

FREEDOM OF INFORMATION

21 November 2007

The Hon. D.G.E. HOOD: The Victorian Premier, Mr Brumby, announced overnight that his Labor government would scrap the freedom of information application fees by a bill to be introduced in the Victorian parliament this week, and the scope of the cabinet documents exemption would also narrow in the legislation. I also note that present FOI laws do not allow FOI requests to be made of non-government organisations, even if these NGOs are heavily dependent on government funding.

It could be argued that, to avoid scrutiny and accountability, governments could use almost fully-funded government NGOs, who are beyond the scope of FOI laws, to achieve less popular objectives. We have seen in recent months, for instance, scandal after scandal rocking the AIDS Council of South Australia, which appears to be operating with little accountability. My questions to the Premier are:

1. Will he follow the lead of his counterpart in Victoria in making freedom of information truly free?
2. Will he go further by opening up the scope of South Australian FOI laws to allow FOI requests to be made of NGOs who receive more than, say, 80 per cent of their funding from the state or federal government?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning)

(15:00): In relation to the cost of FOI information, of course, members of parliament are exempt, and there has been an absolute explosion in the use of FOI law since the changes made by this government some years ago. It ought to be recognised that this has led to significant additional costs for government. The number of FOI requests going through my office has escalated and the amount of additional work that has been involved over

recent years for public servants, with the huge volumes of paper and sifting through records, has been enormous.

I am sure that a significant number of additional public servants have had to be deployed into that area rather than other areas of government. Whether there is a trade-off in relation to all those additional costs and benefits, in terms of better government, is something that could be debated. As I say, in relation to MPs, there is already no cost. However, there is a significant cost to government in terms of having to provide those laws. I am not sure what Victoria has done or what caveats it has on it. I will refer that to the minister who is responsible for FOI (who I think is my colleague the minister for finance) to see if he wishes to add anything.

The honourable member also asked a question about NGOs. I suggest that to extend FOIs to organisations just because they receive funding would be a major step that I am not aware any other jurisdiction has taken, and I think it would raise a whole lot of issues that would need very careful consideration by the parliament, certainly before I would support it and, I suspect, other members in government as well. Again, I will refer that question to the appropriate minister and see if he has anything further to add.