



MEDIA RELEASE

Senator the Hon Joe Ludwig

*Cabinet Secretary
Special Minister of State
Senator for Queensland*

Friday 26 February 2010

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Appointment of the Information Commissioner Designate

The Rudd Government has today appointed Professor John McMillan as the Information Commissioner Designate.

Cabinet Secretary, Senator Joe Ludwig, said Professor McMillan's extensive experience will be fundamental in establishing a successful Office of the Information Commissioner.

"I am very pleased Professor McMillan has been appointed the Information Commissioner Designate," Senator Ludwig said.

"Assuming the Parliament supports the Bill, as soon as the Information Commissioner Bill is enacted, I will recommend to the Governor-General in Council that she appoint Professor McMillan as the Information Commissioner," Senator Ludwig said.

"The Rudd Government has acted early in appointing Professor McMillan, who will be responsible for ensuring the Office of the Information Commissioner is fully operational as soon as practical after the passage of legislation."

"As the Information Commissioner Designate, Professor McMillan will have a significant role in implementing the Government's information policy reforms and in promoting and leading a pro-disclosure culture across government."

The Office of the Information Commissioner will be an independent agency with oversight of freedom of information and privacy matters.

Professor McMillan welcomed the Government's announcement and said the creation of the Office of the Information Commissioner heralds a major and positive shift in government.

"The combination of privacy and freedom of information in a new office headed by three commissioners will transform information management in Australian government," Professor McMillan said.

"This reform package is the most significant reform of Australian administrative law in over twenty years."

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“A key feature of the new reforms is the emphasis on pro-active disclosure of information by government agencies.”

“There will be an irreversible change in government culture. The ground rules for information disclosure and publication are being rewritten.”

Professor McMillan has taken leave from his role as the Commonwealth Ombudsman to work as the Information Commissioner Designate.

“Professor McMillan’s considerable academic and professional experiences place him in an ideal position to undertake the role, particularly his involvement in campaigning Government during the 1970s to enact Australia’s original *Freedom of Information Act 1982*.”

“He has extensive knowledge of Australian Government and its administration and a strong reputation as an independent office-holder, serving seven years as the Commonwealth Ombudsman.”

The Government’s FOI reform bills are currently before Parliament. Professor McMillan will start as Information Commissioner Designate on 8 March 2010.

BIOGRAPHY – JOHN McMILLAN

John McMillan was appointed Commonwealth Ombudsman in 2003, and reappointed in 2008 for a further five year term. He is on leave from the Australian National University, where he is a Professor of Administrative Law.

John is a member of the Administrative Review Council, which advises the Government on administrative law reform. He also established the Australian Commission for Law Enforcement Integrity in 2007, as Integrity Commissioner.

Prior to his appointment as Ombudsman, John practised as a public lawyer for thirty years, in a variety of occupations – as Associate to a High Court Justice; a solicitor in private practice; a Principal Investigation Officer with the Commonwealth Ombudsman; in public interest advocacy; and as Consultant to the Government Services Group of national law firm, Clayton Utz. He was a consultant to many parliamentary and governmental inquiries on aspects of administrative and constitutional law, including consultant on freedom of information in the 1970s to the Senate Standing Committee on Constitutional and Legal Affairs Senate Standing Committee on Constitutional and Legal Affairs, and the Coombs Royal Commission on Australian Government Administration.

John is a co-author of *Control of Government Action* (second edition published 2009). He has been active in community affairs and legal practice. He was a founding member of the Freedom of Information Campaign Committee in the 1970s, which led the public campaign in Australia for enactment of the Freedom of Information Act 1982; he was a founding member and later President of the Australian Institute of Administrative Law; he is an Executive Member of the Australian New Zealand Ombudsman Association; and he is a National Fellow of the Institute of Public Administration Australia.

John was made an Officer of the Order of Australia (AO) in the Australia Day Honours List 2010.