We also spread like thousands of leaflets promoting the law and promoting the website.” (Alisa Ruban).

- Prior to this, Dostup in the Ukraine ran an advocacy campaign on FOI lasting over three years, including questions about the President’s residence. Alisa Ruban saw it as “one of the only successful campaigns of civil society during times of Yanukovich... It was the most prominent Ukrainian journalists, leading civil society leaders and we made this issue of access to public information really popular and everybody was speaking about this law all the time, everybody was asking the President when this law will be adopted. We sent millions of appeals to MPs, to government. Also we organised pressure from outside the country so when our authorities visited some, I don’t know, they went to Brussels [...] the first question they were asked was when the law of access to public information would be adopted in Ukraine.” (Alisa Ruban).
- There was a three-pronged training in the case of Hungary: “What we saw was that our training was really successful... The first part is about the legal stuff. Why do you have to do this or why do you have to do that. The second part is about the journalism stuff. If you want to write an article about it, then how do you write it and what is investigative journalism. The third part is to show practical people that there is the workshop and they will register on Alaveteli and then they will file a Freedom of Information request during the workshop and what we saw that is really popular”. (Marietta Le, Hungary).

**A key aim in promotion is also to show support and solidarity.** As Michael Morisy of MuckRock says: “A lot of times the FOI process feels like you against this huge government agency, and we help provide somebody else in their corner and I think when we give these talks, it’s the same thing that they’re wanting, ... to know ‘I’m not alone’.” Similar sentiments are expressed by David and Eva of TuDerechoaSaber and Pedro Daire of Acceso Inteligente.

**A consistently mentioned success factor is to market the FOI platform around a theme or event which will gain attention** (e.g. Sunshine Week in US by iFOIA, or in the case of Italy, at the Digital Venice event – the launch event of the Italian Presidency of the EU).

“Make it at the right time. Communicate more about it. Ask for information that people are interested about ... even if you ask for a document ... for example if you are in Libya or a place with petrol ask about the petrol contracts ... who are they given to?... is it just the general population and stuff like that and communicate around that a lot. Campaign around this exact question ... that would make people interested and if you get a successful answer that would give a clear example to people how this site or any other Freedom of Information site could really give them the information they want.” (Radhouane Fazai from Tunisia).

**Implementers express a real desire for “the big story” to break through an FOI process,** particularly something like the UK MPs’ expenses scandal. This was mentioned directly in interviews with implementers in Czech Republic, Germany, Québec and Liberia.

Others are interested in three or four major stories, e.g. “Not, maybe not all of them like breaking news, getting this data, but at least three, four big stories which will help us to move forward with access to information in Italy [...] we are quite aware of this, and then what we are trying to do now is working with organisations and local municipalities affected by major scandals. One for example is the public spending on recovery after the earthquake in Italy. It happened four years ago, we had a major earthquake with thousands of people affected by the earthquake, and then if you go and



see the reconstruction and the recovery operation, they are still very, very, you have few people after four years have been able to return to their home. To have their house rebuilt, despite the government giving them, at least on paper, the money to do that. So money is lost somewhere in the way.” (Andrea Menapace, Italy).

**Even allegedly vexatious requests are good for inadvertently and spontaneously raising interest,** as shown in the case of the request made in New Zealand asking if the Prime Minister was an extraterrestrial reptile. Rowan Crawford says, “It definitely had an effect on traffic; I can confirm that. I was sort of surprised at the people who are serious about Freedom of Information seem to think it was a bad thing because they saw it as... ‘here are people asking stupid questions and, you know, it makes life harder for everybody’ and all that sort of thing, but I kind of don’t see it that way [...] I think it is interesting, you know, in terms of marketing.” The fact that this was mentioned both by implementers in Australia and Hungary also showed that it raised awareness in the international FOI community.

**However, the way in which the organisation capitalises on the initial enthusiasm is much more important, as it will inevitably fade.** As David Cabo from Spain has mentioned, interest after the initial 300 questions in the first week faded quickly: “people are pissed off [on not getting a response] and they never came back to ask again. They never came back to ask the same question again saying: ‘Come on, give me an answer!’ It’s already hard in the country where there is no strong culture of FOI or entitlement as in ‘You should ask this question’. And then when it’s not easy, getting the people to ask is extremely difficult.”

### 3.7.2 Challenges in promoting FOI platforms

**Unanimously, lack of funding and resources are the main reason why more promotion and outreach isn’t being instigated** (and therefore seen as the reason why the site does not have as much impact as it could) (Georgia, Guatemala, Israel, Romania, South Africa, Spain, New Zealand, USA amongst others). “In terms of broadly popularising it, it’s going to suffer from the same problems all these little tech and transparency projects [do] and that’s that nobody ever has a marketing budget and you need actual marketing and actual outreach”, says Gabi Razzano from South Africa. “Ideas may come a lot, but if you don’t have a lot of financial support it’s difficult.” (Georgia). But it also appears sometimes to be a particular surprise to “techies” e.g. “I’m coming to the conclusion that marketing is important. The technical solution is actually not enough.” (Rowan Crawford from New Zealand).

