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**Subject:** RTI Act Review.  
**Date:** Friday, 3 February 2017 12:22:16 PM  
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[Right to information article 01Feb2017.pdf](#)

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Dear Review committee,

By way of submission please see article attached and below.

I have had some very distasteful experiences with trying to get information out of government bodies including Main Roads, Sunwater and Local Governments.

I have witnessed extreme frustration, anger and desolation on the part of members of the community when treated as second class citizens in this way.

In the absence of substantial amendments in the interests of the community , the legislation will be treated as what it is - a cynical attempt to give the impression of transparency. But the truth is obvious to anyone who is unfortunate enough to have tried to obtain information.

I also believe that the way that the current legislation is used by government – that is, as an instrument to deny access and justice simply promotes other less legitimate methods (eg wikileaks) and provides fertile soli for the germination of corrupt practices, the proliferation of litigation and, in some cases self harm or suicide.

Regards,

**Sean Kelly (LLB, MBA, M Tax Law)**

Lawyer and Director

DIRECT PHONE: [REDACTED]

**Kelly Legal**

**PHONE:** (07) 4911 0500

**MAIL:** PO Box 1035, Mackay Qld 4740

**ADDRESS:** Level 2, 65 Sydney Street, Mackay Qld 4740



[www.kellylegal.com.au](http://www.kellylegal.com.au)

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# You're right, you have no right to know

ONE of my oldest friends from school days goes by the nickname Byro, which is short for Byron, but not by much. Byro was not the most diligent student. In fact one of his claims to fame is that in our senior year he got what we think was the lowest Tertiary Entrance score in Queensland.

Every year at our reunion lunch we toast Byro who proudly proclaims that his score didn't entitle him to enter any tertiary institution at all.

Byro has a point. It seems

silly to me to give something a name when it can actually have the opposite effect to what the name indicates.

The laws concerning access to government information are like that. In Queensland these laws are contained in the Right to Information Act. In New South Wales it is the Government Information (Access) Act.

In my experience, governments and government entities hate giving proper disclosure when an application is lodged. In fact

**I had a case where 2000 pages were provided but 1200 of them were blacked out**

I don't think I have ever seen proper disclosure made.

I had a case once involving a local authority where over 2000 pages of documents were provided to us but about 1200 of them were completely blacked out.

I have seen a government body claim privilege over documents but refuse to say what sort of documents they were claiming the privilege over.

This meant my client was not in a position to understand whether or not the privilege claim was valid.

I have also asked for documents on behalf of clients who have been directly harmed by a government decision only to be forced to make an application (which I think is

wrong anyway), and then being told that it is not in the "public interest" for the documents to be supplied.

In such cases there are alternatives available such as making an application to the court or appealing the decision but citizens should not be put to additional expenditure when it is the system that is so broken.

I now routinely tell clients not to expect to get anything that might help their cause, whether it exists or not, and also not to expect to get information sufficient to

understand whether they should challenge a refusal.

Sadly, the laws that are supposed to be about transparency are in fact being used to deny people access to information, and justice.

To quote Geoff Toovey, there needs to be an investigation.

Sean Kelly is a director with Kelly Legal and can be contacted on [sean.kelly@kellylegal.com.au](mailto:sean.kelly@kellylegal.com.au) or at [kellylegal.com.au](http://kellylegal.com.au).



Bluescope	11.21	-.28	11.62	4.16	52	18.51	Eventus	14.75	-.12	15.99	13.13	3.43	18.09	Life Comm	3.75	+.01	4.00	2.36	67	22.67	Peet	1.035	+.015	1.08	85	4.41	11.72	Spark I. Grp	2.34		2.67	1.838	5.66	36.85
BlueSkyAttnv	6.90	-.15	6.99	4.958	2.27	35.61	Evolution	2.13	-.02	3.043	1.384	1.40		Lifehithr	2.37	-.01	3.02	1.255	5.25	13.52	Peninsula	685	-.075	1.00	48		Spark NZ	3.43	+.04	3.819	2.925	5.96	17.6	
Boral	5.82	-.08	6.095	4.762	3.81	17.25	Fairfax	.85	-.005	1.06	.72	4.68		LindsayAu	3.75	-.005	54	.36	5.79	13.57	Pepper Grp	2.53		2.90	2.10	2.37	17.94	SPDR200	52.51	-.38	54.43	43.89	3.90	348.29
Bougainvi	.18		.31	.14			FAR Ltd	.08		.12	.064			Link Adm	7.67	-.10	9.00	6.945	1.03	61.72	Perpetual	46.80	-.08	50.16	37.73	5.44	16.12	Specialty	.525	+.005	.705	.475		
Bradken	3.22		3.31	.415			FinbarGrp	.95	-.02	1.00	.78	7.22	25.39	LNG Ltd	.855	-.015	1.29	.455			Perseus	335	-.01	.70	.267		Speedcast	3.59	-.05	4.477	3.02	1.88	40.72	
Brambles	10.41	-.11	13.635	10.05	2.76	20.94	Fis&PayHc	8.31	-.02	10.27	7.70	2.09	31.88	LovisaHld	3.86	+.01	4.10	1.85	2.25	24.43	PhileoAus	8.25		9.01	7.50	24	25	Spotless	.94	+.01	1.325	.892	9.14	8.38
							FletchBld	10.10	+.01	10.785	6.045	3.04	15.8	LynasCorp	.085	-.001	.097	.048			Pilbara	8.25	-.015	.87	.315		SrvStream	1.155	-.01	1.28	.453	2.15	22.4	