



Freedom of Information Newsletter

Number 9 – September 2016

From the Information Commissioner – Strategic Goals for 2016 to 2019

In August this year my office finalised its Strategic Goals for the next three years. We will continue our focus on providing a fair, independent and timely external review service, fostering improvements in agency FOI practice and enhancing public awareness of information rights. To help us achieve these outcomes, I am committed to building the capacity of my office to encourage productivity, innovation and creativity. The goals are available on the OIC website at: [http://www.foi.wa.gov.au/Materials/STRATEGIC GOALS 2016 - 2019.pdf](http://www.foi.wa.gov.au/Materials/STRATEGIC_GOALS_2016_-_2019.pdf).

World of FOI – 28 September 2016 – Right to Know Day

For a number of years, jurisdictions in Australia and across the world have celebrated 28 September as *Right to Know Day*, also known as *Right to Information Day*. As part of its activities to promote greater and easier access to government held information, my Queensland counterpart is hosting the annual Solomon lecture on 28 September 2016. This year's Solomon lecture will feature Professor Anne Tiernan from Griffith University. The lecture will be live streamed. More information about the lecture is available in the attached flyer. Further information about Queensland's promotion of the right to information is available at: <https://www.oic.qld.gov.au/training-and-events/right-to-information-day>.

Other examples of Right to Know week activities include: NSW - <http://www.ipc.nsw.gov.au/news-media/events/right-know-week-2016>, Jamaica - <http://jis.gov.jm/access-information-unit-observes-right-know-week/> and Canada - <http://www.oic-ci.gc.ca/rtk-dai-eng/>.

Did you know? – Extending the time for a third party internal review

Under section 43(2) of the FOI Act, if an agency fails to give notice of its decision on an application for internal review within 15 days after it is lodged, or such longer period as is agreed between the agency and the access applicant, the agency is taken to have decided to confirm the decision under review. As a result, the Commissioner considers that, when an agency is dealing with an internal review request from a third party, the agency cannot extend the period by which it gives the third party its internal review decision without the agreement of the access applicant. For example, an agency cannot extend the time to give the third party its internal review decision based on the third party's request for additional time to make submissions unless the access applicant agrees to the extension.

Agency news – Share your good news stories

We are interested to hear from you about examples of action taken by an agency or a person to achieve good outcomes in response to a request for information from a Western Australian State or local government agency. The OIC encourages agencies and applicants to seek 'win-win' outcomes when dealing with an access application. We would like to hear from you about some of those positive outcomes. Some of those examples may help us to provide useful guidance to other FOI practitioners. You can send your examples to advice_and_awareness@foi.wa.gov.au.

Recent decisions of the Information Commissioner

Re P and SMHS – Bentley Health Service [\[2016\] WAICmr 11 \(PDF\)](#)

The complainant sought access to their medical file. The agency gave access to edited copies of documents from the medical file. The deleted information consisted of personal information about third parties. The Commissioner found that the disputed information was exempt under clause 3(1) of Schedule 1 to the FOI Act.

The agency's decision was confirmed.

Re Seven Network (Operations) Limited and City of Perth [\[2016\] WAICmr 12 \(PDF\)](#)

The Commissioner found that certain CCTV footage was not exempt under clause 3(1) of Schedule 1 to the FOI Act because it did not contain personal information as defined in the Glossary to the FOI Act. Based on the quality of the footage and the orientation and proximity of the individuals in the footage, the Commissioner considered that disclosure of the footage would not reveal personal information about those individuals because their identities were not apparent or could not reasonably be ascertained from that information.

FOI training news

Upcoming training dates for agencies can be found [<HERE>](#). If a session is listed as full, please register for the waitlist. This will give us the opportunity to contact you if there are cancellations or, if there is considerable demand, to schedule another training session.

The **FOI Coordinators Workshop** introduces participants to the objects and principles of the FOI Act and the major features of the legislation. Topics include the role of decision-makers; FOI applications; exemptions; consultation with third parties; charges; notices of decision and review; amendment of records; publication of information; statistics and reporting.

