

## How to Submit an FOI Request

### What is an FOI request?

The 'Freedom of Information' (FOI) Act in Australia gives members of the public the right to request information held by Government ministers, departments and agencies. In order to get access to this information an FOI request must be submitted to the relevant department.

### How is an FOI useful to advocacy?

Submitting an FOI for advocacy purposes is a way to keep Governments transparent and accountable to the public. By requesting the release of information, affairs and procedures of government agencies are brought into the public arena. FOI requests are important to advocacy as a tool against the misuse of power. They promote openness by allowing members of the public to monitor and review government decision-making processes.

### How have FOI requests been used to keep the Government accountable?

FOI requests have been used in Australia to advocate for the rights of Indigenous Australians by tracking the progress of government commitments to Indigenous Communities. The Anangu Paper Tracker is an online project of the Uniting Church which monitors government activities in all the communities located on the Anangu Pitjantjatjara Yankunytjatjara (APY) and Maralinga Tjarutja (MT) Lands. Government promises are published online and if the promises are not kept or are taking too long, Paper Tracker submits an FOI to the government to ask them for an update. All correspondence is published online, often used as a source of parliamentary debate and sourced by print, radio and television media. Since July 2007, the Paper Tracker has tracked progress made against over 140 government commitments and/or areas of identified need. Visit [www.papertracker.com.au](http://www.papertracker.com.au)

### How do I submit an FOI?

- 1-The first step to submitting an FOI request is to find out which government agency is likely to hold the information that you are seeking. Federal government agencies have special FOI contact officers who can assist you in making your request. A list of FOI contact officers is available online at <http://www.dpmc.gov.au/foi/contacts.cfm>
- 2-Once you have found the agency, the next step is to write out your request. You can write a letter or, alternatively, some agencies have non-compulsory forms for making a request. When writing your FOI request it is important to give as much information as you can about the documents you want. For example, you can reference a newspaper report or simply describe the subject matter that you are interested in. Include your name and an address for correspondence. A sample application form is available online at <http://www.dpmc.gov.au/foi/requests.cfm> Contact details for FOI requests to State departments can also be found online.
- 3-Finally post or deliver your request to the relevant agency. Make sure you include your own name and address for correspondence.

### Does it cost money to submit an FOI request?

- After submitting an FOI request, an application fee may be charged to cover the administrative and consultation cost of the request. However, you may seek to get the fee waived by demonstrating that your request is in "the public interest".
- For example, in the case of the Paper Tracker, proposed fees have been appealed on the grounds of (a) the project having been recognised as an important information source (i.e. the public interest test) and (b) Uniting Communities – formerly 'UnitingCare Wesley Adelaide' – being a non-profit charitable organisation with limited financial resources.

If the FOI is rejected by the agency, then you will be provided with reasons for the decision. You can then apply for an internal review, and if this is rejected you may apply to the Commonwealth Ombudsman to review the agency's decision.