

INFORMATION COMMISSIONER AND OMBUDSMAN, AMALGAMATION OF OFFICES

**1192. Mrs C.L. EDWARDES to the Attorney General:**

I ask a supplementary question. Is the Attorney General aware that the concurrent position of Ombudsman, Information Commissioner and privacy commissioner does not exist anywhere else in Australia and that he is about to change that?

**Mr J.A. McGINTY replied:**

What I am aware of - this was very much an important part of the overall consideration - is that nowhere else in Australia are there offices of an Ombudsman and an FOI Commissioner.

Mrs C.L. Edwardes: There is an Ombudsman and a privacy commissioner in New South Wales and Victoria.

Mr J.A. McGINTY: The inclusion of a privacy commissioner was not something even the member's friend Ms Bronwyn Keighley-Gerardy objected to. From what she said on radio, she was primarily concerned about the merger of the Information Commissioner with the Ombudsman. In every other State in Australia the Ombudsman is the Information Commissioner -

Mrs C.L. Edwardes: Privacy makes it a different picture.

Mr J.A. McGINTY: That is a matter for Parliament to debate next year when the Government brings in the legislation. That will be the appropriate time to test all these ideas. The nature of the amalgamation of the Information Commissioner and Ombudsman varies because in some places it is a concurrent appointment while in others it is a statutory absorption of the two roles. However, nowhere in Australia is there an Information Commissioner and an Ombudsman in the sense that we understand those positions in this State. Western Australia is the odd State out. The Government intends to bring forward legislation that will put WA on the same basis as every other State. To the extent that the retiring Information Commissioner sought to lead people to believe that the proposal, in the sense of a merger between the Ombudsman and the Information Commissioner, was unprecedented, she was misleading.