



Office of the Information Commissioner

MEDIA STATEMENT

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INFORMATION COMMISSIONER IDENTIFIES POTENTIAL FOR MORE EFFECTIVE DISCLOSURE OF GOVERNMENT DOCUMENTS

Western Australia's independent Information Commissioner Sven Bluemmel today reported to Parliament on his comprehensive review of the administration of the *Freedom of Information Act 1992* by State and local Government agencies.

Overall, the review found high levels of support from Ministers, Chief Executive Officers and FOI Coordinators in State and local government agencies for the principles of openness and transparency reflected in the FOI Act. The review also found that agencies generally administer the FOI process competently.

“There is, however, room for improvement in a number of areas if there is to be a culture throughout government which is consistent with the aims of the FOI Act” Mr Bluemmel said. One of these is the proactive disclosure of documents. “Agencies should consider making government information available outside the FOI process as much as possible, both proactively and in response to formal or informal requests, unless there is a good reason not to do so. This can help a person receive information more quickly while also saving time and effort for the agency”.

The review also revealed that some agencies take inappropriate factors into account when deciding whether to disclose documents under the FOI Act. “Government officers who administer the FOI process are making important administrative decisions under legislation passed by Parliament. If made correctly, their decisions will contribute to justice being done. If made incorrectly, they can deprive a person of important rights” Mr Bluemmel said.

The review found that a number of agencies are facing significant challenges in administering the FOI Act. One example of this is in the public health sector. “Public health services often need to strike a difficult balance between openness on the one hand and protecting the privacy of individuals on the other hand” noted Mr Bluemmel. “The review found that staff try to get this balance right, but there is scope to improve the consistency and quality of outcomes for the public”. Another example relates to the substantial increase in the number of FOI applications made to Ministers in the last two years. The review found that the workload associated with responding to this increase has significantly strained the limited resources of Ministerial offices.

According to Mr Bluemmel “most of the areas for improvement identified in the review can be addressed by providing more training and support for government agencies. There is strong demand for this, and the review sheds much light on exactly where this demand lies and how it can best be met.”

The review was conducted over a period of eight months. It arose from a commitment of the Government to review the manner in which agencies are administering the FOI process to ensure that Government is accountable and open in accordance with the spirit of the FOI Act.

The Information Commissioner took a broad approach in conducting the review. This included calling for public submissions, sending over 700 surveys to Ministers, agency Chief Executive Officers and FOI Coordinators, seeking submissions from Members of Parliament and conducting interviews with staff from 33 agencies based in the Perth metropolitan region, the Kimberley and the South West.

The full report will be available at www.foi.wa.gov.au

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