

PUBLIC OPINION ON THE RIGHT TO INFORMATION

Background

The general public were made to depend heavily on the public and private institutions even to fulfill their basic needs in today's complex society. Specially when there are no substitutes for the service provided by the public sector, the impact such institutions have on the individuals' lives is substantial. As there is no legal basis enacted to the right to information of the general public in Sri Lanka, provision of information to the individuals by the respective institution has turned out to be more of a 'duty', based on the authorities' willingness to provide information rather than a responsibility that is assigned to them. Consequently, people in a country failing to obtain accurate information provides ample of space for the authorities in question to work with no responsibility or accountability. On the other hand, with limited information in their hands, general public fail to take any actions against corruption and injustice they undergo on a daily basis.

‘The Right to information’ (RTI), as a fundamental human right which opens the manacled doors of the ‘Freedom of Information’ enabling the public to access and discover the concealed information plays a pivotal role within the modernized and globalized world. With the objective of perceiving the opinions that the public hold pertaining to RTI and the other social consequences, Transparency International Sri Lanka conducted a public opinion survey on RTI in September 2014.

In this study Transparency International Sri Lanka basically focused on the following aspect: What is the level of understanding of the public on right to information? Do they encounter problems due to the absence of right to information? and finally the attitudes of officials on the “Right to information” and their ability/capacity to respond to public demand for information.

Transparency international Sri Lanka believes that the findings derived from the study will be useful to the activists to emphasize the government and policy makers about the necessity of implementing the Right to information. Secondly the findings will also useful to the government to identify and setup the structures/ mechanisms as well as to design the required training and capacity building for the public officials to facilitate Right to Information. In addition the results also help to identify the need and methods to raise awareness among the public in order to obtain the benefits and the advantages within in the implementation of the right to Information.

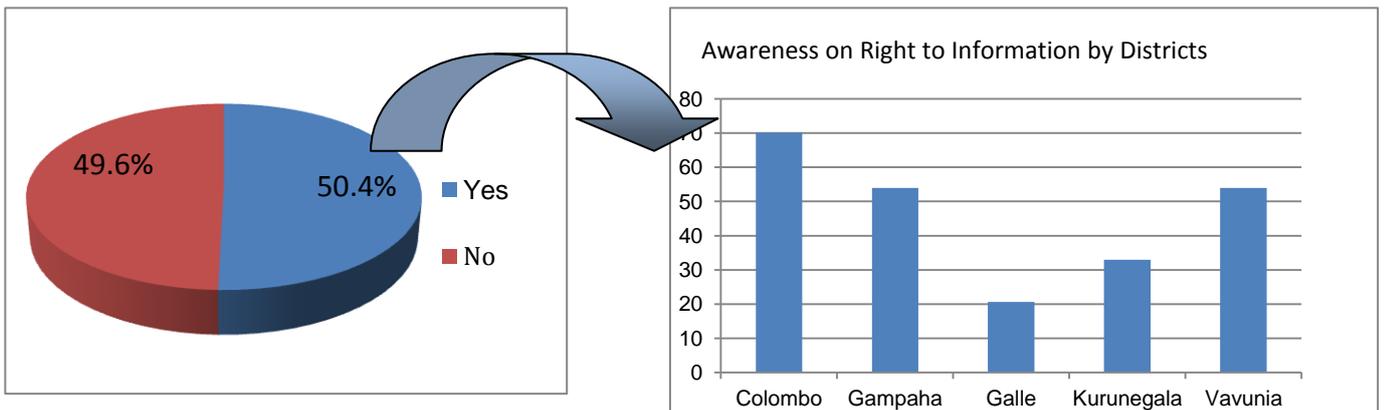
The sample of the study was selected prioritizing the representation of the public who belong to diverse socio economic, socio cultural and socio political spheres. With the focus on obtaining the information from the general public and the officials two separate questionnaires were administered.. Trained field investigators gathered information from 450 general public who got endeavor and accessed the governmental institutions with the expectation of receiving the information that is not publicized by the responsible authorities. In addition and 85 public officials were also interviewed to obtain their perspective on facilitating RTI. This report presents the summary of the findings.