**Another challenge is the timing of the initial launch:** “That would have to be in a period when there is no other real pressure issue on the agenda of the government. That would need to be behind a big campaign to raise the numbers of applications by Alaveteli to a level where it couldn’t be ignored by the government ... and it would need a very strong civil society coalition behind it.” (Darko Brkan, Bosnia and Herzegovina)

**However, early publicity can also be a disadvantage,** as experienced in Québec: “The problem is that we are only covering five ministries and each time we made presentations or talked about JeVeuxSavoir ... Each time we said that we were covering those five ministries, everybody was answering that it was too bad because they wanted to ask for data from this city or another ministry and things like that. So it became clear to us that it became very difficult for us to publicise JeVeuxSavoir because every time we were told, ‘Ah, that’s too bad because I want data from this other organisation’. So we finally came to the conclusion that it was a waste of time – and ‘waste’ is maybe too strong a word for that – but it was a waste of time to spend time communicating and training people about that, when people would not remember the project because the project would not cover what they were looking for.”

**Lack of marketing is considered one of the main reasons for failure for some sites**, e.g. Darko says if the Bosnia and Herzegovina site were to re-start, he'd "definitely put it into one big campaign. I think really this kick-starting campaign of the website that never really happened. That is actually the main reason behind it not functioning."

**However, there could be more clarity on who the site is being promoted to** – the general public, journalists, or civil society, particularly when funding challenges mean prioritisation is necessary. The most pressing buy-in appears to be from government: "Getting civil society to use it is probably pretty easy...send them an email and they will be like, 'cool I never have to fill in a form again'. I don't think it's a hard sell." (Gabi Razzano, South Africa).

Having said this, it is difficult to judge whether more investment in promotion will mean a greater number of requests and responses. It is still far too early to say.

### 3.7.3 Support needed from mySociety

Although there is a non-technical Alaveteli mailing list as well as technical one, the former is also largely used to discuss technical issues. Stéphane Guidoin says: "I have to say on the Alaveteli mailing list, I tried to ask to everybody, and mainly the people from mySociety what was the communications strategy ... It's mainly discussions about technical stuff even on the mailing list which is not supposed to be technical. And all that I consider is the serious stuff which is 'how do you do it besides the technical stuff' is not discussed. I think that it's what's missing in both cases." Most felt that more support from mySociety on non-technical issues would be very helpful, like a starter pack (suggested by Czech Republic).

There are clear leaders in promotional activities, notably Hungary, Spain and Ukraine. A workshop where these implementers share their experiences would be a good idea, and face-to-face interaction is likely to be more successful than mailing lists, where someone may feel afraid to speak up in public because they fear they are the only one facing these challenges.

As Marietta Le from Hungary says, "If they could contact people who are running Alaveteli instances, then they could try to build a community out of them because the other good thing about the main conference was that I met people who run Alaveteli and we have the same stories about FOI everywhere but I never knew. I had never talked to anyone from New Zealand and I had never thought of sharing these stories but now I think: it's inspiring and we could exchange ideas. For them it was new that we were running workshops and trainings at the other NGOs."

There are informal lines of advice and support, e.g. TuDerechoaSaber in Spain advising other Spanish speaking countries, such as Uruguay and Guatemala (who praised the former highly for their help). Would it help to formalise this either linguistically or regionally, e.g. in Central and Eastern Europe, East Africa, West Africa and so on?

### 3.7.4 Summary

Implementers see promotional activity as essential in driving up use of FOI platforms and there is some evidence showing they are correct in this. It is still too early to say whether promotion is the key factor but the sites that have had or manage to promote intensively and retain media exposure have a higher number of requests made through the platform. However, few are able to do this successfully because of financial constraints. There is a wide range of activity ongoing, including workshops focused on specific groups of potential users, blogging, and attempts to garner media interest. No implementers mentioned negative effects of increased public exposure (even

“vexatious” requests such as the New Zealand reptile query raise the profile), but some regarded its absence as the key reason for the perceived failure of their platform. Timing, subject and venue are as important in promoting FOI platforms as with any other service. Implementers want more space to learn about promotional efforts from each other, and feel mySociety could do more on this.

### 3.8 Risks (perceived or actual)

*“They won’t go as far as threatening you or directly asking you to give up. They use indifference much more, for them it’s much more powerful than fighting directly what you’re doing”* (Andrea Menapace, Italy)

#### 3.8.1 Perception of risk

One of the questions we asked implementers in interviews was whether they felt they, or their users, faced any risks. This was partly informed by the literature review, in which we came across a number of incidents, particularly in India where growing numbers of RTI [Right To Information] activists have been threatened or killed. We did not specify what kind of risk, and most implementers understood this to be threats to their lives.

**It seemed as if the potential of risk depended very much on what kind of profile the site had, and whether it had the capability to threaten the government or not.** There was certainly a difference between the perception of risk and evidence of any. There was a whole spectrum of views here from implementers, the diversity somewhat related to how much campaigning work has been done by the implementers, and therefore how “irritating” they have been to their government.

For example, pre-launch, Oscar from Guatemala anticipated some issues but noted that “it’s part of our work so [laughs] during all these years we suffer some tricks but just that”. In Uruguay, the platform is also fairly new, but Fabrizio perceives a lack of fear because: “Uruguay is a relatively well-behaved, mild country, you know; democracy runs decently. No one is going to get shot for asking a question”. In pre-launch Uganda, Gilbert is similarly positive that he has “never felt threatened”. In Macedonia, Elena thinks a request would just be ignored, rather than any harm coming to the requester. Similarly, in Tunisia: “Seriously the new situation makes people [...] make requests on Marsoum41 or any platform. They are not ultimately afraid about their data or personal information. They are more waiting for an answer or even just seeing just the response of government officials about that. I don’t think the question of fear is there.” In Czech Republic: “We are a service; we are [an] electronic post office who is helping people to be better citizens and that’s all so they would be turning against their own citizens if they attacked our site but there is no reaction like that”.

