

High Court decision a low point for the public's right to know

Civil Liberties Australia (CLA) has today criticised the decision of the majority of the High Court in the case of *McKinnon v Secretary, Dept of Treasury*.

CLA spokesperson, Anthony Williamson, said: "The decision effectively renders the Freedom of Information Act impotent, and gives the government the power to veto the release of information with impunity."

"Today's decision is a low point for members of the community who think Australians should be able to access documents relating to government decisions and actions supposedly taken in the public's interest."

"The Freedom of Information Act is an invaluable tool for the media and other members of the community to keep the government accountable."

"When Parliament passed the Act in 1982 they intended to 'extend as far as possible the right of the Australian community to access information in the possession of the Government of the Commonwealth'."

"Unfortunately, in light of the High Court's peculiar reasoning in this case, it seems that the Parliament's intention will not be realised, and the government of the day can thwart the release of documents with impunity," Mr Williamson said.

"It is important to remember that the documents in question in this case were suppressed by the government for no other reason than to prevent government embarrassment. They did not relate to national security, the operations of law enforcement agencies, or anything of a genuinely sensitive nature."

"One has to wonder whether the Freedom of Information Act will be of any use when the government can stop the release of documents to prevent embarrassment and protect political careers," Mr Williamson said.

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