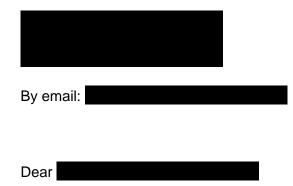


Victoria - Southbank

ABC Southbank Centre 120 Southbank Boulevard Southbank VIC 3006 GPO Box 9994

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Tel. +61 3 9626 1600 abc.net.au



Freedom of Information Act request – Internal review

I refer to your email dated 7 April 2011 requesting an internal review of the ABC's original decision to refuse your request under the *Freedom of Information Act 1982 (Cth)* (FOI Act) for access to:

Documents which reflect arrangements within the past 2 years between producers of *The Drum* and/or 7.30 Report and any of the organisations listed [below] for the use of people associated with those organisations (for instance as 'scholars', 'fellows' or 'experts') for interview purposes.

- The Centre for Independent Studies (CIS)
- The Institute of Public Affairs (IPA) and its subsidiary the Sydney Institute
- The Australian Institute and its associated Brisbane Institute
- Australian Strategic Policy Institute
- Committee for Economic Development of Australia (CEDA)
- The Lowy Institute for International Policy.
- American Enterprise Institute
- Citizens for a Sound Economy (and its later incarnation FreedomWorks)
- Competitive Enterprise Institute
- Heritage Foundation
- Hudson institution (and its subsidiary Discovery Institution)

I am authorised by the Managing Director, under section 23 of the FOI Act, to make decisions on requests for internal review. I have conducted a review of the original access refusal decision in accordance with section 54 of the FOI Act and make a fresh decision.

Having reviewed your request, I have determined that it falls outside the operation of the FOI Act. Documents reflecting any arrangements for interviews conducted for broadcast on ABC programs relate directly to the ABC's program material and are accordingly exempt from disclosure under the FOI Act by virtue of section 7(2) and Schedule II, Part 2.

While the ABC is not obliged to provide information about its interview arrangements for its programs, I am happy to volunteer this information on this occasion. I have consulted our News Division and can advise that the ABC has no formal interview arrangements in place with any of these organisations for the provision of talent for interview purposes in relation to

The Drum or The 7.30 Report. The ABC approaches a wide range of organisations, including those listed, seeking appropriate talent for its stories. Use of specialist commentators in news programs must comply with the ABC's Editorial Policies, which require a range of views to be presented on significant issues over time. Where a guest commentator has a relevant interest in the issue being discussed, that interest should be declared.

The ABC's Editorial Policies and related documents can be accessed at abc.net.au/corp/pubs/edpols.htm. Please note that the Editorial Policies which applied to ABC programs during the period of your request (the last two years) is the edition that was last revised on 1 March 2009. Since then, a new edition of the Editorial Policies has been introduced and applies to programs broadcast on or after 11 April 2011.

Rights of review

If you are dissatisfied with this decision, you can ask for a review by the Australian Information Commissioner, whose contact details are:

Office of the Australian Information Commissioner GPO Box 2999 Canberra ACT 2601 (or) GPO Box 5218 Sydney NSW 2001

Tel: 1300 363 992 | Fax: 02 9284 9666

Email: enquiries@oaic.gov.au
Website: www.oaic.gov.au

In making your application to the Information Commissioner, you should provide:

- an address for notices to be sent (this can be an email address); and
- a copy of this decision.

You may also wish to inform the Information Commissioner of the reasons for seeking review.

Yours sincerely,

Michelle Fisher

FOI Internal Reviewer Authorised pursuant to s 23 FOI Act