**There does seem to be some correlation on the perception of risk over whether requests can be made anonymously or not.** For example, in the case of Italy, which requires requests from registered email addresses, Andrea Menapace feels that: “the average citizen is concerned with the idea of engaging directly with the government. Because maybe next year, maybe there is something and the government will take it on me because I made a request the previous year. So there is a trust issue going on”. In Chile, Pedro feels the anonymity was valuable because “After the dictatorship we have some general feeling of fear of the government that this is kind of indicator of some behavior, so being protected by this organisation that will show their name on the request, *Acceso inteligente*, like, I think the user feels protected and free to ask anything.” As discussed, Darko from Bosnia feels anonymity may also be valuable because there will be no distinction between requests from “important people” and less important ones.

**Identification** continues to be a problematic issue. The EU has recently asked for accompanying postal addresses, and in New Zealand, even when there is no legal obligation to provide contact details, authorities (such as the police) do ask and inconsistently so. Of this, Rowan from New Zealand comments: “People do perceive that as intimidating”.

**Finally, the stated gravity of the risk is very subjective.** It seems handled almost casually by those who are passionate about FOI, such as Michael Morisy or Stefan Wehrmeyer. Perhaps some sites are also still too young or the consequences have not been fully understood; for example, Emily from iFOIA feels that there is no reason for the government to hack the site, because it already owns all the information, but the issue is more to do with the repercussions for the requester than the data on the site.

### 3.8.2 Actual risks

**Most implementers have access to legal advice, whether pro-bono or retained. When organisations have been generating publicity, they have been threatened with legal action,** such as in Ukraine, USA (MuckRock) and Hungary. Átlátszó, the CSO behind KiMitTud is on a “list of problematic NGOs” published by the government and Marietta Le gives the following example after an FOI request:

“What the police did was take the hard drive of my boss, the Editor-in-Chief and it was an encrypted hard drive which also advised you to use a specific key and a specific cable, whatever it encrypted. What they did was, after a month, they gave the encrypted hard drive back and the USB plugging thing was broken with a screwdriver or something like that. Then we took a picture of that and it was published on Facebook and Tumblr and everyone [started] laughing at the Hungarian police ... We are still in Europe”.

It is these organisations who correspondingly understand why users may be worried about risks. Michael Morisy from MuckRock says, “Yeah, I do think [...] people do wonder if I file a request with an intelligence agency, will I be put on a watch list and I don’t have an answer for them either which is a frustrating thing you know. It used to be easier to dismiss those kind of concerns, but three months after we launched, the state government was threatening to throw me in jail [...] And that was over something relatively benign, so I can’t say, you know, that those fears are completely unjustified”.

Similarly, Marietta from Hungary says, “We were sitting at this meeting and an hour later, some people started arriving back from this rally and coming to the meeting because people were protesting and they were the ones who were working in the NGO sector and you are sitting there and you try to think that everything’s ok but the facts are contradicting what you are thinking so I wouldn’t say I’m afraid or I think I’m in danger but then there is this trend in Hungary which is not good and some people are already really scared like I said at the meeting. Someone asked how you, guys who are listed, and there was this girl and she said she was scared like shit. I cannot say that she is right or not because you never know.”

**The consequences of legal action for issues such as breaches of privacy laws, of defamation, or non-compliance with organisational registration regulations, can be considerable** both financially and in terms of the damage to the site’s mission. Richard from the UK puts it this way: “The question for that is always about legal risks. So it is worth suing mySociety because you can get rid of mySociety, and also mySociety has money. There are only a small handful of cases where there are documents we might have wanted to publish on the site but can’t due to legal risk. So it is a tiny fraction, but then it is an important tiny fraction because, if we are going to be an effective activist

campaigning organisation – which we want do as well – we shouldn't be taking material down which in some cases is really valuable stuff and it ought to be out where [it] will make an impact."

This returns to the issue of the visibility of exchanges on Alaveteli – even if pseudonyms are used. It is also about the role that FOI platforms have as intermediaries and publishers, and the legal duties which accompany these. More research needs to be done on whether there is any evidence that this visibility or these legal requirements are serious deterrents to the use of FOI platforms.

### 3.8.3 Overcoming fears of risks

**As of now, it remains to be seen which is more valid: the optimism of some of the younger sites, or the caution of those which are more established.** The greatest current risk appears simply to be apathy from the public or potential partners (Darko Brkan), or government silence, as suggested by David and Eva in Spain or Andrea Menapace in Italy. As Teemu from iLab Liberia says, "I don't know if the FOI is considered as a big threat yet by any of those that we would expect threats eventually from. Simply because, or partially because, even if you have these processes, even if you have these decisions it's quite difficult to enforce them. Of course if you are having these decisions and still people are not abiding by them and they don't get punished but it still could come to press and media attention".

So if silence is seen as a lack of success, perhaps a better scenario would be if risk did exist but legal procedures were in place to protect the requester – currently being heavily campaigned for in India, but still pending. However this also raises questions of whether Alaveteli implementers will be required to have a "duty of care" for a requester.

**Finally, we simply need more research on evidence of risks, threats and so on to users and implementers.** As yet, it feels that in most cases the volume of requests is not high enough to show evidence, and our interviewees' opinions regarding risk are primarily personal. For example, outsiders may consider Tunisia or Guatemala to be risky contexts, but those inside do not see it the same way. So, Radhouane Fazai – himself from Tunisia – does not perceive many risks in running Marsoum41: "This context of so called 'revolution' makes challenging the government an even more regular matter, like now you say we have a revolution or uprising. I can ask you anything; you can give me the answer. They are not scared of the government or they are not scared of making requests to the government".

