

Chapter 6 Purposes and principles of FOI

6.1 Preamble – why FOI?

Is there a public “right” to information held by the government, information about the personal affairs of people and about the way government is conducted?

Our belief is that personal affairs of a person conducting business with government should be protected by specific privacy legislation and not form part of FOI. Most people will reasonably assume that any business they conduct with a bank, car dealer, Insurance firm, other private industry is kept confidential and the same should apply to government. This is not intended to keep secret those items such as building permits, development approvals where the public has a right to know what is happening in their neighbourhood as these are already published as public knowledge.

However the public almost certainly has a right to information held by the government that document the way business is conducted and the decisions made. The public should have the right into publications and documents upon which decisions are being made if the outcome will impact the public. Confidential reports should only be used when the government is debating items of national security or the like.

Should disclosure of information be guided by the same (or a similar) test the High Court proposed in 1980, that is “by reference to the public interest. Unless disclosure is likely to injure the public interest, it will not be protected”?

In general we agree that government needs to open and accountable, but at the same time organisations who deal with government expect a level of confidentiality, especially with contracts and tenders. The issue is to try an balance the need for openness versus the need for confidentiality. Perhaps one way to overcome this is to request organisations two submissions, one which is publicly available and the other containing company secrets. The level of disclosure in the public version would need to be regulated otherwise scant information will be supplied in that version. Rockhampton City Council FOI administrators have taken the view to give people what they want unless there is a real reason for not doing so.

Does FOI contribute to a healthier democracy and enhance its practice?

In our experience this has not been the case, the FOI's received are mostly from individuals trying to bolster legal action against another party or individuals who were not happy about a Council decision and want to find a legal angle to stop progress. However we believe it does contribute to these desires as open and accountable government must be a key element in a democratic society.

Should the FOI Act contain a Preamble placing the Act in this context of its function of supporting the system of representative, democratic government?

The preamble of Legislation is designed to layout the overall intent of the law contained within. It only provides guidance not a definitive answer. There is no reason why the preamble cannot be changed if the intent of the legislation is do just this.

6.2 Objects of the Freedom of Information Act 1992

6.2.1 Better governance

Should the Objects section of the Act be expanded to include better public administration and other benefits such as improved quality of government decision-making?

The Objects section of the Act should not need to be expanded if access to the information is made timely (in the eyes of the public). If information is available, then it reasons that those with an interest in the subject matter will obtain it. If bad decisions are being made then the government can easily be 'embarrassed' by those poor decisions and the public will vote them out of office. That is one of the fundamentals of democracy. If better public administration or better governance is required FOI is not the place to achieve this, separate legislation should be enacted.

6.2.2 Openness

Should the Objects section acknowledge "openness" specifically as an aim of the Act and as a contribution towards more accountable government?

If adding the word "openness" will remove the doubt regarding the intention of the Act to create open and accountable government, then yes.

6.2.3 Open and shut

The "default" setting when any document is created by agencies is that it be regarded as "confidential". Is this still appropriate?

No, the default setting should be 'public' unless otherwise determined. This makes those who are creating documents for government agencies think clearly about what is contained and the potential audience. Having a default setting of confidential is in conflict with open and accountable government.

6.2.4 The 30-year rule

Does the existence of the 30-year rule militate against the culture of openness that the freedom of information law is meant to encourage within government and other relevant agencies?

The 30 year rule is only appropriate with highly confidential documents, such as national security. Even then it is doubtful something ten years old would be of any use in the rapidly changing landscape.

Should the period be reviewed in relation to Cabinet decisions and documents, and more generally for other public records?

If so, to what extent should it be reduced?

10 years.

Given that any change would have financial and administrative implications for Queensland Archives, should any change be phased in over a number of years?

This is for State Archives to consider.

6.2.5 Administrative access

Should agencies be encouraged to consider providing more information to people under administrative access schemes or otherwise than through FOI?

Yes it would be far more efficient if administrative procedures were developed to allow access to information. However it would be more efficient for a National based processes to be developed rather than each body produce it's own. This is will ease the burden on smaller Local Government entities having to generate many procedures. Legislation could be introduced that legally covers officers who release information under these administrative processes.

Should FOI officers be given more delegated power and discretion to release information requested under FOI other than through the FOI process?

If management independence is a desire, then yes. In our experience unless a person is properly trained if FOI procedures they should leave the decision making to those who are.

Is further legal protection required for information provided other than through FOI?

