



Media release

Integrity and Oversight Committee

Freedom of Information laws in Victoria need to be overhauled

Victoria should replace its Freedom of Information (FOI) laws with more modern ‘right to information’ laws, according to a report tabled today.

On Monday 23 September 2024, the Victorian Parliament’s Integrity and Oversight Committee tabled its report on its Inquiry into the Operation of the *Freedom of Information Act 1982* (Vic).

Victoria has a first-generation FOI system that requires users to ‘pull’ information out of agencies through formal requests. This system has contributed to Victoria receiving more FOI requests per annum than any other State or Territory—more than 48,000 in 2022/23.

Victoria’s current ‘pull’ FOI system “is not well adapted to the functioning of modern government in the digital age,” Committee Chair Dr Tim Read said.

“It cannot be fixed through piecemeal reform. Delays, high fees, and in some agencies, a defensive culture of refusing to release information wherever possible, have all given the current system a reputation for being impenetrable,” Dr Read said.

A key reason for Victoria’s FOI system not working is the lack of options available to the public to obtain information. The Committee’s view is that Victoria’s FOI Act should be replaced with a third-generation ‘push’ Right to Information Act consistent with best practice principles. The ‘push’ system recommended by the Committee promotes maximum disclosure and the proactive release of information, with formal requests for information being a last resort.

Under the recommended system, the public would have a right to access ‘information’, as opposed to ‘documents’, which is much better suited for the digital age. It will also contain processes for fair, easy, timely and affordable access to information.

Significantly, there will be a presumption favouring disclosure of information, with only limited exceptions to the presumption of disclosure. So, in most cases, when agencies refuse to release information under a recognised exception, they will have to show that:

- they are protecting a legitimate interest (e.g., privacy),
- disclosure will cause substantial harm to that interest, and
- this harm is not outweighed by any public interest in disclosure.

Further information on the Committee and the Inquiry’s report is available on its [website](#)

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