

Freedom of information and the right to know: Open government information practices in Australia

It has often been argued that the normative practice of governments is secrecy (Roberts, 2006), nevertheless glimmerings of more openness, particularly with regard to government information, began with the rise of western liberal democracies and by the 21st century had, at least in theory, become the norm. This paper, based on a case study framed by one particular aspect of open government—the right to know mechanism of Freedom of Information (FOI), examines the extent to which the reality matches the theory. Through the analysis of 15 years of Australian Commonwealth government information and data the study provides a qualitative and longitudinal study about government bureaucratic Freedom of Information practices.

The analysis employs Pierre Bourdieu's concept of field which he regards as a power structure, a *state* of power relations among the agents and institutions engaged in a permanent struggle for dominance (1993). A field analysis is a particularly appropriate methodology to examine the power/knowledge relationships which are embedded in government practices for the implementation of Freedom of Information legislation. While the obvious struggles are individual instances, between the requestor and the bureaucrats who hold the power to grant or refuse the request, there are more fundamental contests in democratic societies; those of an institutional nature—between government secrecy and civil society, contemporary right to information and open government movements.

The case study concentrates on FOI requests in the Australian Commonwealth jurisdiction for policy-related material (government information) not personal information, enabled from 2001 when the data collected began to separate these two types of requests. The analysis begins with an overview of the general trends of Freedom of Information practices from 2001 to 2015; numbers of requests, those granted or refused, reasons for refusal and the costs involved. This is then followed by several case studies of individual instances of requests and decisions made in order to examine and understand the specific issues that are played out in the processes and practices of decision-making.

The quantitative aspect of this case study is possible only because the datasets are publicly available through legislation, a key principle of which is that openness of public sector information, including data, is the government's default position (McMillan, 2011). Qualitatively, a further analysis is carried out to ascertain if and what factors such as changes in legislation or external events have been responsible for trends of more or less requests and consequent decisions, and the implications for future challenges to normative information practices of government within Australia's democratic society.

Keywords : open government; freedom of information; government information practices; field analysis

References

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