No comment.

6.2.6 Publication schemes

Should agencies be required to include more information in their statements of affairs, and if so what?

No it is already a burden to collate this information.

Should they be required to keep these genuinely up-to-date (revised, if necessary, every week/month)?

No yearly is already a burden.

Is the statement of affairs the best format for publication of this information?

No comment.

Should the Minister exercise, or should the Information Commissioner be given, the power to require the publication by agencies of additional information?

No it is already a burden to collate the current information.

Would there be any advantage in the creation of an Information Standard to provide more specific guidance to agencies about what information they should publish? Or should this be done by regulation?

We question the whole purpose of collecting this information. Who uses this ? The purpose of the Act is to give information to the public and this already drains resources. Having to further collect statistics on how may FOI's are processes is of dubious value.

6.2.7 Negating access

Should the Objects clause include reference to factors that are used to balance against a right to access information?

Would this be better achieved with a formula such as that adopted in the New Zealand Official Information Act, s. 4 (c)?

6.2.8 Interpretation

Should this section be redrafted to emphasise the object in subsection (1)?

6.3 *Ambit of the Freedom of Information Act 1992*

6.3.1 Document

Would there be any advantage in changing the Act to provide that a person may seek access to public records, rather than documents, or even to official information? Should the Act specifically exclude “ephemeral” material?

The Act should be more specific in determining a document, as the current meaning is far too broad. The Act should also recognise that there may be several copies of exactly the same material in several locations and giving a person access to these just swamps them with unwanted material. If ephemeral material is excluded this would have to be well defined otherwise it would be left to interpretation. The idea that an email discussion is included but a telephone conversation is not just pushes public servants to talk rather than write. The Act should cover final versions only and the official versions, not all the various copies that someone may have dotted notes upon as these were never intended to form part of the official record.

Should it move towards the Swedish approach?

As stated above the Swedish model reflects a more sensible approach. Many documents are created but not all of them form any part of the decision making process. However there would need to be tight controls around agencies using this as an escape to avoid “official” documents being available.

6.3.2 Bodies to which the Act applies

(i) The private sector

(ii) Contracting out

(iii) Government Owned Corporations

Should the private sector remain outside the reach of the FOI Act?

Should there be special provisions in the Act (and, if necessary, in other legislation) to ensure that when government services are contracted out to corporations, partnerships or individuals, that the contractor should be required to provide information that would have been required under FOI if the services were being provided by an agency?

FOI is a burden on the public sector, which can carry the cost when required, adding this cost to the private sector could force many to close up. Also to extend this to the private sector would open a flood gate of organisations trying to discover what their competitors are doing. In summary it should not be extended to the private sector.

Rockhampton City Council does not undertake large ‘contracting of services’ so we are not in a position to make a comment.

Should Government Owned Corporations (however constituted) be exempt from provisions of the Act covering agencies and, if so, to what extent?

If the Government owned corporations are truly competing in an open marketplace then they should be treated like private sector entities, however if they are a monopoly then FOI should apply as it does to other Government agencies.

If world's best practice in FOI law is that FOI should extend to "any body that is exercising government functions" should any attempt be made to define what are "government functions" at a time when the responsibility for many such functions is being devolved to the private sector or GOCs?

The issue here is "will the Government simply devolve functions to the private sector to avoid FOI principles?". If so, then yes, these should be defined.

Should people be able to access their personal information held by organisations like GOCs that are ultimately controlled by government and, if so, to what extent?

Yes if people are able access information held they are less likely to suspect covert activities.

(iv) Other bodies

What principles should apply in determining whether bodies are covered by the Freedom of Information Act?

We agree that a better method need to be determined, as the case of Grammar schools showed in the past. Something around controlling interest such as 50% or more might be a measure. Funding percentages may be another method.

What principles should apply when consideration is given to excluding a body from coverage by the Act?

Where genuine competition exists, the GOC should be able to compete on a level playing field or be able to be reimbursed under some fee for service scheme.

Chapter 7 Exemption provisions

If no harm would follow from the release of material that would fall within an exemption provision, should it be released?

Yes, the principle of FOI is to give out information regarding government activities, but the definition of 'harm' would need to be clear.

Should exemption provisions be rewritten to ensure that FOI officers apply such public interest tests as they contain?

If the principle of full disclosure first is adopted, then the public interest does not need so much emphasis. FOI should be about giving information as easily as possible and only be exempt in more extreme circumstances

Should there be an over-riding public interest test covering all exemptions?

