

Freedom of Information

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Review

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Comment

In a long overdue announcement the Labor Party shadow Attorney General, Nicola Roxon, announced that her party would have a 'short and targeted' consultation process over the next two to three months and take a fully prepared FoI policy to the next election.

For Australian reformers this is welcome news after seven long years in which FoI reform has languished in the wilderness. During that period only the efforts of the Australian Democrats, especially the work of Senator Andrew Murray, kept any vitality in the proposals made by the Australian Law Reform Commission and the Administrative Review Council.

Ms Roxon is not clear about just who will be consulted in this 'short and targeted' consultation process but I would urge any readers who have ideas about reforms (or simply want to see a number of the ALRC/ARC reforms resurrected) to contact Ms Roxon at: The Office of Nicola Roxon MP, Shadow Attorney-General 204 Nicholson Street, Footscray VIC 3011, email: nicola@nicolaroxonmp.com.au

In a press release Ms Roxon stated that the review would look at:
all areas of the current FoI regime including (but not limited to):

- the breadth of the public interest test
- the growing use of the commercial-in-confidence exemption
- implications of new technology
- the use of conclusive certificates.

The fact that it has taken the entire period of the Howard Government for the Labor Party to see effective open government as a point of policy differentiation is a surprise. Somewhere in this short, sharp burst of consultation I hope that the ALP develops a far more deeply rooted affection for and commitment to the concept and rationale for FoI other than as a handy weapon against a highly secretive government.

This policy epiphany was, without a doubt, assisted (or even spawned) by the strong commitment that News Ltd in general, and *The Australian* in particular, have given to using FoI in the past 12 months.

The articles in this issue by Al Roberts and Stephen Lambie are strong examples of what is wrong with the access to information process in countries like Canada and Australia. More importantly, they are testimony to the contribution solid research and empirical work can make to this field of study and policy debate.

Whilst Stephen Lambie's finding that much of the media coverage in Australia about FoI is about the difficulties of using FoI is not a surprise, it is a major worry. We need to not only campaign for government reform but to encourage further epiphanies within the federal parliament and also in the fourth estate. Michael McKinnon of *The Australian* is to be congratulated for continuing to push the existing capacity and limited effectiveness of FoI to the limit. We also need researchers to demonstrate how, or if at all, FoI is a positive contribution to policy discussion, analysis and public discussion. The focus in Australia has been on how little flows from our statutorily entrenched access to government information. We need to start to explore what is the consequence or effect of this trickle of information into the information commons. Al Roberts's article demonstrates that developments like electronic records management can both improve and hinder access to information.

So get your submissions in for the ALP's policy review.

Rick Snell