

Thursday 19 November 2009

COALITION TO OVERHAUL FREEDOM OF INFORMATION

KEY REFORMS AND AN INDEPENDENT COMMISSIONER

A Liberal National Coalition Government will move to increase disclosure and transparency by establishing an independent Freedom of Information (FOI) Commissioner in Victoria.

The Coalition in Government will overhaul FOI by creating a new independent Freedom of Information Commissioner whose office will oversee the administration of FOI.

Under Labor Victoria has become the secret state, with its citizens denied the truth and kept in the dark about key decisions.

John Brumby and his ministers have built a culture of secrecy which is designed to suppress information deemed harmful to their interests.

We will increase transparency and disclosure to break Labor's culture of secrecy and deals behind closed doors.

Governments that put the interests of Victorians ahead of secret deals for mates should have nothing to hide.

It's time to end the era of politicians pressuring public servants to deny FOI requests, and we will reform FOI to remove it from the grasp of politicians and their staff.

Under the Coalition's FOI plan:

- a specialised independent Office of the FOI Commissioner will be created to take decisions about FOI out of the hands of departments and government;
- the Office, which will cost up to \$2 million per year to operate, will be accountable to a joint parliamentary committee (similar to the Auditor-General's accountability before the Public Accounts and Estimates Committee);
- the Commissioner will monitor compliance with the *Freedom of Information Act* and enforce the obligations provided by the Act. In the most significant reform of FOI in Victoria since 1982, the Commissioner will assume responsibility for all first-stage (or internal) reviews of FOI requests which are currently conducted by departmental staff;

Policy

- the Commissioner and the Office will be independent of government and responsible for monitoring all FOI requests;
- the independent FOI Commissioner will also set enforceable professional standards which departmental FOI officers will be required by law to meet, similar to the accounting standards applying to financial officers; and
- the Commissioner will take over responsibilities for reviewing responses by departments to FOI requests.

Giving the FOI Commissioner responsibility for internal reviews means that reviews will not be subject to political interference or rubber-stamped by the same hand that controls the original decision.

This is about directly and immediately changing the decision-making culture of FOI across government.

Without these reforms, FOI will continue to languish in a culture of suppression and secrecy and all Victorians will be worse off.

These reforms will give the FOI Commissioner direct power over FOI officers, effectively making them independent figures working within each department and agency.

Under this system, an FOI officer will be required by law to meet the professional standards set and monitored by the Independent FOI Commissioner, which will protect departmental FOI officers from political pressure.

The Coalition will also strengthen the opportunities for Victorians to benefit from FOI by ensuring adequate information is provided before any request is made.

Departments and agencies currently collate vast amounts of information about their reports, records, structures and activities, but fail to make this information available for public scrutiny despite being required to do so under the FOI Act.

Release of such information under the Act was designed to be an essential tool for citizens to guide their requests.

The Attorney-General has twice promised to release this information but his promises have so far not produced any increase in the amount of information available to the public.