Opinion of the General Public on the Right to Information

Answering question whether the general public think they have an entitlement to the right to obtain information they attempt to seek, 95% responded affirmatively. The rate did not vary by districts and more than 90% of the respondents confirmed that they should have the right to information.

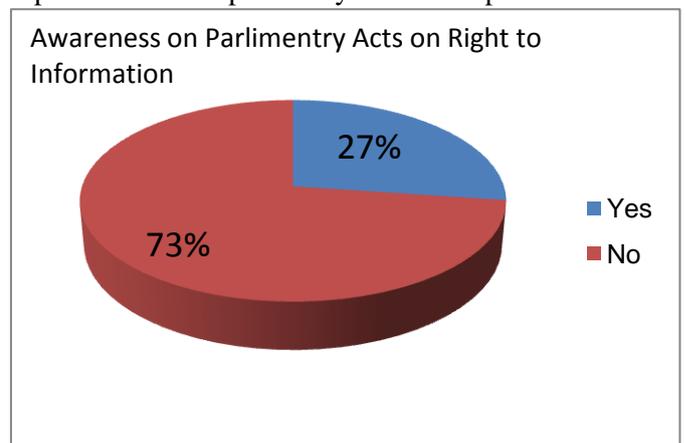
Awareness

It was revealed that 49.6% of respondents were not aware of a right called “Right to information”.

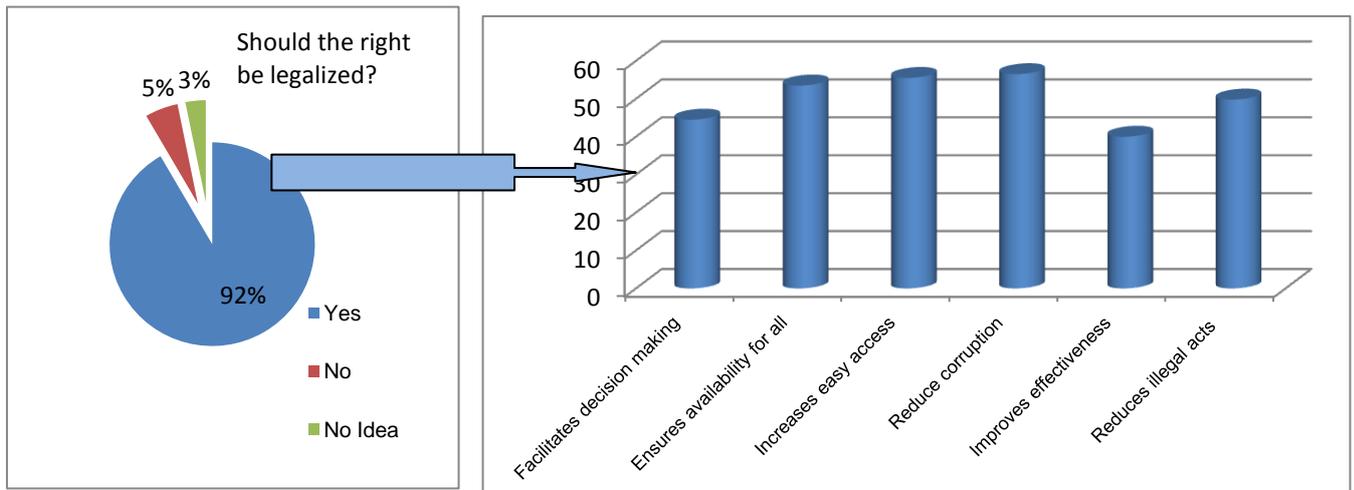


The study focused on the general awareness of people of the attempts made to legalize the right to information and of the parliamentary bills which were presented in the past. Only 27% of respondents were aware of this and the highest percentage of 37% was recorded from the Galle district.