### 3.8.4 Summary

Generally, the FOI platform implementers that we interviewed do not see a considerable risk of physical harm or violence, but are wary of risks from legal action. For platforms run by organisations with a more adversarial posture, these can be very severe and intimidating for implementers. The ability of requesters to maintain anonymity seems to be a factor in whether users of the platforms perceive a risk; requesters may not wish to publicly identify themselves, and might, if it was compulsory, be discouraged from using the platform.

## 3.9 Impact

*"I think we are changing, improving the knowledge in people and that is the most important impact we are having in Tuderechoasaber."* (Eva Belmonte, Spain)

*"I think the impact comes not from awareness of FOI but awareness of the FOI implementation situation and the possible impact there is both to government and civil society."* (Teemu Ropponen, Liberia)

### 3.9.1 Aims of sites

When we began this research, our main interest was in the question: “Have these sites been successful?”. We ourselves were not clear about how to define success. It is in some way related to the topline question **“In what circumstances, if any, can the FOI [Freedom of information] tools mySociety builds be shown to have measurable impacts on the ability of citizens to exert power over underperforming institutions?”**. Therefore, we interpreted success as a *measurable* impact on the relationship between citizens and governments. We gauged this by asking the question “What do you think the impact is and how are you measuring it?” and the more blunt “Do you think your site is a success?”. We began to realise that success and impact were very much based on the *aims* of the site implementers. For example, the Israel and New Zealand sites, although small and with few users, considered themselves as successes because they were simply on the first rung of raising FOI awareness with minimum funds.

As seen in Section 2, **there were multiple aims**. For many, an initial aim was to use the database as a repository, so they would use it to populate, even just with requests from their own organisation, to drive attention and obtain higher search engine ratings (Bosnia, Hungary, Spain, Italy, Uruguay). However, the overall aim was not as a tool for data or information, but for advocacy. As David Cabo from Spain points out, saying one has 3,000 users does not amount to anything. For Andrea Menapace, “Data per se is not really the main goal, but it’s much more important for us as a civil society organisation working to promote the Right To Know, [to] see how the government is responding and if there is a change of attitude after years of years of talking about transparency in government, accountability”. Similarly in Guatemala the aim is “to put pressure over the public institutions to respond to the demand of access to information”; or it is to bring about an FOI law (Spain) or even to question the law’s effectiveness when it exists (Australia, Italy, Uruguay).

**Another aim was simply to understand bureaucracy better and open up the process.** David Cabo from TuDerechoaSaber alludes to interacting with government as “Kafka at the castle”; Radhouane in Tunisia points out that “technology can speak about the flow” and Teemu from Liberia mentioned raising awareness of poor record keeping.

Gabi Razzano expands on this eloquently: “Ideally if we got people using it, we would be able to pick up patterns, probably from their data of where your faultlines are. At what stage a request falls to pieces tells you a lot about what the implementation issues within a department are. If they are just not responding at all that’s probably got something to do with the delegation of authority and those sorts of things. If the request *is* coming through and there are lots of refusals, the chances are that the people you have in those positions aren’t properly trained in how to engage with the law. That is a training issue and there are ways around that. So the data will tell you a lot about where your implementation weaknesses are. If you keep telling people you have lost records it’s a records management issue. There’s a lot you can tell individual departments about their performance as well. I think that’s quite cool.”

**Technology is seen as a key player here in achieving impact of some sort.** Echoing the concept of the glare effect mentioned in our literature review (Wittemyer et al, 2014), Henare Degan from Australia says, “If you think about the environment before Right to Know: one person puts in a request for one of the detention logs maybe, they would get knocked back, the department would play silly buggers and no one knew about it. Now everyone knows about it, there would be multiple stories in the media about the department playing silly buggers. Can you imagine that ever happening if sites like these did not exist, where people did not know other people were making these requests? So, yeah it’s happening. And if it doesn’t, it’s still exposed, it’s one of the beautiful things about an Alaveteli-powered site”.

The key to success is **being confident about one's aim and communicating it**. For example, MuckRock's aim, like that of many of the implementers, was to raise awareness on lack of transparency. On the other hand, for iFOIA it was that "Reporters find the FOIA process tedious and difficult, and so how do we address that?". As Fabrizio Scrollini from Uruguay says, the key to success is "to set up very clear aims of what they want to do. That is a crucial part, do they want to campaign, do they want to set up a service, do they want to do both and to which extent they are willing to do it. I think it's good to just test, to just have a go at least at the beginning. And then take a more kind of evolutionary kind of approach. So yes, I mean... clear aims, have a go, take an evolutionary kind of approach. Iterations are needed: you need to iterate to find out more about your users and find out more about the government itself, it's a two-way street."

### 3.9.2 Measuring impact

As a result of these mainly general aims (raising awareness of FOI, raising awareness of lack of government response) and iterative methods, we found that **there were few tools in place for measuring success**. Building the FOI site was commonly seen as an experimental project (Australia, Israel, New Zealand, Romania, Tunisia). As Nir Hirshman from Israel says, "So first of all, just build it and then see how you could measure that with the bureaucracy and that's it, I guess ... just start and translate and just start and it will happen and then see how the bureaucracy in your place works and somehow try to mash it up a little bit." And so perhaps it is expected when he says, "We don't really need to measure our impact. We don't have any money to put into it."