No, in some exemptions the public interest test should not apply. Complaints made to Local Government about activities in the community are an essential element of keeping the peace, if people are not able to make a complaint in genuine confidentiality then the flow of such information would cease.

Is there a need to write additional legal protections to cover the release of material under FOI?

Not as far as we believe, however it may be worth protecting the FOI officer from interference from managers and directors. In some cases the FOI officer may determine to release information, but is told by senior management not to do so. While this has not happened at Rockhampton City Council it is easy to contemplate this scenario.

How can FOI officers be made more aware of the fact that they can release information that falls within an exempt category?

Simple on-line information fact sheets or examples are always useful material when it comes to making difficult decisions on releasing information. At the moment an FOI officer almost has to as skilled as a legal secretary to build the full picture of why something was exempt or not.

What test should they apply if they consider exercising this discretion?

As proposed in the discussion paper if “no harm is going to be done then release the information’

7.1 Public interest tests

What role should the “public interest” play in the determination of whether access should be granted to documents that would otherwise be exempt documents?

Should there be a public interest override covering all exemptions? Or, all but a few specified exemptions?

How should the public interest test be expressed?

To what extent should the notion of detriment or harm be involved in determining the balance of public interest?

Should the timeliness of the release of the document be a factor in determining public interest?

Should there be guidelines on the matters that need to be considered in determining the public interest?

Should these be provided by the Information Commissioner? Or should they be included in the Act as factors (some of which are not specified) that should be taken into account in determining what the public interest is in the particular case?

As active FOI practitioners we advocate disclosure rather than exemption, if the Act was to be change is such a way that emphasised disclosure, then the public interest tests would not be needed to be relied upon so often.

7.2 Cabinet and Executive Council matters

Local Government Authorities are not included in the sections that deals with Cabinet matter or Executive Council matters.

7.3 Deliberative processes

Local Government Authorities are not included in the sections that deals with deliberative processes.

7.4 Personal affairs

Should the term “personal affairs” in s. 44 of the Act be replaced by “personal information”?

Yes, we believe the current statement is too broad and hard to determine. If it was changed to personal information it would be clearer.

Should the exemption reflect the provisions of Information Standard 42: Information Privacy, whether or not that becomes part of a new Privacy Act?

Yes, personal affairs is too broad.

To what extent should workplace information about government employees be protected by s. 44?

Government employees should not have to contemplate any personal information being released. This does not happen in Private industry why should it happen in government.

Does acceptance of government-funded equipment affect a claim of privacy by the user of the equipment?

Yes, the public does have right to know what equipment is being provided to government employees. This goes back to the principle that what a public servant has in the way of benefits needs to be disclosed. The public has the right to know what level of remuneration a public servant is receiving.

7.5 Commercial-in-Confidence

Should the exemptions in s. 45(1) (a) and (b) also be made subject to a public interest test?

As stated earlier, rather subject it to a public interest test, allow two forms of submission to government. One for public disclosure and the other more confidential details.

Should confidentiality be available only if it can be shown disclosure would cause demonstrable harm to the competition process?

Yes

Should the exemption contain a specific reference to a time limitation on how long an exemption may continue?

Yes, it is unreasonable for details to remain confidential for long periods afterward. We believe in most instances commercial value will be lost after 3 years. However trade secrets and other more sensitive information still has to be protected.

7.6 Other exemption provisions

Is each of these exemptions necessary?

Yes - S. 42, S. 46 & S49 are particularly required for the operation of Local Government.

S42 as Councils often deal with police matters and CCTV.

S46 as Councils rely on this when a complaint is made.

S49 as Councils deal largely with a range of issues that affect financial and property interests of the ratepayers it serves.

Is the public interest test appropriate?

No the public interest test would not be a proper mechanism.

Would a “harm” test be more appropriate?

We doubt the “harm” test would be appropriate and believe 3rd party consultation would be better.

7.7 Conclusive certificates

Should some or all conclusive certificates in the Freedom of Information Act 1992 be abolished?

If any are retained, should a time limit be applied to any certificate that is issued?

Should the use of conclusive certificates be monitored by the Information Commissioner?

Should any use of a conclusive certificate be reported to Parliament, and if so, when?

The discussion paper shows that these certificates are not being abused and having an overriding escape mechanism from FOI in extreme circumstances is required. However should these be overused then they should be restricted or scrapped.

