



Right to Information Act 2005: Producing Materials to Assist Officials to Discharge Their Obligations Under the Law

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Session Objectives

- ◆ Identify products which need to be developed to support easy, consistent application of the law by PIOs and AAs
- ◆ To identify potential partners for developing training manuals and guidebooks



Why is this necessary?

- ◆ Can't expect officials – who have multiple other duties - to all read and understand the technicalities of the law
 - Legislation is complicated
 - Officials also need to understand Rules
 - Processes are usually not sufficiently detailed in laws



Why is this necessary?

- ◆ Remember: Unless PIOs and AAs are getting a large volume of requests, they will only need to apply the law infrequently – may forget training in the meantime!
- ◆ Officials may simply get confused – need clarification
- ◆ Ensures consistent application of the law



Target groups

- ◆ PIOs

- have to apply law – frontline

- ◆ Appellate Authorities

- reviewing proper application of exemptions is key issue

- ◆ Info Comms staff

- need to understand whole law b/c can make orders on any topic
- Also monitoring and review duties



Products in support

- ◆ Practice manuals on processing applications and appeals
 - Developed in a number of jurisdictions
 - See Jamaica, WA, US in resource packs
 - Manuals provide clear simple guidance to implementing officials
 - break down the law into simple bite size chunks
 - with process charts and explanatory notes



Products in support

- ◆ Easier to give official a simple procedures handbook
 - Easy reference index
 - Lots of pro-forma response templates



Products in support

- ◆ Can process applications and appeals without too much difficulty and/or time wastage
- ◆ Look at Jamaican Manual for Public Officials for an example
 - US <http://www.usdoj.gov/oip/foi-act.htm>
 - WA www.foi.wa.gov.au/Materials/PRAC_MAN_1199.pdf



Products in support

- ◆ Guidance notes
 - On exemptions
 - On the meaning of “public interest”
 - On how to manage third party rights
- ◆ These are key provisions which need to be consistently applied
- ◆ Outcomes vary according to docs, but scope of exemptions is the same



Responsibility for products

- ◆ Nodal agency responsible for implementation – ensures consistent quality of product
- ◆ Partnership with:
 - Other Governments, eg. Central DOPT, other State nodal agencies
 - Admin. Training Institutes, eg YASHADA
 - Civil society, eg. CHRI
 - Academic institutions
 - International RTI institutions, eg. Info Comms

Thank you

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