



## Attorney-General

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Our ref:

Mr David Morris MP  
Chair  
Public Accounts and Estimates Committee  
Parliament House  
Spring Street  
EAST MELBOURNE VIC 3002



Dear Mr Morris

### **2013-14 Budget Estimates Questions on Notice - Attorney-General's Portfolio**

Thank you for the opportunity to provide responses to the questions I took on notice at the 2013-14 Budget Estimates Hearing on 16 May 2013.

Please find enclosed my responses to the two questions relevant to the Attorney-General's portfolio.

Yours sincerely

**ROBERT CLARK MP**  
Attorney-General

29/7/13

Encl. 2013-14 Budget Estimates Hearing responses to questions taken on notice

# **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE HEARING, 16 MAY 2013**

## **- QUESTIONS ON NOTICE TO THE ATTORNEY-GENERAL**

### **Question 1:**

**Please advise how much the Department of Justice has spent on defending FOI applications in courts and in VCAT in this current financial year.**

I am advised that in the 2012-13 financial year, the Department of Justice spent \$195,947 excluding GST defending 21 FOI matters brought by applicants in courts and VCAT.

Twenty matters were in VCAT, with one matter brought before the Court of Appeal of the Supreme Court by an applicant seeking leave to appeal from a VCAT decision. This application was refused.

Of the twenty VCAT matters, four matters were still on foot at the end of the financial year.

Of the sixteen finalised VCAT matters, eleven applications were withdrawn by the applicants; three matters were struck out due to the applicants' failure to appear; one matter lapsed due to lack of further action by the applicant and one matter was remitted to the department.

### **Question 2:**

**Regarding enforceable professional standards for Freedom of Information officers:**

- a) does the Attorney-General intend to transfer responsibility for setting standards to the FOI Commissioner?**
  - b) will the Attorney-General release those standards?**
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- a) The Government's current position in relation to the setting of professional standards is as set out in the legislation.
  - b) I expect that professional standards established under the legislation will be published at [foi.vic.gov.au](http://foi.vic.gov.au).