National safety may be jeopardised by disclosure of some government documents.

Chapter 8 Administration of FOI in Queensland

8.1 Public sector culture

To what extent does FOI in Queensland recalibrate the basic informational settings between open/closed, secrecy/openness, privacy/disclosure, and spin/deliberative dialogue?

How can a State, characterised by a strong executive, honour the original intent of FOI and address its anxiety about the capacity to govern effectively in a hungry and geared information age?

In accepting that the administration of FOI operates beyond an application of primary legal obligations, how can bureaucratic and political interests be kept in balance?

Which of the administrative compliance behaviours described in Table 8.1 are practised in Queensland? – typically?, infrequently?

In considering the steps towards addressing administrative compliance shortfalls suggested by Snell and others (pp. 100-102) plus incentives and sanctions and any other general measures, how might Queensland drive a cultural change necessary to give effect to the legislative objects of the Freedom of Information Act 1992?

8.2 Information policy

Planning for information lifecycles

Can the outcomes desired for FOI, and those of information policy, benefit from the inclusion of FOI considerations (with advancing ICT impacts and corporate governance notions in records management), in development of a whole of government information policy framework that sets strategic directions and a new model of ICT governance?

It is without doubt that many Local Government Authorities struggle with recordkeeping compliance. Whilst the introduction of the Public Records Act 2002 and Information Standards 40 & 41 have improved the general landscape for good recordkeeping practices, there is still a long way to go. Recordkeeping has always been seen as someone else's problem and staff often avoid the requirements of the Act.

Also organisations world-wide are struggling with the compliance regimes required in the information era. Emails are particularly difficult due to the sheer quantity of the daily messages that are sent in, out & within an Agency. Electronic documents that change regularly also pose problems when dealing with recordkeeping systems.

The only way to ensure compliance is to make Recordkeeping standards mandatory and enforce compliance. The issue is 'how can this be done when staff are already, busy with day-to-day activities'. Any solution must be easy to use and highly automated. One solution may be required to develop a system that every agency must use and that no other alternatives are allowed. This may appear highly dictatorial, but without strong leadership it is unlikely much will change.

ICT Governance

Should parliamentary oversight of FOI be elevated to a "dedicated focus on information as a dimension of all government activity"?

Recordkeeping meets FOI and ICT

Are records management protocols and standards accessible, widely known and understood, consistent, and reflective of the practical realities of government activity – particularly on questions of retention, storage and release of electronic (non-paper) information? What is done well? What can be done better?

To what extent can ex ante decision-making assist in the administration of FOI?

How can the volume and status of drafts and emails be better managed with the advent of ICT, in both better meeting expectations and achieving reasonable outcomes for all under FOI?

Are access rights "stuck in a time warp" in terms of ICT? What improvements can be made?

ICT provides a huge benefit when searching for relevant material, the issue behind the technology is the process which is required to capture these records. Clearer definitions need to be established that qualify what an "official record" is and what is not. This will assist government staff in recognising what needs to be placed in the recordkeeping system and those that do not.

If citizens can search 100,000's of Websites over the Internet in seconds, why can't they search government records themselves. If a whole-of-government system was developed and implemented properly, FOI would not be required, people would simply log-in and search for what they wanted.

ICT Governance is another matter entirely. There are many local and international standards to define good ICT governance, but without mandating these, they are quite often ignored. Having studied and practiced the implementation of an ICT Governance framework, there are many hurdles to overcome before it becomes common practice. Standards such as ISO27000 (ex IS17799) and models such as ValIT and Cobit produce governance frameworks that cover high level "what to do", but very few of them produce a "how-to" guide to assist those implementing these frameworks. Once again the best method to overcome good ICT governance is make a process that can be easily implemented in the first instance and matured over time. These processes or methods could be developed by a central government body and then distributed to the agencies for implementation. The requirements should be simple at first and scaling up depending on the size and security required.

Thinking about metadata

How can requirements in handling raw data and metadata under FOI be improved in balancing the public interest?

Metadata standards must be defined and adhered to, as they form the backbone of discovery. Rockhampton City Council has some well defined Metadata standards that staff should follow but often do not. Good metadata enables the quick searching and retrieval of information, not only for FOI but for maintaining knowledge for the agency. Without good metadata the document may never be found again.

Whole-of-government standards should be devised and published.

Should applicants be able to obtain raw data in the possession of an agency?