The **Decision Writing Workshop** is designed to enhance decision-makers' skills and confidence in writing a notice of decision that complies with the *Freedom of Information Act 1992 (WA)*. Participants will be expected to already have a basic understanding of the requirements of the FOI Act. **NOTE:** Due to demand an additional Decision Writing Workshop will be held in October. Register soon if you don't want to miss out.

Subscription and feedback

[Subscribe](#) to the FOI Newsletter and decision announcements.

Send your [feedback or suggestions](#) for the FOI Newsletter.

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Solomon Lecture

LIVE
WEBCAST
9am - 28 Sept

Collaboration in Place: The central role of information and data in securing Queensland's future prosperity

#SolomonLecture

Program

7am to 7:40am

Solomon Lecture

7:40am to 8:15am

Panel discussion

10:15am

End

About the lecture

Professor Anne Tiernan, Griffith University will deliver the 2016 Solomon Lecture titled 'Collaboration in Place: The central role of information and data in securing Queensland's future prosperity'.

Professor Tiernan will draw on her experience with Griffith University's Policy Innovation Hub and her involvement in the Logan Together initiative when discussing key aspects pertinent to Right to Information, including: transparency and trust in government; and better public service delivery focused on improved information flow (including open data) to the community to inform decision making by government, community organisations and industry.

Lecturer



Professor Anne Tiernan
Director of the Policy Innovation Hub
Griffith University

Master of Ceremonies



Ms Madonna King
Award winning journalist, author
and media personality

Hosted by:



Office of the Information Commissioner
Queensland

Supported by:



Office of the
Information Commissioner
Freedom of information for Western Australia

Panellists



Ms Rachael Rangihaeata
Information Commissioner



Ms Linda O'Brien
Pro Vice Chancellor
Information Services
Griffith University

WATCH LIVE @ www.ustream.tv/channel/the-edge-external-events

ABSTRACT:

Collaboration in Place: The central role of information and data in securing Queensland's future prosperity

Author/Speaker:

Professor Anne Tiernan

Director, Policy Innovation Hub Griffith University

Assistant Commissioner Collaboration, Public Service Commission

After more than a quarter of a century of almost continuous growth and prosperity, Australia confronts an uncertain economic future. Like other advanced nations, our expectations and our public policy settings will need to adjust to the realities of an international context characterised by low growth and falling living standards. And growing inequality?

But if the last seven years are any indication, the prospects for reform and change look grim. Australia's politics has been notable for its volatility and hyper-partisanship, played out in one-term governments, rapid turnover among political leaders, growing and falling support for the major parties. The federal election of 2 July 2016 only confirmed the widely shared sense that a deep malaise has afflicted our politics – fuelling voter disengagement and undermining public trust in our public institutions and political processes.

Far from the elite debate, however, something quite different is happening. Across the country, and particularly in Queensland, a range of exciting, community-led collaborations, like the Logan Together initiative are demonstrating how open innovation practices can catalyse and drive social change. Networks of partners from all tiers of government, the community and private sectors, and from universities, are using evidence and data to re-imagine the provision of human services.

At a time when place is recognised as fundamental to innovation and the knowledge economy (Deloitte 2016), could locally-responsive approaches premised on collaboration between individuals, communities, businesses and governments provide the key to our future prosperity and to rebuilding trust in public processes and institutions?

Professor Anne Tiernan will explore these questions in the 2016 Solomon Lecture. She will argue that strategic investments in knowledge infrastructure and the favourable policy environment created by Queensland's Right to Information laws give our state a unique capacity to realise the many benefits - democratic, economic, social and environmental, that might flow from more collaborative, community-led and data-informed public policies. Professor Tiernan will identify the formidable barriers and impediments to be overcome, the commitment and leadership that will be demanded of all players, if we are to seize these opportunities for Queensland and Queenslanders.