**Some implementers however, are beginning to realise that without measuring impact, or evidence of "map and monitor" (Italy, Spain), funding is likely to be less forthcoming** – hence the writing up of success stories (government action taken as a result of an FOI request), blogging and so on, rather than purely publishing statistics. Richard Hunt says, "The single most important thing for us is if somebody asks us an interesting question and it gets to the media saying that it's been asked through us". David Cabo says, "I don't think I have proof to say it improves the situation but I think it definitely helps the discussion. And the reports, I think, are definitely important because we have a very strong weapon to go to the government to say: 'Look, this is a joke: 13% success rate and it's not getting better'".

On the other hand, **tools for measurement are desired**. Henare from Australia says "I like the questions you have asked around making sure you know what goals you have and how to measure the success of them as well. I don't think we do that enough and that's why I think research like you guys are doing will be really useful because it makes us think about that more. It is quite easy to give yourself the freedom to go, 'Oh let's set up another site and not measure its impact'". His suggestion is to devise a ranking system of some sort for all the Alaveteli platforms. But the challenges in this are picked up by Eva from TuDerechoaSaber: "It's very difficult to compare different Alavetelis in the world [...] I think we have an issue here because in some Alavetelis the 'successful' answers are one kind of answer here and another kind there. There is no standard way to measure if they are really successful or not. We made a lot of comparisons in the table in our last report. We had a lot of problems with that, so it is important." She adds: "it would be wonderful if next year when we make the report, we had a more structured way to compare different countries". Another standardisation both David and Eva recommend is on classifying how "successfulness" of responses is understood, as these vary by institution and are also self-categorised by users.

**Another issue is that the sites themselves do little testing of responses – again largely due to lack of time and resource**. Gabi Razzano mentions A/B testing without reference and with reference

to the law to understand the difference. “We’ve done one request where ‘I want this’ as opposed to one saying ‘I want this because of this and this section, don’t presume’ because of that sort of thing...” However, they are still analysing the results. Andrea from Italy also wants to re-test how the same queries to different bodies got different answers, echoing the Open Society Foundations findings (2006).

### 3.9.3 Success factors

We asked one final question on what was the best and worst piece of advice the implementers had received, and what advice they would give new starters of Alaveteli. From this, we compiled a list of “success factors”:

**Use Alaveteli:** Unless the very level of transparency is an issue (e.g. for journalists) the consensus was that it was better to use Alaveteli software than to build one’s own platform. As Pedro Daire from Chile said “Costa Rica, Bolivia, Peru, Argentina [approached us for advice]. But we knew that our technology wasn’t good enough to be reusable so we only keep on [giving] the [same] advice: and we advise to install Alaveteli”. For Andrei Petcu, “Subscribe to the Alaveteli developer mailing list, and ask questions there. Those people are awesome, they answer in two days maximum” (Romania).

**Think about your aim:** As mentioned by Fabrizio Scrollini (Uruguay) – it’s crucial to think about what the end aim is. In most cases, the Alaveteli install is not about getting data, but rather to improve awareness of FOI and so it is effectively a campaign tool. If this is the case, the focus should be on promotion.

**Invest in promotion:** Some Alaveteli and non-Alaveteli implementers have great experience in bringing stories to the media, blog writing and so on (Hungary, Spain, Ukraine and in the case of non Alaveteli, MuckRock). They could provide training for others.

**Launch with an event:** Launching at a critical time or around a critical issue was key – whether during election time, or during a particular scandal. This gets a “hook” for the platform to generate publicity. The implementers in Bosnia felt that *not* doing this may have been one of the reasons the site was static and fell into lack of use.

**Connect with the Alaveteli community and wider FOI community:** Alaveteli is not just about the software, but the community. As Andrea from Italy says, “If you’re going to have a platform with other people and other countries, [it] is much easier for us to understand how we can improve the platform, we can see best practices abroad and then you feel part of a community doing the same things. It’s much more powerful, the message you can send to your audiences in Italy if you’re part of a bigger community abroad. And people care a lot about these things on strategic, kind of strategic way to advocate for access to information, having a platform used by other people around the world ... That’s why it’s important to work together with a national organisation and the international community.” There is a general feeling that being part of a broader international community brings more motivation for all (also mentioned by Stefan Wehrmeyer, Marietta Le, Michael Morisy). However, the feeling was that mySociety needs to work on non-technical support more, mentioned by Stéphane Guidoin, echoed by Marietta Le (e.g. more interaction through conferences) and Richard Hunt (providing a starter pack of sorts).

**Partner with an organisation:** This was admittedly more problematic given the two sides’ different agendas, but a common suggestion was to partner with journalist organisations.

**Get government on your side ... somehow:** Although there is no answer as to whether being collaborative or adversarial with government is a better strategy, one clear point is to recognise that there are more and less progressive government departments.



**Think about your business model:** How sustainable is your project? This is one big question that most organisations had not even reached the stage of asking, with the exception of MuckRock in the USA (non-Alaveteli).

**Expect to put it in the work:** As mentioned by Pedro Daire of Acceso Inteligente, running an FOI platform is time-consuming. Although some sites had less ambitious aims (e.g. New Zealand and Israel), others had not anticipated the amount of work needed – from simple but tedious tasks like collecting all the email addresses of the necessary public officials, to the more challenging financial and administrative process of backing any appeals processes.

**It's not about the technology:** It's all about raising awareness and persistently questioning (what Nir Hirshman calls "trolling" government) and realising that "it [FOI technology] is not a new process – you are embedding it in a process that already exists" (Gabi Razzano, South Africa).

