



URGENT UPDATE

OBUDSMAN REVIEW OF FOI ACT & AGENCIES

In August 2004 the Victorian Ombudsman commenced an “own motion” investigation into the performance and compliance of Departments and agencies with the FOI Act with regard to, among other things:

- ? Timeliness and adequacy of responses to FOI requests;
- ? Policies and practices adopted by agencies for handling FOI requests;
- ? Adequacy and effect of protocols and arrangements between agencies and contractors performing public functions on the keeping and availability of documents;

Last week the Ombudsman published a discussion paper entitled *Review of the Freedom of Information Act: Discussion Paper*. He is inviting submissions from all agencies (and not just Departments) to ensure that any recommendations made are consistent with the proper administration of FOI in all areas of government. He states in the discussion paper: “*The participation of those who are most closely involved in FOI is important in seeking to strengthen the administration of the FOI Act.*”

On the completion of the investigation the Ombudsman intends to report to the Parliament.

I would **strongly encourage and urge you** to download a copy of the report from the Ombudsman’s web site at: (<http://www.ombudsman.vic.gov.au/downloads/FOI%20Discussion%20Paper.pdf>) and consider the discussion paper carefully. This is your opportunity to put forward your personal or agency view about the way the Act operates and to make known any administrative difficulties you face in dealing with the practicalities or legalities of the FOI Act.

Should any issues or queries arise out of your consideration of the discussion paper, or if you need assistance in relation to how your agency currently addresses those issues, please contact me.

Dated: 25 May 2005

A handwritten signature in black ink that reads 'Mick Batskos'.

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