

Access to Information & Freedom of Information (FOI)

Information - the fuel for top green activism

- About government operations; (e.g. proposed mining on the Reef, see Melaleuca Media http://www.melaleucamedia.com.au/01_cms/details.asp?ID=40)
- About corporate operations; (e.g. Erin Brokovich and Pacific Gas in California); and
- About natural, economic, political and social systems.

Sharpen your tools for Snooping!

- Gain a media profile and the information will flow to you (e.g. media on the new South-East Plan prompts inquiries to EDO);
- Find and treasure good contacts and keep their trust (e.g. gain advance notice of matters being rushed to Cabinet); and
- Make maximum use of the internet (e.g. discover the profile of opposing counsel in court cases).

Legal Tools for Prying

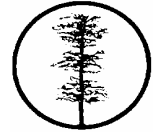
- Modern statutory public registers (see EDO Wallchart of Useful Contacts and Access to Information **overleaf** and on our website);
- Company and Public Service Reports (e.g. Kogan Creek Power station);
- Court action (e.g. discovery of documents process, search existing Court register); and
- Political pressure (e.g. call in Parliament for release of documents).

Horses for Courses, Freedom of Information

- Ask for the document first; (e.g. given Cloncurry Statement of Proposal by then Department of Local Government and Planning);
- Can obtain “documents” of an agency, official documents of a Minister (e.g. local government and Department); and
- Various exclusions may apply.

Freedom of Information Process

- Application (FOI officer in each agency to help, or see website of Information Commissioner);
- Costs (Application fee of around \$40, plus ‘processing’ costs for time spent searching for documents, photocopying fees; some exemptions from fees including financial hardship);
- Appeal process includes internal and external appeal with slow timelines.



Paradise, the Dam (from Queensland Conservation Council Chronology)

- 2001 Beattie Election Promise to irrigators to create this dam;
- In Jan 2001, an FOI Application made by Queensland Conservation Council
- In May 2001, the Minister for State Development announced that the Paradise Dam be fast-tracked under special legislation, bypassing the normal assessment process

Paradise, the FOI Process

- March 2001 decision on QCC application: The Treasury exempted a document entitled *Treasury Comments on economic viability of water allocation scenarios for the Burnett Basin* as it would compromise Cabinet confidentiality.
- Internal review, External review of decision sought by QCC, but main point of decision upheld.
- Key document submitted to Cabinet 3 months after QCC's FOI application, but exemption to public access still upheld on Appeal.

Kind Paradise Library Loan

- Crucial Treasury document noticed in a public service library... and borrowed!

Showbag for Snooping

- EDO Wallchart of Useful Contacts and Access to Information on our website;
- Computer and internet needed;
- People skills are handy; and
- Read the EDO Defamation information sheet: *How to duck defamation and slip SLAPP suits*. It's on the EDO Qld website's Fact Sheets page.