### 3.9.4 Summary

Overall, it seemed as if implementers' thinking about impact, evaluation and measurement was very nascent. It seems this is an ideal time to involve the Alaveteli community in designing inter-country surveys, A/B testing, testing promotional success, and generally providing tools to standardise the assessment of impact from those who have started thinking about it (David Cabo/Eva Belmonte, Andrea Menapace, Gabi Razzano). The challenge here, again, lies in whether institutions have the time and resources to invest in and execute such measures.

## 4. Discussions, future points, conclusions

### 4.1 What does this study tell us?

The findings that we think are valid from this study are listed below.

- **The UK platform, WhatDoTheyKnow, is an outlier.** Alaveteli implementations use most of the model of WhatDoTheyKnow but none have had a fraction of the scale of use. WhatDoTheyKnow is a common point of reference for implementers, and mostly an inspiration to them. The success (high number of requests and responses) of WhatDoTheyKnow is still inexplicable for those involved in it, but seems attributable to some kind of “Right to Know” culture in the UK which is mentioned as painfully absent in other countries. There is a role here for WhatDoTheyKnow to offer more outreach sessions to other countries on how they achieved their level of success (so far they mentioned they have only been approached for technical help).
- **FOI platforms are used and have real potential to be used extensively.** We interviewed 32 implementers of 27 different platforms in 25 countries. Of these, 20 use the Alaveteli platform. Through these alone, over 40,000 FOI requests have been made. There is considerable variation in the raw scale of use, ranging from sites which have a few requests, to those with thousands. Over half (13 of 23) sites have been in use for less than three years.
- **The current technologies don’t get in the way... much.** Implementers of platforms, including those that do not run Alaveteli, have faced challenges that are specifically to do with the platforms and the technical infrastructure required to run them. However, these pale in severity to the challenges that are close to the technology itself but that are non-technical: finding, relating to and retaining capable technical people; localising the platform by translating, and adapting it to the local FOI regime.
- **Data about requests, and the database of prior requests made through the platform are the features implementers believe to be most critical, but their potential is largely untapped and little impact yet evidenced.** These features “sell” the platform, and are widely believed by implementers to be of high value. This isn’t yet borne out in practice.
- That said, the features of publishing and archiving define the most distinctive aspect of FOI platforms like Alaveteli, which is **the shift in control over the existence and authenticity of the FOI dialogue** to the platform implementer. The struggle that many implementers undergo in attempting to gain government acceptance can be seen as a struggle over control of the record.
- **All implementers have faced challenges in getting government acceptance for the platform.** Some of the specific challenges implementers face in getting public bodies to respond to FOI requests made through the platforms can be justified by lack of capacity and poor internal awareness of FOI. However, the common experience of implementers is one of official reluctance and a smörgåsbord of evasive behaviours, including challenging the legitimacy of the FOI platform, insisting on use of their own systems, and legal threats. However, overt political hostility to FOI platforms is rare and more credibly related to wider issues of government repression of civil society. Implementers have mostly adopted co-operative postures towards the institutions with whom they deal. Some implementers have partnered with government, but these are at a very early stage and little can yet be said about their impact.

- **The establishment of an FOI platform like Alaveteli is a radical act which relies on a commitment to a very specific form of communication between public bodies and citizens.** Taking the route of establishing a fully open, always public, automatically archived FOI process is challenging in some way to nearly every party with an established interest in FOI – whether CSOs, journalists, officials or politicians. The temptation of implementers to back away from this can be intense, and forms a core tension in most initiatives.
- **We don't know much about who uses FOI platforms.** Where the platform is not focused specifically on journalists, very little reliable information on the user base of FOI platforms is available. Implementers do not keep or actively seek demographic information about who uses the site, and what their experiences of the platforms have been. This means there is no evidence base which can be used to assess questions about diversity and inclusivity of the user base, and their perceptions of success. However, implementers have the impression that the people using the platforms are “active citizens”. We were surprised that platform implementers did not refer to much active use of FOI platforms by businesses, other than one mentioned by Rowan in New Zealand where a coffee company had requested information about the purchase of coffee by ministries. Again, this could be an issue of how requester status is categorised and/or collected.
- **Use by journalists of FOI platforms like Alaveteli is thought by their implementers to be minimal.** The reasons for this are oft-recounted and down to a time lag in responses, a pre-existing “leak culture”, and the possibility of losing a scoop by publishing a request publicly online. However, most of the non-Alaveteli platforms which we studied were focused on helping journalists submit and manage the FOI requests that they make privately. A paradoxical finding is that the two most-used Alaveteli instances – in Hungary and Ukraine – are both established by, or in partnership with, journalist-led organisations.
- **Similarly, demonstrated use of FOI platforms by CSOs is minimal.** All the implementing organisations and individuals fall under the umbrella of civil society, but there was little evidence of routine use by other CSOs. From time to time, use of FOI platforms for specific campaigning occurs, though the value of this tactic to campaigners is not known.
- **All implementers have struggled to increase and sustain use of the platform.** There is no sure-fire way to grow a site. Implementers have many ideas about why sites grow, mostly tied into the creation of virtuous cycles of media and online exposure, search traffic and, in some cases, extensive in-house use. There is some evidence that promotional efforts focused on media exposure for the platform can increase use short term, but retaining users and interest remains a challenge. Further, in nearly all cases, the resources to promote the site with any intensity have not been available to implementers.
- **The financial sustainability of FOI platforms is shaky.** Numerous platforms have been set up using the implementers' own time, money and resources. To sustain, develop and exploit the benefits of the platform, nearly all have sought grants from private foundations. The range of grant-makers who support this work is small, and the amounts allocated do not appear large (and “developed” countries are likely to get less funding than developing countries). Attempts to supplant grants using crowd-funding, micro-donations and services are under way – with some successes. However, the amounts raised are small in comparison. One site sustains itself through service charges – MuckRock – and its annual current revenue is less than that of a single grant-funded staff member working on another platform. Where finance is unavailable, and technical support is not in-house, platforms can continue working, though the risk of shutdown owing to a costly technical requirement is high.

