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Editorial:

The Australian FOI Law Journal [AFOILJ] will address issues concerning Freedom of Information [FOI] in all the Australian jurisdictions. This will concentrate upon the Commonwealth FOI legislation, with an additional initial emphasis on the FOI experience of the Queensland legislation. Because the basic tenets of FOI extend across all jurisdictions, this journal will be relevant to them all. While the journal will have relevance for lawyers and legal professionals, it will be targeted to less legally skilled individuals who tend to be the FOI officers of government and statutory authorities [GSA] [and, the individuals in the Queensland Office of the Information Commissioner {OIC}, which performs the legislated External Reviews of FOI, which individuals, we have discovered, display a worrying ignorance of law {see accompanying story}], and the non-legally skilled members of our community who apply this legislation to discover the personal information about themselves that is held by GSA. Hence, although AFOILJ is primarily a print journal with legal deposit obligations [to be deposited in the National Library of Australia in Canberra and the State Library of Queensland and Queensland Parliamentary Library, and so be catalogued accordingly], it will be available on our website [<http://AustLawPublish.com/>] as a .pdf file identical to the printed version, and also in .html. Thus, it will be more readily available to that demographic, being indexed/catalogued by google and other search engines. Some libraries may actually "mirror" our site and hold a copy of our publications on their server. We intend to archive

all our publications OnLine. We anticipate that our site will be bookmarked for regular viewing by the individuals in the Queensland OIC and FOI officers at GSA, initially in Queensland, and then progressively across Australia.

It will be important to highlight the nuances and differences between the various FOI regimes in Australia. We will do that.

The companion journal from Australian Law Publishers Pty Ltd [AuLP], named the Australian Privacy Law Journal ISSN:1834-5611 [APLJ], will complement and supplement the AFOILJ, and there are likely to be many cross references.

Is Queensland's Information Commissioner, Corrupt or Incompetent, with respect to Law?

Individuals in the Queensland Office of the Information Commissioner {OIC}, perform the legislated External Reviews of FOI decisions.

Our editors, some reporters and staff of Australian Law Publishers Pty Ltd [AuLP], have become increasingly concerned at the plainly wrong decisions, contrary to law, emanating from the OIC.

Initially, when reading “decisions” from the OIC, we were impressed at the details of legal citation employed, and believed that the OIC had competent legally trained individuals. It was not long before we realized that the OIC is staffed by legal incompetents with access to an electronic library of legally drafted text, which they paste into their documents.

The general community may say that the OIC does not need to be competent individuals with legal training but need only “know” the FOI legislation. That is clearly what has been implemented. Our corrupt Queensland Government has obviously chosen that, so that corrupt decisions can be made under the guise of legal ignorance, and so excused, when put to the ultimate challenge.

The Queensland FOI [and undoubtedly all Australian FOI legislation on this point] imports the general law, in relation to the Lawyers' crutch of Legal Profession Privilege [LPP] {although it is the Client's Privilege, under the control of the client}. {One should ask our current High Court Justice Callinan J, regarding his advice to George Herscu's group building the Caboolture Park Shopping Centre, of how to effectively use the Legal process as a weapon, against the builders when it came time to pay their bill: Callinan would no doubt have expected his advice to remain confidential by LPP;- but receivers were appointed to the client.} LPP is concerned with keeping lawyer communications secret.

A part of that general law of LPP are the grounds of Waiver of LPP. That imports far wider general law, when one ground of Waiver is that the legal communication was for an improper or illegal purpose.

The ignorance [real or feigned for corrupt purposes] of the individuals at OIC, is unbelievable. The incompetents at OIC do not realize that a Statute's regulations drawn by public servants, ostensibly to aid in the implementation of that Statute, cannot override a right given by that statute, any other statute or the Common Law. That is the most basic law. We have their incompetence in writing.

Apart from using our site <http://AustLawPublish.com/> to jointly publish our print journals, we intend to use our site to publish OPEN LETTERS to Queensland's OIC, when communicating with that OIC, as well as relevant parts of their communications on those matters. This will be similar to a process adopted by our Editor in Chief [EC], Russell Mathews on his website <http://haigreport.com/directoryopenletters.html>. This should give us far more material permitting us to re-package salient points in our many print publications appearing and being catalogued in the National Library of Australia in Canberra, [with that catalogue now OnLine], the State Library of Queensland [with that catalogue also now OnLine] and the Queensland Parliamentary Library.

That can be extended in many dimensions: to show communications for other people having problems caused by the corruption/incompetence of the OIC in Queensland or the equivalent in other jurisdictions.

That that part of our site could eventually be an unofficial “Grand Jury”, for dealing with Government and Statutory Authorities, appears as a possible outcome.