

OFFICE OF THE INFORMATION COMMISSIONER — APPLICATION PROCEDURES

4393. Hon Giz Watson to the Parliamentary Secretary representing the Attorney General

I refer to the 2009–2010 Annual Report of the *Office of the Information Commissioner*, especially at page 30, and I ask —

- (1) Regarding the Information Commissioner's statement that a considerable portion of his office's resources are spent dealing with complaints relating to section 20 of the Act (the work involved in dealing with an application), what if any steps have been taken by the Attorney General and/or the Department to implement his recommendation that there be early and better communication between agencies and applicants to clarify the specific documents and information sought?
- (2) If the answer to (1) is none, what is the reason for this?
- (3) Regarding the Information Commissioner's statement that a number of agencies, particularly Ministers, are routinely giving misconceived advice to applicants that the time for dealing with large applications is suspended until the applicant reduces the scope of the application, what if any steps have been taken by the Attorney General and/or the Department to end this practice?
- (4) If the answer to (3) is none, what is the reason for this?
- (5) Regarding the Information Commissioner's statement, that agencies (including Ministers) need to set out in their freedom of information files the specific searches and inquiries they have made for the requested documents, so that these need not be recalled if the decision is later subjected to external review, what if any steps have been taken by the Attorney General and/or the Department to implement this recommendation?
- (6) If the answer to (5) is none, what is the reason for this?

Hon MICHAEL MISCHIN replied:

- (1)–(6) The Department of the Premier and Cabinet (the Department), in accordance with Recommendation (9) of the Administration of Freedom of Information in Western Australia — Comprehensive Report, a review by the Information Commissioner, dated 31 August 2010, is obtaining additional resources to assist Ministerial offices in dealing with FOI applications. It is expected that the additional resources will be available to the Ministerial offices prior to the end of this year.

The additional resources will be located in the Department's FOI Unit and will provide a comprehensive FOI resource for Ministers by carrying out complete and effective searches for relevant documents, negotiation with applicants on large applications, consultation with third parties and drafting of Notices of Decision for review by the relevant Minister.