

IN THE FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
INFORMATION RIGHTS

EA/2010/0182

B E T W E E N:-

MICHAEL BRUTON

Appellant

-and-

(1) THE DUCHY OF CORNWALL
(2) THE ATTORNEY GENERAL TO H.R.H. THE PRINCE OF WALES
(3) THE INFORMATION COMMISSIONER

Respondents

WITNESS STATEMENT OF KEITH WILLIS

I, **KEITH WILLIS** of 10 Buckingham Gate, London SW1E 6LA, **WILL SAY** as follows:-

1. I am the Finance Director for the Duchy of Cornwall estate. I have held this role since 2003 and it will be my responsibility to co-ordinate the process of responding to requests made to the estate under the Environmental Information Regulations 2004 (“**EIR**”), in light of the judgment of the First Tier Tribunal (“the Tribunal”), and ensuring compliance with the EIR.
2. I am duly authorised to make this Witness Statement in support of the Appellants’ application for a stay.
3. I have read the Appellants’ application, and confirm the truth of its contents. The purpose of this statement is to provide the Tribunal with additional detail as to the situation the Duchy estate now faces.

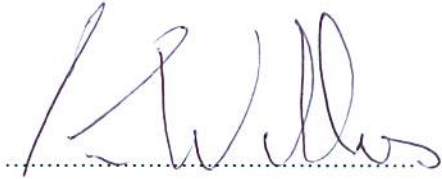
4. As stated in the Application, the Duchy is managed as a private estate. There are offices across seven different sites, and the estate holds a large number of records dating back to the fourteenth century.
5. It will be necessary to completely reorganise our record keeping systems in light of the Tribunal's judgment, not only to make the data held by the Duchy more easily available for the purpose of responding to requests made under the EIR and to separate out personal information relating to H.R.H. the Prince of Wales, but also to comply with the EIR requirements that information is actively disseminated.
6. In addition we face a further temporary difficulty. The building adjacent to 10 Buckingham Gate, the 'head office' for the Duchy estate, is currently undergoing extensive building works. As a result, around 50% of the records held by the Duchy are or will be placed in an offsite storage facility for the next two years. This will make compliance with the requirements of the EIR further complex and time consuming during this period.
7. I have considered the requirements of the EIR in conjunction with the practices currently adopted by the Duchy estate. If the Duchy is to become fully compliant with the EIR, I believe that it will need take at least the following steps:
 - a. an audit of practices in accordance with the EIR's requirements;
 - b. reorganisation of estate administration (to ensure that records are held in a manner which will allow disclosure when necessary and to facilitate the active dissemination of information required);
 - c. employment of additional personnel to undertake the logging, tracking, and management of enquiries and the drafting of responses;
 - d. running staff training programmes (for both existing and new staff);

- e. dedicating administrative staff time to undertaking record reviews in response to enquiries or requests for information and dedicating senior staff time to review responses to enquiries and liaise with third parties affected by the enquiries or requests; and
 - f. developing our website, with associated costs, to enable the proactive release of information.
8. The estate is also likely to incur the following costs:
- a. legal fees for professional guidance regarding the reorganisation necessary, and concerning specific points raised by requests, and counsel time and costs where there are appeals (and senior staff time if they are required as witnesses in any appeals);
 - b. press time to deal with enquiries and reactions to new information released, or in the instance that information is withheld; and
 - c. record management fees and fees for guidance in the reorganisation of records.
9. I believe it is likely that there could be other steps the Duchy will need to take to ensure compliance that are not yet apparent.
10. There is no comparable estate that has been asked to comply with the EIRs on which the Duchy can base its own reorganisation, or against which it can assess the likely cost of such compliance.
11. As a result, at this stage it is not possible to calculate either how long it will take to implement a regime robust enough to cope with requests made under the EIR, nor how much it will cost. It will be necessary to complete a full review to determine the most cost effective, and time effective way

forward. However, as things stand, I believe that the costs entailed are likely to be considerable.

STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement are true.

A handwritten signature in cursive script, appearing to read 'K Willis', written over a horizontal dotted line.

KEITH WILLIS

DATED: 25 November 2011