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Access to Information

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On 6 and 7 March 1986, the Hon. Justice M.D. Kirby, CMG attended and addressed the National Forum on Access to Information and Privacy, in Ottawa, Canada. In his address, "The Ten Information Commandments", Mr Justice Kirby talked about the use (and abuse) of freedom of information legislation in the context of contemporary technological development. He acknowledged the difficulties inherent in reconciling competing rights and maintaining the integrity of FOI, and spoke about weighing costs against impact. On this note, he propounded the following ten information commandments:

- 1 contemporary technological developments endanger human rights and civil liberties and require a response
- 2 legislation is required; the common law is insufficient
- 3 technology itself demands, or may even produce, legal reform
- 4 the people are not always the best judges of their own interests - there is a role for the informed observer
- 5 costs must be counted, but so must benefits
- 6 flexibility is required in legislation, to account for changes in technology and perception of the problems
- 7 information rights must extend from the public sector to the private sector
- 8 information technology presents international issues and needs international solutions
- 9 legal responses must attend to the real problems, and not content themselves with mere symbols
- 10 democratic values must be preserved, but can our democratic institutions respond adequately to the challenge?

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R E C E N T   P U B L I C A T I O N S  
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The following recent works relating to administrative law may be of interest:

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"Inauguration of the Administrative Appeals Tribunal of Victoria" (1985) 59 Australian Law Journal 696

Brazil, Pat

"Lawyers in Government service: the Commonwealth scene in 1985" (1985) XII Canberra Bulletin of Public Administration 159

Council on Tribunals

The Annual Report of the Council on Tribunals for 1984/85, Her Majesty's Stationery Office, London, 1985

Downey, P.J.

"The game's the thing" (1985) New Zealand Law Journal 217

Dziubla, Robert W.

"The impotent sword of Japanese justice: the doctrine of Shobunsei as a barrier to administrative litigation" (1985) 18 Cornell International Law Journal 37

Enright, Christopher

Judicial Review of Administrative Action, Branxton Press, Sydney, 1985

Flick, Geoffrey A.

"Immigration appeals" (1985) 59 Australian Law Journal 427

Griffith, J.A.G.

"Judicial Decision-Making in Public Law" (1985) Public Law 564

Griffiths, John

"Australian administrative law: institutions, reforms and impact" (1985) 63 Public Administration 445