

**Division 43: Office of the Information Commissioner, \$2 336 000 —**

Mr I.C. Blayney, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Mr S. Bluemmel, Information Commissioner.

Mr M. Connolly, Chief of Staff, Office of the Attorney General.

[Witnesses introduced.]

**The CHAIRMAN:** This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist *Hansard* if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number.

If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Mirrabooka.

**Ms J.M. FREEMAN:** I refer to the outcomes and key effectiveness indicators table on page 494, and the line item for applications for external review resolved by conciliation. The commissioner has done so well in his 2015–16 estimates. He budgeted for 60 per cent effectiveness and he achieved 71 per cent, but he was so disappointed with his effort that he has gone back to 60 per cent as a budget target for 2016–17. Why does he not set himself the same target, and continue on the trajectory of improvement that he has been able to achieve?

**Mrs L.M. HARVEY:** Mr Bluemmel.

**Mr S. Bluemmel:** We are certainly hoping to exceed the 60 per cent and, as the member can see, our estimated actual for this year is well above that. We did not want to be quite so bold as to assume that our very high result of this year was a new normal, but we are doing our very best to make sure that it is.

**Ms J.M. FREEMAN:** I refer to page 495. I note that the office of the commissioner has gone from 11 employees in 2014–15 to nine now, so two staff have been lost. How does the commissioner anticipate doing so well, if he has lost two staff?

**Mr S. Bluemmel:** This is a case of us basically trying to account for some of the budgetary uncertainty, particularly with things such as the changes to the wages policy. We did not want to assume that we had more resources available than we were quite sure of. We have also had a couple of staff retirements. We are hoping that, within our budget, we will be able to slightly exceed those numbers, but ultimately we have been able to drive significant productivity increases per full-time equivalent available to us, through things like greater efforts on conciliation, early resolution and fast-tracking. We are hoping to achieve more with less but, being realistic, we will probably exceed the nine FTEs shown there. I should also point out that the numbers to which the member refers apply to only one of our services; that is, the resolution of complaints. The advice and awareness service has an additional two FTEs.

**Ms J.M. FREEMAN:** The office is losing one more staff member, so I would not be heralding the fact that it is going from such a small staff to an even smaller staff, but I noted that as well.

**Mr P. PAPALIA:** I refer again to the outcomes and key effectiveness indicators table on page 494, and also the service summary. My experience with information applications to relevant government portfolios would not have reflected an 80 per cent satisfaction rating. What percentage or ratio of the overall resolution of complaints relate to applications by opposition members of Parliament, as opposed to the wider public?

**Mrs L.M. HARVEY:** I understand that Mr Bluemmel has some of that information available.

**Mr S. Bluemmel:** Firstly, I should speak about the context of that satisfaction rate. That is simply the satisfaction rate of parties to disputes before my office. Of course, my office is called upon to resolve only

approximately one per cent of all freedom of information matters dealt with across the sector. Those are only the ones that are appealed to my office. It does not speak to satisfaction rating of FOI processes across the sector, just to my external review function. We keep some quite detailed statistics about the participants in the FOI process. To give the member an idea, in the current financial year to date, of the 116 matters that were complained about to my office, 19 complaints were made by members of Parliament. On the other side, in terms of the ministers and agencies whose decisions were being complained about, of the 116, 10 related to decisions made by ministers. The others related to standard departments, health-related agencies, universities, local governments and so on.

**Mrs L.M. HARVEY:** Does the commissioner differentiate between government members of Parliament and opposition members?

**Mr S. Bluemmel:** Not expressly, minister. However, I would be fairly confident in saying that all 19 of those were members other than government members.

**Mr P. PAPALIA:** Is the commissioner able to say how many of those 19 were resolved to the satisfaction of the complainant, as opposed to the satisfaction of the department that did not want to tell anybody anything?

**Mrs L.M. HARVEY:** Mr Bluemmel.

**Mr S. Bluemmel:** I do not have that information, because this is all aggregated information. I think it would be safe to say that, on average, we perhaps get a higher level of satisfaction from agencies, but that would just be speaking anecdotally, when compared with the others. As the member can see from the figures that he quoted, the numbers across the board are quite high. Bear in mind that, of the people who would answer that survey question following an external review process, half, or even less than half, would actually be government agencies or ministers, because in a typical dispute there is a minister or agency on one side, and a member of the public or an opposition member of Parliament on the other side who wants information, so there is 50–50 there. In a number of other cases, there would actually be a third party, who might be a commercial third-party provider objecting to disclosure as well. The views of the government, in the form of ministers or agencies, would probably make up even less than 50 per cent of that overall score.

**The appropriation was recommended.**

[5.40 pm]