The respondents were asked whether the right to information needs to be legalized and 91.5% responded affirmatively whereas 5.2% did not see the need to do so. A percentage of 3.3 did not comment.



The benefits of legalizing the right to information were also considered in the study. The findings are given below.

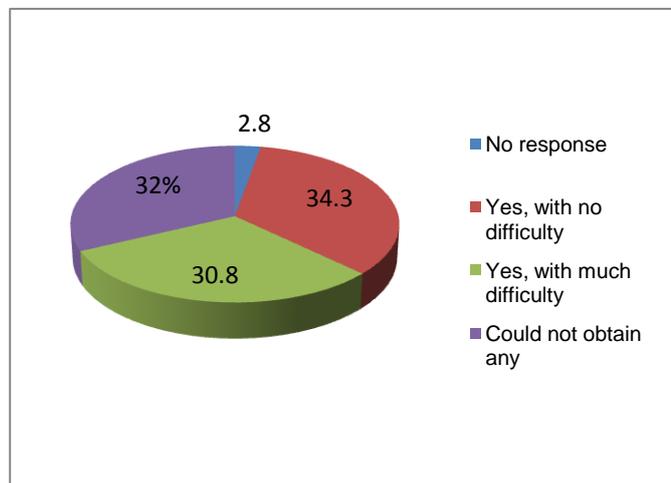


Unlike in the past, a considerable portion of the essential services such as education, health, communication and finance are now being provided by the private sector. Therefore the respondents who accepted the notion of legalizing the right were further questioned whether the legalizing the right to information should be applicable to the private sector as well. Eighty three percent of them agreed that the private sector should be incorporated if an act on right to information to be drafted.

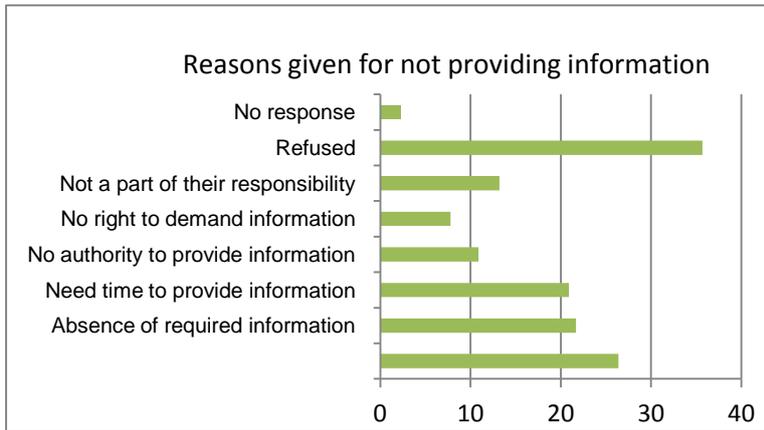
Public Experience in Obtaining Information

Personal experience of the respondents in attempting to obtain information was investigated in the study.

As far as the level of difficulty in obtaining information was taken into account, 34.3% confirmed that they managed to obtain information without any difficulty. However, a percentage of 30.8% stated that information was gained with much difficulty. Another 31.1% mentioned that they could not obtain the information they wanted.



The reasons for not being able to obtain information were investigated examining the responses of those who could not obtain any information from the institutions they visited. The respondents could give multiple answers as there were more than one reason for the impediments that evolved within the process of providing information to the public. Some of these can be eliminated immediately while some areas require structural changes.