## 4.2 What does this study not tell us?

This study is first generation research into the work of a small, young movement. As we showed in the literature review this study inherits existing challenges of examining effects of increased transparency, and in particular the influence that technologies have when intentionally deployed to realise the same. In reflecting on the findings above, we can clearly see the questions we are no closer to addressing in this particular study.

- Does FOI generally contribute to greater accountability in government?
- Are there certain issues or departments within government which are more responsive?
- Does poor FOI compliance through any channel equate to under-performance in general by public bodies?
- Do FOI platforms contribute to the overall use of FOI mechanisms by citizens?
- Does the presence of an FOI platform induce use from people who have never made an FOI request before?
- Which groups in society are using or not using FOI, and FOI platforms?
- Are requests made via FOI platforms more likely to be met with a successful response than other channels?
- Are online FOI platforms more efficient to use than other methods of making requests? Are before/after implementation tests?
- Are FOI platforms helpful to officials tasked with responding to FOI requests?
- Are the public databases of FOI requests created by platforms like Alaveteli used by anyone, for what, and do these have any impact?

Not being able to clearly answer these questions frustrated us. The key issue driving these is the lack of much to compare FOI platforms against. As mentioned by numerous interviewees, government self-reporting on FOI compliance is widely regarded by implementers as incomplete and self-serving. Comparative studies of the use of different FOI channels in parallel are rare and have limited coverage. Further, there are huge research gaps in the experience of FOI officials, and the impact of FOI on public institutions. This study – focused as it has been on past efforts, and on the experience of implementers – has not been able to push into these areas. However, the real-world questions of impact, including that of accountability, can only be answered if those gaps are filled.

## 4.3 What about the research question itself?

This area is still very young, and with time and more consistent study of impact, we cannot discount that the below conclusions will change. Our current view is that FOI platforms like Alaveteli have a self-evident value (through use) as a channel and method of engaging with government. Requests made through FOI platforms seem to face procedural hurdles specific to digital, but they can still be a successful channel – and raw use data shows that they can be a preferred channel for FOI requesters.

Alaveteli sites and those based around a completely public model offer a provocative and aspirational vision of how citizens and government can interact. The control-shift the platform creates over the record and archives of FOI is a powerful idea. There is evidence that these platforms can easily highlight shortfalls in official attitudes and capabilities in public institutions in their compliance with FOI laws. There is also evidence that material and activity upon FOI platforms can attract public

interest, and that advocacy towards government with this material is occurring. Further, there is some – though weak – evidence that these platforms are used directly by citizens rather than intermediary groups like journalists and CSOs.

However, there is little evidence that government performs any better or more accountably as a result of FOI platforms, or that absence of FOI compliance by any channel is much of an indicator of government under-performance. There is evidence of small wins, but these do not amount to any specific, generalisable situations where platforms can lead to accountability. For certain, the platforms studied have many commonalities of experience, as outlined in this report, but it is a small sample and the differences between them are considerable.

#### 4.4 What next?

- Increase the inter-connectedness and opportunities for implementers to meet each other. This research process has been the first of its type and has been roundly welcomed by implementers curious to know more about how things are working in other countries. mySociety should invest more in face-to-face opportunities as well as promoting the non-technical mailing list as a non-judgmental space to ask questions and share experiences so that implementers do not feel that theirs is just a solitary issue.
- Similarly, encourage more introspection and dialogue between implementers about the non-technical elements and wider context of FOI platforms, in particular promotion and outreach into government. Leaders in this space such as Hungary and Ukraine could provide training and help to others.
- Design and share simple, safe, cost-effective and replicable ways for implementers to study the use of the FOI platform they run, preferably making use of the FOI platform itself to do it. Implementers have mentioned A/B testing, sampling, and comparative studies of different FOI channels. This includes more research into the types of requests, demographics of users and response rate by Ministry/Department. Another possibility, especially with upcoming Alaveteli installations, is to conduct tests with the same FOI requests before/after implementation and see the difference Alaveteli makes.
- Build and formalise networks and mentorships, along linguistic (e.g. Spain's often mentioned and very much appreciated help to Guatemala and Uruguay) and/or geographical (e.g. Gilbert from Uganda mentioned being approached by other African countries) lines.
- Whilst we have not dug too deeply into the specifics of grants, one of the findings is that in most cases FOI platforms are grant-dependent and in the mid-term, this does not look likely to change. Grant-makers supporting these sorts of initiatives will need to elongate the funding cycle or exchange experiences about more innovative forms of funding (e.g. crowdsourcing/tiered payment) to enable sites to establish and grow.

#### 4.5 Conclusions

It's "transparency theatre" says David Cabo, of current transparency and accountability indicators. "They do like, 100 indicators of 'how transparent our government is' and then they go through websites and tick boxes and: 'here is the name of the Minister', and 'here is the contact email' ... it's a very easy exam to pass". What interested and inspired us was that we had a sense that FOI online provides a tangible tool to interrogate that transparency through participation, with all its challenges (and accountability is harder to gauge).

