

Ireland, Germany, Spain lagging behind on police transparency

Madrid, 26 November 2009 — **Ireland** is the only country in Europe to exclude the police from the scope of its freedom of information law, in **Germany** the right to know does not apply to all police forces, and **Spain** is the largest EU country without an access to information law and so no public right to obtain information from the police.

These findings are contained in "***The Right to Know: Europe and the Police***" by the campaign group Access Info Europe to be presented at a conference on police transparency being held at the [Centre for Freedom of Information](#), Dundee (Scotland) on 26 November 2009.

The research stemmed from concerns raised by the [Scottish Campaign against Irresponsible Driving](#) (SCID) that families of victims of drink-drive accidents can't access to information held by the police. Scottish freedom of information lawyer and expert David Goldberg said, "*Working with SCID has been very sobering; the provision of information is vital for relatives and it is unacceptable that the police deny it.*"

Another concern identified by the report is the exclusion of all information relating to criminal or judicial investigations by the police. In countries such as **Belgium, Denmark, France, Italy, Norway and Switzerland** this information falls outside the scope of the access to information law and cannot be accessed even if a strong public interest in the information is demonstrated.

Access Info's review of the police transparency in the 47 member states of the Council of Europe found that seven (7) do not recognise the public's right to know: Andorra, Cyprus, Luxembourg, Malta, Monaco, San Marino and Spain. In some federal states such as Germany, the right to know does not apply to all police forces as not all the provinces (Lander) have freedom of information laws.

Problems in accessing police information in practice are identified in **Albania, Armenia, Bulgaria, Poland and Montenegro**. Access is often denied through over-broad application of exceptions or the classification of documents. In **Montenegro**, for example, anti-corruption campaigners have had to go to court to get even basic information about police implementation of the national plan against corruption and organised crime. In **Albania**, human rights groups investigating the CIA extraordinary rendition programme went to court and obtained information about the passage through Albania of torture victim Khaled el Masri.

"*The police serve the public and should be accountable to it,*" said Access Info's director Helen Darbishire. "*Limited secrecy is obviously necessary to protect investigations, but blanket exceptions for police information, or the more radical exemption of the entire police force as is the case in Ireland, undermine democratic oversight of law enforcement.*"

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