

Gecko – Gold Coast and Hinterland Environment Council Inc

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Thank you for the opportunity to respond to the review into the Freedom of Information legislation.

Gecko is of the opinion that this review is long overdue, as the legislation has become hidebound with unnecessary regulations that have severely reduced its usefulness to the ordinary citizen. When the legislation was first promulgated it provided citizens with access to information, which is their right in any effective democracy and it helped to ensure openness and transparency in government and other official dealings. This is particularly important in Queensland where we have no upper house in parliament that could act as a house of review and give citizens another voice.

Gecko has had occasion to use FOI legislation on several occasions over the years. In the early years we were able to have ready and affordable access to important information in our efforts to advocate for conservation of the natural estate. In latter years Gecko has found it beyond our resources to negotiate the numerous hurdles that frustrate any attempts to collect necessary information. This is both a sad and deplorable situation for democratic government and community to find itself and suggests that government may be deliberately confusing attempts by the public to review government actions.

The questions posed by the discussion paper require extensive legal knowledge and deliberation beyond the scope of our members. We seek therefore to make a few comments based on our own experience.

Briefly Gecko has found that the legislation does not work for ordinary people because: -

- There are too many exceptions to access of information. If the information sought is embarrassing to the government of the day then it is the government's job to improve their governance rather than deny the evidence of poor decisions to those they purport to represent.
- It is far too expensive for non-government organisations and average people. The user pays system is out of control when taxes have already paid for services that should be delivered at no or little cost to bona fide groups. The public service in this instance no longer serves the public.
- The public has developed a mistrust in the whole process which includes applying, being informed of an initial cost, then a further cost for more detailed information, often only to find the relevant material has been exempted.
- The administration of the act is excessively bureaucratic and cumbersome with very lengthy time frames and too much red tape. The denial of information has become an art form.
- It is very difficult for people and groups outside the Brisbane area to access information without numerous letters and phone calls backwards and forwards. This is a severe disadvantage for people in regional areas.

- The supervision of people sourcing material needs to be dealt with in another way. Initially there was little supervision and Gecko believes that this trust was rarely abused. The cost of supervision is one reason that the overall cost has risen to such a level that average people cannot afford to use FOI. It should be enough that bags are left outside of the room in which documents are examined and a low cost photocopier should be made available for people to photocopy material in a manner similar to libraries.

The system as it operates now discourages the ordinary citizen from exercising their democratic right to participate fully in any government issue that they feel impacts on their lives.

Yours sincerely

Lois Levy

Per Gecko – Gold Coast and Hinterland Environment Council Management
Committee