With proper standards in place and care in what is used in metadata, there is no reason why this should not be available. If an Internet search engine is available to the public seeking information then they can find it themselves and reduce the need for FOI.

Should there be any obligation on an agency to process data to provide the particular information that an applicant is seeking?

If process means to isolate those records requested then yes.

If process means to export in or manipulate into a particular format, then no. This would be too difficult to perform in all the variations available in the ICT environment today. Standard output methods should be devised and applicants can request in those formats only, this way the methods can be supported over time.

Disseminating information, plus FOI

What can Queensland learn and do in response to international models such as the UK's information asset registers and single internet entry point – when seeking in this Review to "improve access to government documents and reduce the time and costs involved in accessing government documents"?

The UK model is an interesting attempt to drag government agencies into best practice recordkeeping by requiring open disclosure. The problem for many Queensland Government agencies and Local Government Authorities is the burden of maintaining these complex information systems. Resourcing is always a major issue when it comes to keeping full and accurate records, especially when workloads are already overloaded. This comes back to the development of a single system that all government agencies must use and publishing documents from that point. The UK is a centralised/decentralised approach and in my experience it needs to one or the other to avoid duplication..

What can be done sector-wide to achieve e-FOI where ICT enables electronic lodgement, payment and access methods yielding time and cost savings?

Again by centralising the processing of FOI, investments can be made to streamline the entire process once and not have to be undertaken by hundreds of agencies/LGA's. Then e-FOI processes and technologies can be developed and refined. Once implemented it could be distributed back out to the agency to process, but the system can be housed anywhere.

Should FOI move towards a “push model” of proactive disclosure before individual FOI requests?

Yes

If so, how and to what extent, can ICT open up “routine disclosure” and “active dissemination” pre-FOI?

Search engines like Google can search 100,000's sites in seconds, why not documents held by government. By developing this once for the whole of government economies of scale can be achieved.

Re-using government information

What role can FOI play in the Smart State in today's and tomorrow's information economy?

By using the “push model” and “routine disclosure”, FOI could become obsolete as the information will be readily available.

How can re-use rights for information contained in “documents” released under FOI be clarified, and where appropriate, extended?

This is extremely tricky. Re-use rights need to be well defined otherwise the information will become worthless. Governments should retain the right to sell information they have spent tax-payers money collecting as this pushes the cost back towards a “user-pays” system.

Is there still (if ever there was) a need for documents released under FOI to be watermarked “FOI Release” and non-editable formats preferred by government?

Yes, that way the public will know the information was released under FOI rather leaked or stolen. Not having this watermark will create a situation where the public will not trust the government with personal or sensitive information.

What principles could guide the balance between the rights of the public to access information as a “public resource” and the revenue raising initiatives of government from “corporate resources”?

8.3 Protection of privacy interests

Should the differences that exist between “personal information” and information that relates to definitional “personal affairs” be reconciled?

Should Queensland consider adopting a scheme like that operating in New Zealand in which people seek personal information about themselves may do so mainly under a new Privacy Act, rather than through FOI? If there were to be a Queensland Privacy Act covering access to personal information and the correction of errors, should the Act extend beyond those official and other agencies covered by FOI to the private sector, and if so, how far?

In the event that new privacy legislation was enacted, what mechanisms should be developed to ensure consistency of administration and decision-making as between privacy and FOI legislation?

8.4 Other mechanisms for accessing information held by Government

Is there any need for FOI legislation to take account of other mechanisms for accessing information held by government, other than through s. 22 of the Freedom of Information Act 1992?

Should there be any changes to government secrecy laws or codes of conduct to take account of the operation of FOI?

8.5 FOI applications for access

How can the application process be streamlined, made more efficient and user-friendly?

Should agencies adopt guidelines giving effect to the advice given to federal agencies by the Commonwealth Ombudsman in his 2006 report?

8.6 FOI applications for amendment

Should applicants be able to use the FOI Act to request amendment of personal information irrespective of how they became aware of the document containing the information?

Should the requirements of the FOI Act and any privacy legislation be harmonised to ensure the same conditions apply in relation to the amendment of personal information in official documents under both schemes?

8.7 FOI Review process

8.7.1 Internal review

Should internal review remain mandatory?

(No)

Should applicants have the option of going directly to external review?

(Yes)

Should formal internal review be abolished?

(Yes)

Should the charging regime be adjusted to favour any particular outcome?

