

[REDACTED] 14 December 2016

3/54 Siganto Drive, Helensvale
QLD 4271

RTI and Privacy Review
Department of Justice and Attorney-General
GPO Box 149
Brisbane QLD 4001

Dear Sir/Madam,

Please see below our feedback in regards to the Consultation paper review of the RTI Act.

3. Should the way the RTI Act and Chapter 3 of the IP Act applies to GOCs, statutory bodies with commercial interests and similar entities be changed? If so, in what way? Is there justification for treating some GOCs differently to others?

It is our view that GOC's who are solely owned and derive their total income from grants funded by the QLD Government, should be completely compliant with the RTI act and processes.

These GOC's should also not be permitted to enter into 'Commercial in Confidence' contracts, arrangements or deals with private interests both domestically and/or internationally using public monies outside of their budgeted programs, the details for which at present subsequently do not have to tabled in parliament.

Arguments against allowing this type accountability and transparency for GOC's are invalid in our opinion. The most effective way to accurately plan to generate commercial returns and increase sustainable economic growth is through thorough industry specific consultation. Lack of accountability and transparency of allocation of public money not only breeds collusion and corruption, but also calls into serious question the qualifications and interests of the individual(s) with the power to do so. In a democracy, the tax paying public have a right to assess government spending and conduct in order to make informed choices on the effectiveness of the government of the day.

20. Should internal review remain optional? Should the OIC be able to require an agency to conduct an internal review after it receives an application for external review?

In our ongoing RTI case, OIC external review was the only option due to the complex nature of the information requested. As our matter is now being heard at QCAT due to a GOC appealing the Information Commissioners decision, we feel adding another level of review would be a waste of resources which could potentially only serve to delay the process further.

We also found that the OIC's external review proved to be far more thorough with proper consideration given to the non valid arguments put forward for denying our initial application. And the OIC is from our understanding, the most qualified government body in state to interpret the RTI act on behalf of the people of Queensland.

21. Should applicants have a right to appeal directly to QCAT? If so, should this be restricted to an appeal on a question of law, or should it extend to a full merits review?

We firmly believe that applicants should not have the right to appeal directly to QCAT. Again in highlighting our current case, private citizens and private companies may not have the financial resources to adequately argue their case at QCAT using legal representation. Government bodies and GOC's have access to taxpayer funded, high level legal representation. Even considering the 'user friendly' nature of QCAT, it is very difficult for private citizens with no legal background to successfully argue their case against Crown Solicitors or similar in court.

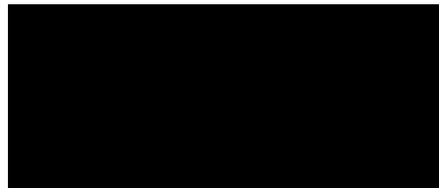
The only way to resolve this issue would be to grant all applicants and parties to the application adequate and equal legal representation if the matter is referred to QCAT. Either for a nominal fee or free of charge.

Also of note, in the current process, as we have discovered, a private citizen or private company can apply through RTI for information, which currently costs \$46.00 and can potentially end up in court in front of judge. We feel as though this process needs to be serious examined to find alternative solutions-particularly when the Information Commissioner has already heard

the case, and the points/submissions have been argued over a long period of time.

From our experience, currently the OIC provides an extensive external review of RTI applications under appeal which does not involve the applicant directly, and certainly does not involve an individual applicant having to go to court.

Sincerely yours,

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Christopher Boyd
Managing Director
Glass Media Group Pty Ltd

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