

Response to the Review of FOI Act

As today is the final day for submission, and I only learned of this opportunity to comment earlier this week, I will keep my comments brief but look forward to an opportunity to expand on them as this FOI Act Review progresses.

My suggestions fall into two broad categories: 1/ agencies covered and information available and, 2/ technology utilised.

These two categories can broadly be seen to encompass many of the Terms of Reference listed in point 1A through G of the Terms of Reference document.

1/ Agencies covered and information available

I'll introduce my thoughts on this section by posing a question, "Should Australians not only be able to understand what their Government is doing, but also what foreigners, foreign corporations and their Australian subsidiaries, and other largely foreign entities are doing, owning and influencing, in Australia, through information attained by application of the Freedom of Information Act?"

In short, "As well as our Government, guests we permit into Australia should be expected to operate in a fashion that is transparent to the Australian people through the FOI Act?".

I raise this as I have been frustrated by a number of instances where I view shady business practices and have no ability to investigate the detail of why and how these were permitted in the first place and in many cases continue unchallenged even now due to lack of access to the required information.

Let me provide an example.

As a result of reading an article in the UK newspaper, The Guardian, entitled "The Looting of Kenya" [here](#) I became aware that at least one foreign head of state likely had significant holdings of assets in Australia, including a large property or station. It seemed obvious he was not unique and that many other foreigners also were in a similar position.

On further investigation it became obvious that the mechanisms that this individual used were widely in use and that in all likelihood significant Australian holdings by dubious foreigners including oligarchs, dictators, drug lords, war lords and many others who extract wealth from the nations in which they operate, were commonplace. See a report by the Tax Justice Network [here](#), that outlines the global issue, and a recent article entitled, "[It Takes a Cabal of Willing Governments to Maintain Global Tax Havens](#)" outlining this issue as it relates to the City of London.

This information raised my curiosity and I resolved to investigate and identify the details of this situation as it impacts Australians.

To my surprise, no information is available.

I have been unable to identify any organisation or individual related to the individual named in The Guardian article mentioned above that may hold any property in Australia.

In summary to this example, I object to foreigners being able to use Australia to legitimise their ill-gained assets or as a repository for their stolen or illegally attained wealth and feel the FOI Act should ensure Australians can investigate and discover such instances.

So, under the Agencies and Information Available heading it seems to me that a wide range of non-Government bodies and a significant set of detailed information should be included as information that is appropriate within the FOI Act and that Australians can access and use for investigative purposes.

While I have given an example of financial information I do not see this as the only information that is appropriate to the FOI Act and look forward to further discussions on the broad range of information that would benefit Australians in assessing the 'guests' we permit to enjoy our open and transparent democracy.

2/ Technology utilised

I have spent over 35 years assisting organisations to adopt leading edge technologies. Most recently I have spent a number of months working with an Australian Government body to design an integrated information architecture that will permit them to view all of the information they have on any given topic regardless of the format or location of that information.

During the research phase of this exercise I became aware of and exposed to the Semantic Web technologies that are design for exactly this purpose. It is now possible not only to integrate information in emails, content management systems, spread sheets, and almost any other information source one can imagine (voice, video, etc) but it is possible to do so in a fashion that is computer-understandable and so can be searched in a context sensitive fashion ensuring that not only all information relating to a topic is computer-recognised but that only information that is in-context will be included in the search results.

Major search engines are embracing this direction and have cooperatively developed definitions that they all recognise. See schema.org for an introduction. These search engine manufacturers have through necessity, due to the huge breadth of information they are addressing, undertaken a much lower-than-possible application strategy but their commitment shows the significance of this approach and many examples of more comprehensive solutions exists and a more in depth solution would likely be optimum for the Australian Government's limited, compared to say Google's, scope.

Having assessed numerous examples of the commercial viability of this technology where it has been implemented at major corporations overseas, having had detailed discussions with numerous major vendors (IBM, Oracle, and others) at a recent Semantic Web Conference, and having attended training courses at the US DoD who are committed to implementing this technology as the basis of their future information integration architecture, I am confident that Semantic Web technology is not only viable but will have as significant an impact on how organisations manage and share information as did relational technology in the 1970-80's and the Web did in the 1990-2000's.

In short, developing a Freedom of Information solution that does not consider how information will be shared in the next 2-3 decades would, in my opinion, be a serious shortcoming of the FOI strategy.

I am not associated with any vendor, nor do I believe that technology is in itself a solution, but, one should recognise that the FOI Act will in essence create a massive information repository that will need to be reusable and searchable or it will in time create such a large set of duplicates that it will no longer be possible for anyone to ensure that they are looking at the definitive piece of information and that that information is consistent with information provided in prior or future FOI requests.

If this possibility of endless duplicates, each possibly slightly different from the other, is not addressed as a strategic effort to provide a definitive document once-and-only-once at the outset, the FOI Act and its deliverables will in itself become a quagmire of contention with little or no ability to settle which document represents fact.

Technology exists that can address this issue and applying it should be a component of the solution from the earliest possible moment.

Again, I have extensive detail that I would be happy to share and look forward to the opportunity to do so.

Summary

The FOI Act may be the single most powerful tool available to Australians to ensure our democracy is functioning as we desire. Without information we are steering a blind course.

That information should not only include what our Government is doing, but what those who seek to remain hidden from us through complex corporate structures and banking secrecy are doing. The managers we have elected, and the guests we have invited in, are here by our grace and need to recognise that we have a standard that we have committed to live by. If they do not wish to accept these standards through transparent behaviour, they are free to go elsewhere.

We need to ensure that the information available through this transparency is managed efficiently and for the easy access and benefit of all Australians. Technology that removes any gate-keeper functionary is a necessity and that implies technology that anyone with a web browser can use as and when they require.

I am pleased that a review of the FOI Act is being undertaken and that I have had this opportunity to respond.

I expect the inclusiveness and transparency of this process will prove a yardstick for what is achieved in the longer term through the availability of a comprehensive FOI Act.

All the best,

Greg L Bean