

# THE MERCURY

## ‘Secret state’: Tasmania least likely to grant Right to Information requests

Right to Information requests are least likely to be granted and are almost least likely to be returned on time in Tasmania than anywhere else in Australia, according to a damning report. DETAILS >>

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Right to Information (RTI) requests are least likely to be granted and are almost least likely to be returned on time in Tasmania than anywhere else in Australia, according to a national comparison of freedom of information data.

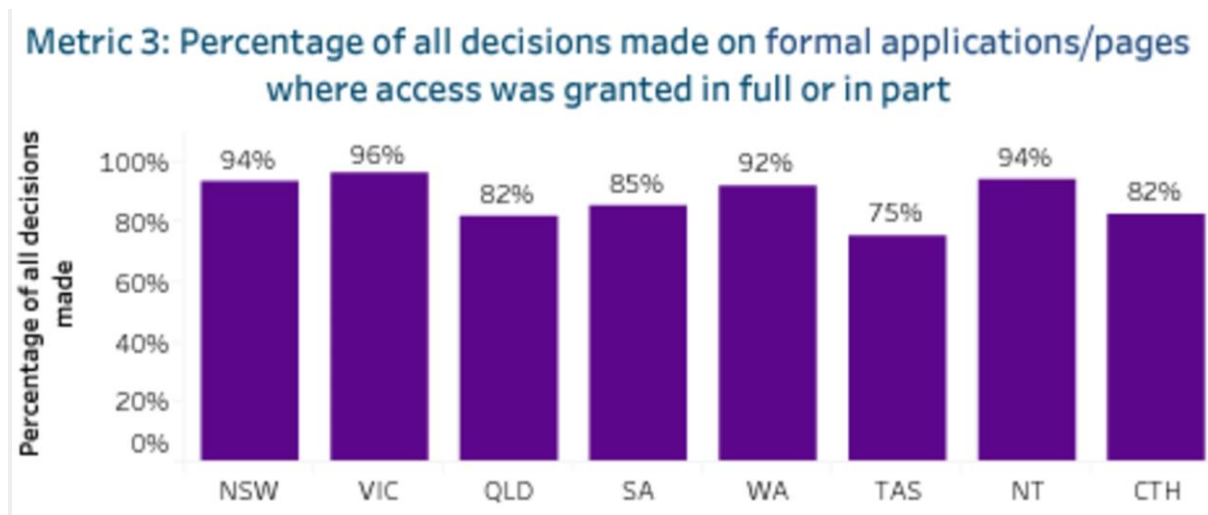
The annual report on the administration of Tasmania’s RTI laws for the 2020-21 financial year was tabled to parliament last week, leading Labor to claim Tasmania has been transformed into a “secret state”.

The report stated 1389 applications seeking the “disclosure of information” were received in the 12-month period.

Of the 1141 applications which have been determined, three in four applications were granted either in full (399) or in part (462), which meant the information being sought was either completely or at least partially handed over.

However, no other state or territory had a disclosure rate as low as 75 per cent, according to a national dashboard established to “enable the community to examine the performance of their local freedom of information laws”.

Applications were granted either in full or in part 82 per cent of the time in Queensland and ACT, 85 per cent of the time in SA and more than 90 per cent of the time everywhere else.



No other state or territory had an access rate lower than 75 per cent.

Picture: Information and Privacy Commission

Further, 27 per cent of the 1141 applications were not returned within the statutory time frame of 20 days.

Tasmania was only second to SA, where 36 per cent of applications were not returned on time.

The dashboard is updated each year once all jurisdictions have reported their data and was developed under a federal government plan in 2016, which committed to “develop uniform metrics on public use of freedom of information access rights”.

However, a Department of Justice spokesperson said “direct comparisons between jurisdictions should not be made as each has its own specific legislation”.

“The Tasmanian government is committed to improving the openness and transparency of government,” they said.

A Tasmanian government spokesperson added RTI requests are handled independently of government “at arm’s length of ministers”.

“The government has allocated significant funding towards the office of the Ombudsman in recent years, including \$1.2m in the recent budget, to assist with any backlog of RTI matters,” they said.

But Shadow Attorney-General Ella Haddad said under three different premiers, Tasmania has been “transformed ... into the secret state”.



Labor's Ella Haddad. Picture: David Killick

“The RTI Act is meant to encourage a culture of active disclosure,” Ms Haddad said.

“And when a minister or department get an RTI request, the attitude should be to release as much as possible.

“Instead, these Liberal ministers have changed the culture inside their own agencies to withhold information and refuse to release information which should be in the public domain.

“This is not a government that understands and respects the need for transparency.”

If elected, Ms Haddad said Labor would “better resource the public sector” to ensure the RTI Act is complied with and would return to a “culture of active disclosure by ministers, their offices and agencies”.

Ombudsman Tasmania said improvements could be made, when it handed down its 2020-21 annual report.

“There is still much that can be done by public authorities and Ministers to improve and enhance the release of information in accordance with the object of the Act,” the report read.

“The Act does not prevent but promotes the publishing or providing of information, including potentially exempt information.”

Premier Jeremy Rockliff last week said the state government was working to introduce a “centralised, consistent training provision” to upskill RTI practitioners across Tasmanian State Service agencies.