

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates 17-20 October 2011

Prime Minister and Cabinet Portfolio

Department/Agency: Prime Minister and Cabinet

Outcome/Program: 1.1.4

Topic: Freedom of Information

Senator: Senator Ryan

Question reference number: 134

Type of Question: Written

Date set by the committee for the return of answer: 2 December 2011

Number of pages: 3

Question:

1. Has the Department/agency received any advice on how to respond to FOI requests?
2. How many FOI requests has the Department received for the year 2010-11? How many have been granted or denied?
3. How many conclusive certificates have been issued in relation to FOI requests for the year 2010-11?
4. How many FOI requests has the Department received for this FYTD? How many have been granted or denied?
5. How many conclusive certificates have been issued in relation to FOI requests for this FYTD?

Answer:

1. For the period from 3 December 2007, the department has received or issued the following general advice on how to respond to FOI requests.
 - On 30 April 2009, Senator the Hon John Faulkner, the then Cabinet Secretary, wrote to the Secretary of the department (and to the heads of other agencies subject to the FOI Act), outlining the government's FOI reform objectives and asking that it be made clear to FOI decision makers that the starting point for considering FOI requests should be a presumption in favour of giving access to documents.

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- On 28 October 2010, the Hon Brendan O'Connor MP, Minister for Privacy and Freedom of Information, wrote to the Secretary of the department and to the heads of other agencies subject to the FOI Act to update them on progress of the reforms to freedom of information laws and seek their assistance in implementing the reforms. Mr O'Connor indicated that he would be grateful if secretaries and agency heads take a lead role in ensuring the effective and workable implementation of the Government's pro-disclosure policy and associated reforms.
 - The department takes into account guidelines to all agencies on the operation of the FOI Act, issued by the department prior to 1 November 2010 or issued subsequently by the Office of the Australian Information Commissioner.
 - Since 28 July 2011, decision-makers in the department have had reference (where relevant) to the FOI Guidance Notes issued by the department on that date -
http://www.dpmc.gov.au/foi/guidance_notes.cfm.
2. In the year 2010-11, the department received 137 FOI requests. In the year 2010-11 the department finalised 125 requests. Of the 125 finalised requests, 16 were granted in full, 15 were granted in part, 44 were refused and the remaining 50 were withdrawn.
 3. Nil; conclusive certificates were abolished on 7 October 2009.
 4. In the period 1 July 2011 to 30 September 2011, the department received 66 FOI requests and finalised 67 requests. Of the 67 finalised requests, 7 were granted in full, 8 were granted in part, 15 were refused and the remaining 37 were withdrawn.
 5. Nil; conclusive certificates were abolished on 7 October 2009.