

RECENT DEVELOPMENTS

1989 ANNUAL REPORT ON VICTORIAN FOI ACT TABLED IN PARLIAMENT

After several years of modest growth the number of requests made under the Victorian *FoI Act* rose by 10.7% in the 1988–1989 reporting period. A total of 10,700 new requests were made under the Act compared to 9662 requests in the previous year. The Victoria Police received the most requests (1013) almost doubling the number of requests from the year before. The top ten agencies were Victoria Police, Accident Compensation Commission (990), Community Services Victoria (826), Metropolitan Fire Brigades Board (743), Road Traffic Authority (743), Health Department (422), State Superannuation Board (391), Transport Accident Commission (309), Royal Childrens Hospital (299) and Ministry of Education (260). Once again the number of requests for personal document (57% of all requests) outnumbered non-personal requests.

While the number of requests made under the Act has risen significantly, the report noted that the number of appeals made to the AAT had levelled off from 443 to 402.

Perhaps the most important statistic in the report is the number of requests which were refused by agencies. The rate of refusal was 14.6% compared to 13.4% in the previous year. The Road Traffic Authority won the dubious distinction of refusing the largest number of

requests — with over 44% of requests being rejected completely. Other agencies which figured prominently in this area included the Labour Department, the Accident Compensation Commission and the Office of Corrections. Once again the most heavily relied upon exemption provision was s.33 (personal privacy) followed by s.35 (confidential information) and s.31 (law enforcement). Section 27(1)(e), which enables an agency to decline to grant access to a document which does not exist or cannot be located was the most frequently cited exemption provision.

On the vexed question of costs and charges, the report revealed a 20.6% increase in revenue collected. A total of \$57,395.80 was collected with \$73,029.19 waived by agencies. Somewhat ironically, the Department of the Premier and the Cabinet waived almost all charges — 98.9%.

Overall the 1989 report provides heartening news for *FoI* supporters. The legislation has well and truly entrenched itself and continues to flourish. Its objectives of ensuring government accountability and enabling citizens to access government information concerning them continue to be achieved and have been reaffirmed by the Parliamentary Legal and Constitutional Committee in its report on the legislation.

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SELECTED READING

COMPILED BY LEE POH YORK, LAW LIBRARY, MONASH UNIVERSITY

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