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**Summary of thoughts / submission**

My main points in order of priority made at the policy jam

- 1) Access to info/FOI/RTI needs a culture change in administration from secrecy to facilitation. From the default setting being 'doc can't be released' to one of 'what's the reason these docs shouldn't be released.

In practice: make the decision re public release when the doc/info is created. Much more efficient. Have a look at the US federal departments FOIA reading rooms, also known as electronic reading rooms: <https://www.dol.gov/dol/foia/readroom.htm>. An extended version of our FOI disclosure logs.

A culture change in practice will require the re-appointment of the federal FOI commissioner. No disrespect to the current info commissioner – but this is such a big task, that a commissioner solely dedicated to it is needed. The discussion that needs to be had is one of ownership of information. Governments and the public need to agree on who owns the information created and held by government. There is a strong argument, and this is indeed international best practice, that the government holds the information/data on behalf of the public and that one of the tasks of government is to facilitate public access to this information.

- 2) Review the blanket exemptions for departments and agencies such as ASIO, ASIS, ONA. When it comes to the balance between security and information access and openness the Tshwane principles may be very useful:  
<https://www.opensocietyfoundations.org/fact-sheets/tshwane-principles-national-security-and-right-information-overview-15-points>

The state and territory FOI/RTI acts need revision too. For instance, under schedule 2 of the WA FOI 1992, 22 agencies/departments/directors are exempt including the Director of Public Prosecution. This is a long way away from best international practice. It sends a signal secrecy rather than openness and transparency. True, much information from the security and intelligence agencies is sensitive and will need redaction, but to exempt them is against best practice. Only a handful of access to information systems world-wide have blanket exemptions for agencies/departments. Note: apart from the exemptions in the WA Act, my research shows that it is a well-functioning info access system thanks to a very active FOI commissioner.

- 3) Task the NAP working group with an in-depth study of the EU Public Sector Information directive from 2002 and its implementation in EU member states (or you can commission me to write a report for you). This directive is apart from openness and transparency, also based on strong economic incentives. One example is app innovation and production. Without the databases from the Australian Bureau

of Meteorology being publically available, we wouldn't have weather apps. There are many, many more areas in society where this example could be applied. The basic premise is: if information/data is produced with public money, it should as a default be publically available for re-use by the public. There is no reason to re-invent the wheel – let's look at the EU and PSI.

- 4) Review the FOI/RTI fee and charges system again – fees should only be charged as an exception, not as a rule – part of the culture change – INFORMATION ACCESS FACILITATION IS THE KEY

On a general note: It's vital that the consultation process for NAP 2 gets off to an early and sound start – preferably early Feb 2018, to allow more time in the lead up to NAP 2 compared to NAP 1.