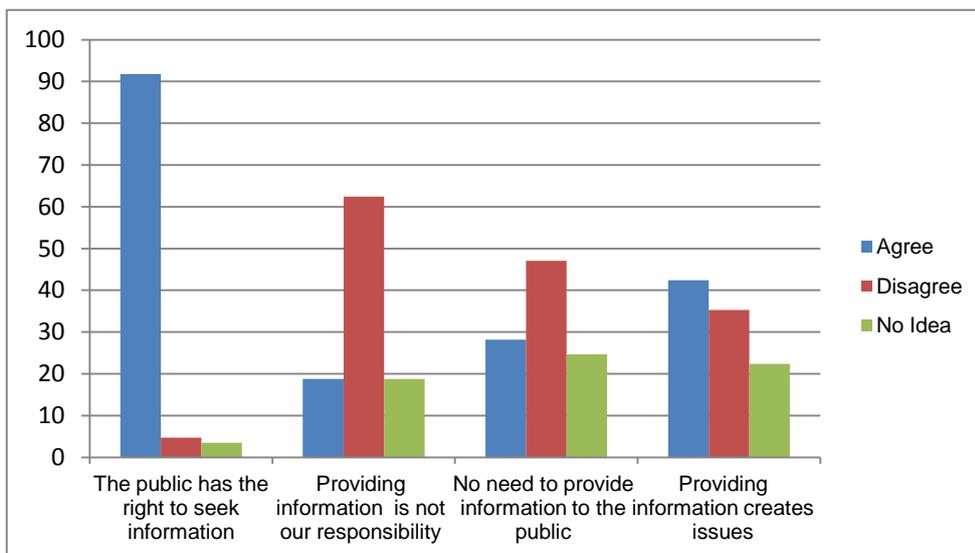


The highest percentage is recorded for refusing the provision of information with no proper explanation. Officers' behaviour that is demonstrated in disclaiming such a responsibility and their perception that the client has no such right to demand information thus depict the attitudes of the officers towards the right to information.

Are Officers Ready to Provide Information?

In order to endorse the right to information of the public, it is important to find out the ability and the capacity of the institutions in relation to the realizing of this right in full potential. Information was gathered from eighty five government officers in the study area. Of them, 95% mentioned that the general public visit their institutions to seek information. 54% of the officers revealed that they have received complaints on difficulties that the public encountered in obtaining information. However, 46% stated that they have not encountered such circumstances in their working place. Considering the institutional mechanism of providing information, 76% confirmed that they have a system in place whereas 24% mentioned that they do not have a system or mechanism to provide information. Of the questioned respondents, 66% declared that there are certain limitations imposed on them that hamper the provision of information. The various opinions expressed by the officers display the diverse attitudes that they have on the right to information of the general public.

Opinions of the officers on their responsibility of providing information



When the adequacy of the existing methods and mechanisms to provide information was questioned, 75% agreed that they are adequate while 25% expressed that they are not.

The understanding and awareness of the officers on the right to information of the public was taken into consideration. Forty seven percent is aware of the right whereas 53% of the officers have not heard of such a right. This has to be taken into consideration.

Findings and areas to be considered

Ninety five percent of the general public firmly believe that they have the right to obtain information. However, only 49% of them were aware that this right could be legalized. In addition, only 27% of the respondents knew about the previous attempts made to make this right a legal right. Thus the statistics show the extensive need of raising awareness of the importance of the right to information.

Only 34.3% claimed that they could obtain information they sought. Of all the respondents, 30.8% underwent difficulties where as 31.8% could not obtain what they wanted at all. This clearly depicts the need of implementation Right to information. This also explains the need of proper guidance to the general public on the redressing actions and elucidates the necessity of an effective mechanism to address such issues.

Forty seven percent of the government officers are familiar with the right to information. What requires is to increase the capacity and to encourage positive attitudes of the officers concerning the delivery of information. Nearly 40% of the officers believed that provision of information to the public creates unnecessary issues and that it is not necessary to provide information. Such negative notions need to be properly addressed to minimize internal resistances towards realizing the right to information of the general public. The necessity of raising awareness and training targeting the government officers is, therefore, an evident factor. It is then the public could reap the maximum benefits of legalizing the right.

Transparency International Sri Lanka

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