Yes, The issue with the charging regime is that in order to estimate the job, the FOI officer has to almost complete the task first to determine the size of the job. Also since the charging mechanism comes nowhere near the cost of processing a FOI, at Rockhampton City Council we tend to get the job done as quickly as possible and undercharge rather than take the extreme approach and look for every possible document that could fall within the request. We tend to discuss the findings with the applicant to check that what we have found will fulfil their request. We find this conciliatory approach assists us in completing the FOI request quicker.

8.7.2 External review

Should external review be conducted by the Ombudsman, the Information Commissioner or by an Administrative Tribunal?

What are the advantages/disadvantages of each method of providing external review?

Should there be an external body to perform the kind of supervisory/advisory functions identified by the ALRC/ARC, the S.A. Legislative Review Council and LCARC that might be performed by an FOI monitor?

If external review is to be the function of the Ombudsman or the Information Commissioner, could or should that office also perform the role of FOI monitor?

Are appointment and other procedures appropriate for maintaining the independence of the Information Commissioner?

As long as the body that is performing the review is independent of the government it does not matter who conducts this. Perhaps the Courts could oversee this function to maintain complete independence.

8.8 Other considerations

Should, and if so how can, there be scope for cross-agency resourcing support and delegation of decision-making authorities under the Freedom of Information Act 1992?

FOI is not a process that should be taken lightly, it requires highly skilled individuals committed to open and honest Government, who can fend off potential influences by senior management not to release information.

One solution is to set an independent FOI process office that agencies must use. A fee for service could be used or a scaled annual fee could be imposed. Many Local Government Authorities struggle with FOI as they usually never resource it properly, not can they afford to do so. A professional government funded body may be a better approach, that way the process will be followed correctly and someone independent will decide what to release. This will take away the ability of bureaucrats to interfere with the process.

Should there be a power to receive and investigate complaints about the administration of FOI in Queensland? Should that power include "own motion" investigation, and be given to the Ombudsman or a FOI monitor-styled body?

Are there any improvements possible to streamline notice requirements under the Freedom of Information Act 1992?

Chapter 9 Costs and time

9.1 Fees and charges

Is the existing fees and charges regime in the Freedom of Information Act 1992 reasonable and balanced?

No the fee received does not cover the cost of processing a request.

What are the comparative merits of a flat fee scaled by volume and the current time-based charging model?

What alternatives exist to ensure consistency in the application of any fees and charges regime?

Perhaps a stepped fee could be introduced that had easy to apply charges. These could be 10, 20, 50, 100, ... etc documents and a flat fee for each level. Having a stepped fee would eliminate the assessment process, which takes as much time as processing the FOI request.

9.2 Time limits

Are the existing time limits reasonable and consistent with the objectives of the Freedom of Information Act 1992?

Beyond amendments to the existing time limits, what initiatives exist which could improve early disclosure under the Act?

9.3 Voluminous and/or vexatious requests

Should the Act contain a power to declare an applicant for information vexatious? Should that power be exercisable at first instance by an agency or by the Information Commissioner?

On what grounds should an applicant be declared vexatious?

Alternatively, should there be a provision entitling an agency to declare a request to be vexatious?

On what grounds should an application be declared vexatious?

Should it be possible to declare an application vexatious because it is voluminous?

Should voluminous applications be able to be refused under a provision such as section 29?

Should a more definitive test be applied when determining whether a voluminous application might be refused, such as the number of pages it would produce, the number of days it would require to process or the cost of processing it?

Should journalists and/or MPs be exempt from provisions concerning vexatious requests?

Should journalists and/or MPs be exempt from provisions concerning voluminous requests?

Chapter 10 Effectiveness and adequacy of data collection and reporting

What data should be collected for the annual s. 108 reports?

How can the collection of the data be improved?

How can the integrity of the data be improved?

Should the Information Commissioner (or some other agency) be given responsibility for analysing the data and publishing information about the way FOI operates in Queensland, based on an analysis of that data?

Should the Information Commissioner (or some other agency) be made responsible for ensuring that the data required to be provided under s. 108 is appropriate?

Should the data be used to benchmark the performance of individual agencies?
If so, who should perform this role?

It is our opinion that these reports offer very little value and should be eliminated altogether.

Chapter 11 Conclusion - a new beginning?

Should a new Act be called something other than the Freedom of Information Act?

No, the current name is well understood.

If so, what would be the best title?

Submissions about any of these matters, or any other subject raised directly in the Terms of Reference, will be welcomed by the Panel.