Has Alaveteli helped? Perhaps the better question would be: what would the FOI field be like without Alaveteli or other FOI tools? As discussed, we felt a strong sense of a shift in control. The work ahead lies in promoting the tool and building awareness – and the strength of the Alaveteli community is its greatest asset in doing so. In the words of Richard Hunt from the Czech Republic: “The Alaveteli community is a brilliant community and if you were considering this I would say first of all consider very carefully the reasons why you would not use Alaveteli”.

## 5. References

Citations for the full set of references used in Parts 1 and 2 of this study are available for [download in CSV, BibTeX and RDF formats: <https://drive.google.com/folderview?id=0B6NzFbSua6UvR2xuV0t3NzhweFk&usp=sharing#list>].

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## 6. Appendix: Interview guide for FOI platform implementers

Theme	Question
<b>MOTIVATION</b>	<p>What made you interested in this/come to work here?</p> <p>What were you doing before doing this?</p> <p>Your organisation's details – when was it started, how, why...?</p> <p>What is your organisation known for? Are you running other successful websites that help people in their civic lives?</p> <p>How is your organisation and your FOI website financed?</p> <p>Would it survive if there was no funding behind the project?</p> <p>What would you do if you had more money to invest in the site?</p> <p>How do you market the site? How do people hear about it? Can you point us to media coverage of the site?</p> <p>As an individual, have you asked public organisations for information before?</p> <p>What risks are there to you personally, and your organisation, in setting up this FOI website?</p> <p>Why did you choose to use Alaveteli to run your site? Had you considered other options?</p> <p>What would you have done if Alaveteli had not existed? Would you have made something similar from scratch?</p> <p>How many people regularly work or help out on your site? What sort of relationship do they have with you? (e.g. site super-users, volunteers, partners, paid staff?)</p> <p>In your work, do you have access to legal advice, or other expertise in public administration? Have you had to use it?</p> <p>Who is running the technical bits of your FOI website?</p>
<b>BIG QUESTIONS</b>	<p>What do you think the impact is and how are you measuring it?</p> <p>Do you think your site is a success?</p>
<b>COUNTRY CONTEXT</b>	<p>Do many people in this country generally request information from government using FOI laws?</p> <p>In general, how responsive do you think the government is to FOI requests, however they are made?</p> <p>What do you think people in general know and feel about FOI?</p> <p>Have there been any major events which have raised the profile of FOI – for good or bad – amongst the general public?</p> <p>What is the level of support for FOI within public institutions?</p> <p>Can you describe how politicians and other prominent public figures talk about FOI, if at all?</p> <p>How would you describe the environment in this country for a tool like Alaveteli? Supportive, not supportive?</p>
<b>TECH QUESTIONS</b>	<p>How did you design the site?</p> <p>Did you need to customise Alaveteli much to use it in this country?</p> <p>Is Alaveteli able to help people with the complete FOI process in this country? (e.g. request, holding response, full response, denial, appeal, re-submit, etc.)</p> <p>Have you had any major difficulties in getting the site running? If so, how did you overcome them?</p> <p>Did you test out what people think about the site before publicising it widely?</p> <p>What did you learn?</p>



Theme	Question
<b>USERS AND INCLUSIVITY</b>	<p>Who do you think uses the site – any demographics, age, gender, sex, socio-economic status, location? Any website use statistics you can share with us (times of use, unique visits, repeat visits)?</p> <p>Who do you think does not use the site, and why?</p> <p>Are these different from those you thought would use the website, or had actively encouraged to use the website?</p> <p>Has this changed since you set up the FOI website? – i.e. changing nature of user base, increasing/decreasing use?</p>
	<p>Do people using the site give you feedback? How?</p> <p>If so, can you tell us about any trends in the sort of people that give feedback, and what they say?</p> <p>What have you changed as a result of what people have said about the website?</p>
	<p>Which topics are popular among people using the site to make requests?</p> <p>Would you say that there is a “community” developing around your FOI site? If so, what sort of role does this community have? Is it welcoming, supportive; cliquy, discouraging?</p>
	<p>Are you taking any measures to avoid “elite capture”, i.e. to make sure Alaveteli is as inclusive as possible?</p>
	<p>What risks do you think people using the site may face? – i.e. privacy or anonymity concerns, fear of reprisals? Are there any specific incidents you can tell us about which illustrate these? What have you done to mitigate these risks?</p>
<b>IMPACT, EVALUATION, SUCCESS AND MEASUREMENT</b>	<p>Do you think people are generally satisfied with the responses they get from public organisations when they use your FOI site – if not, why not?</p> <p>If people are not satisfied with the responses they get, what do they do? – i.e. Ask for help, give up, persist, complain?</p>
	<p>Are there any incidents/events which you felt led to a greater use of your site? – i.e. promotions, news stories, political or other sorts of events?</p>
	<p>Are there any events <i>in the future</i> which you think might have an impact on the site? – if so, are you going to take steps to help your FOI site benefit from them?</p>
	<p>Are there any particular communities, organisations or movements which you see using it?</p>
	<p>Are investigative journalists and bloggers using the site? – if so, have they approached you for support?</p>
	<p>What impact do you think your site is having on government?</p>
	<p>Are you in direct contact with any government bodies about the website? – If so, how would you characterise this contact? (antagonistic, supportive?)</p>
	<p>Can you think of any specific instances where questions people have asked online have led to bigger publicity campaigns or calls for accountability in this country?</p>
	<p>What do you think are the major challenges that your FOI website faces?</p>
	<p>How do you think mySociety’s Alaveteli initiative itself can be improved?</p>
	<p>If you started over again, what would you do differently?</p>
	<p>What was the best and worst piece of advice you received? What advice would you give someone about to implement Alaveteli?</p>