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Australian Government Open Government National Action Plan

Comments provided by Mel Flanagan of Nook Studios

Context

Open government advocate and producer and service designer of open government services. Over the last 4 years I have been advising and working with the NSW Government, implementing open government principles through improved communications, content innovation and data interpretation and visualisations, and participatory design methods.

Comments

Australia's commitment to Open Government principles is a great, encouraging and a positive step forward that will hopefully strengthen our society and deliver more open, collaborative and better decision making between government and citizens.

I was involved in the April workshops. My overall comment is some of the commitments could, and should be, more ambitious and specific. Australia has the capability to deliver openness using technology and building on existing initiative to help deliver openness, transparency and public participation through digital services and offline activities.

I strongly suggest the Australian Government include a stream in the National Innovation and Science Agenda to provide funding and create ways for the private sector and NGOs to collaborate with government to help deliver and implement open government.

Inclusive communications about Open Government – getting more people involved

The audience for this document and commitments is the Australia people as well as the Open Government Partnership.

In order to make this information suited to a broader audience, I suggest the language be reviewed and made plainer and more accessible to the general public and people unfamiliar with Open Government Partnership terms and government acronyms. Some of the language comes across as non-committal. I suggest next stage this be considered and sharpened.

I strongly suggest each commitment include public participation, and a phase in the milestones where research can be done to research and establish connections with other actors and stakeholders, in order to ensure people have the opportunity to be appropriately and respectfully engaged.

It would be good to see the Government commit funds to raise awareness for open government, content to help people understand context of current commitments, why they are important for citizens and how people can contribute.

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Comments on specific Commitments:

Commitment 1.1: Improve whistle-blower protections in the tax and corporate sectors

Extract

In the 2016-17 Budget, the Government announced it would introduce whistle-blower protections for people who disclose information about tax misconduct to the Australian Taxation Office.

Comment
Given that this was a pre-existing commitment and funds have presumably been allocated to this, this commitment could be strengthened by showing the value of this commitment.

My suggestions is you be specific about:

- how much has already been allocated to deliver this
- what work has already taken place to progress this
- what resources will be required to implement this (internally and externally)
- what funds have been attributed to each milestone
- what steps will you take to ensure thorough consultation and participation

Milestones:

2. Public consultation on tax and corporate whistle-blower protections. December 2016 March 2017

This could be stronger. This is a good opportunity to co-create legislation.

Commitment 1.2: Beneficial Ownership
Extract

*We will **consult** with the corporate sector, non-government organisations and the public on a beneficial ownership register for companies.*

Ambition:

*To ensure that adequate, accurate and timely information on beneficial ownership and control is available to **competent authorities** in Australia.*

Relevance:

*This commitment will advance **the OGP values of** access to information and public accountability by:*

- *increasing growth through private sector investment.*

Comments

This commitment could be stronger or more ambitious. Some of the language used in this commitment is confusing and it appears to only commit to consultation.

The commitment ambition states that beneficial ownership will only be available to "competent authorities" in Australia.

The relevance section states “increase growth through private sector investment”.

To deliver our values and open government for all, and increase growth in investment, I strongly suggest this information be openly available to the public.

The other factor that isn’t clear is when the information becomes available, whether it will be free or not.

The UK Beneficial Ownership Register **public** register was launched in April 2016. To reduce potential duplication of effort, the UK model could be referenced and adapted for Australia and be used during the research and consultation period as an example of best practice.

I strongly suggest you add to Milestones:

Research and scope the design of a register of beneficial ownership of companies and a project plan to design and implement the platform to publish the information.

Commitment 1.3: Natural Resource Transparency

Extract

We will work together to enhance disclosure of company payments and government revenues from oil, gas and mining.

Objective: *Australia will work towards compliance with the Extractive Industries Transparency Initiative (EITI) standard and continue to support the application of EITI principles around the world.*

Comments

The Government confirmed its intention to seek compliance to the EITI in May 2016, although this is not widely known beyond a small group of stakeholders.

If the objective is to build trust to build, I strongly suggest that the Government commit to communicating its commitment to openness and transparency in extractive industries in a more interesting and accessible way for the general public.

The commitment states:

*Australia **will work towards** compliance with the Extractive Industries Transparency Initiative (EITI) standard and continue to support the application of EITI principles around the world.*

Australia is already doing this. A pilot has already taken place and the Government has supported the EITI internationally. Which is great.

To demonstrate how progressive, innovative and committed the Government is, this commitment could be more ambitious, stronger and more specific.

Is this commitment about Natural Resource Transparency or just implementing the EITI standard? If this commitment is limited to the EITI, then this should be referenced in the title of the commitment and the language and expectation about what the Government plans to deliver be more specific.

This commitment could deliver more tangible outcomes within the timeframe for Australian citizens beyond EITI compliance - by creating a reporting and publishing platform permitting people to easily search and discover information and linked data related to projects and companies.

The commitment seems to be restricted to data associated with *company payments and government revenues from oil, gas and mining.*

The government already has a lot of data related to extractive industries in different places that could be consolidated to help tell the whole extractive industries story and provide better access to information for governments, industry, investors and the general public.

To deliver holistic transparency, the whole lifecycle of extractive and energy projects should be available.

I strongly suggest data, information and content be made openly available and accessible on a single national platform with project information that contains current company documents and contextual content to help non technical people understand the data and how the industry works and their role in decisions made about our natural resources.

Some suggested data sets and documents are:

- company names (all title holders and operators)
- beneficial ownership
- contracts
- exploration applications
- licences
- locations of activities (geospatial data/maps)
- type of resource
- status of projects
- links environment reports and consultation documents
- economic reports
- production data
- employment numbers
- water allocations
- revenues
- royalties
- Government subsidies
- contribution to community projects
- community consultation
- extractive processes

A good reference of what could be possible in a relatively short time frame is the open government web service I was involved with and produced for the NSW Government between 2012–2014 using NSW mining and production data:

http://commonground.nsw.gov.au//#!/

Public Participation

To strengthen the commitment to public participation, actors should include the general public.

Milestone

I strongly suggest you add a tangible outcome in the form of feasibility study and research into a single national platform to openly publish information and data related to extractive industries.