

# Ombudsman issues Hearing Decision 65

## **PRESS RELEASE**

### **The Ombudsman issues Hearing Decision 65, involving the Ministry of District Administration, Tourism and Transport**

An Applicant requested information under the Freedom of Information Law (2018 Revision) (FOI Law) about taxi operators such as the number of operators, how many are also employed by the Cayman Islands Government (how many are employed by the Royal Cayman Islands Police Service and Her Majesty's Prison Service) and how many are Caymanian/status holders.

The Ministry of District Administration, Tourism and Transport (DATT), whose Information Manager handles requests under the FOI Law for the Public Transportation Unit (PTU), argued that while the PTU holds records which may be responsive, the PTU does not keep statistics on the occupation or the place of birth of the operators. The Ministry argued that retrieving the responsive records would constitute an unreasonable diversion of resources under section 9(c) of the FOI Law.

The Ombudsman concluded that the FOI Law does not require the creation of new records such as the requested statistics. She also concluded that providing redacted copies of the application forms and supporting documentation would be excessively costly, particularly in terms of the time required to adequately redact the records and would therefore unreasonably divert the resources of the Ministry and PTU under section 9(c).

The Ministry informed the Ombudsman that PTU intends to update its electronic system to include relevant data on public transportation operators and produce related statistics in the future. The Ombudsman commended the Ministry/PTU for agreeing to create a record containing statistics which would be expected to be accomplished in the ordinary course of their business going forward.

No further action is required in response to this request on the part of the Ministry or PTU. However, the Ombudsman did flag the Ministry for an audit of its information handling practices.

The decision can be found at [www.ombudsman.ky/decisions](http://www.ombudsman.ky/decisions).