

# Freedom of Information lawyer has cost Victorian taxpayers \$1m for advice to public servants on how to block FOI requests

by Angus Thompson, Herald Sun, September 22, 2013 : [Link](#)

*Lawyer Mick Batskos has been paid \$1 million by the Liberal Government since it took office to help it block FOI requests*

A gatekeeper who advises public servants on exemptions to Freedom of Information requests has been paid almost \$1 million by the Victorian taxpayer.

Lawyer Mick Batskos, who is a consultant to all levels of government on FOI, has pocketed \$972,386 since the Coalition took office in December 2010.

Mr Batskos is regarded in government circles as a "guru" with an encyclopedic knowledge of how best to use exemptions in the Act.

Mr Batskos, through his companies FOI Support and FOI Solutions, was paid to advise government departments on handling potentially embarrassing or sensitive FOI requests from the public, the Opposition and the media.

FOI laws give taxpayers the right to information held by the Government.

Each government department has a number of staff whose responsibility it is to process FOI requests, but on top of this, the Government forked out large sums of money for Mr Batskos' special expertise.

A Herald Sun FOI application to all departments found FOI Support and FOI Solutions charged the Government \$972,448 from December 1, 2010, to May this year.

And the figure could be higher because Mr Batskos also represents agencies and authorities which did not form part of the Herald Sun's request.

The Department of Justice spent almost \$370,000, while the Department of Primary Industries (now DEPI) paid more than \$250,000 for Mr Batskos' expertise.

Mr Batskos declined to comment when the Herald Sun provided his firm with a number of detailed questions about his work for the Government.

Monash University governance expert Ken Coghill said the Government's "appalling waste of public funds" was likely just the tip of the iceberg.

"It's extraordinary that a Coalition who complained bitterly about the former government - and who indicated they were going to be open and transparent - should now be caught

red-handed doing everything in their power to block access to public information," Associate Professor Coghill, a former Labor Speaker, said.

Government spokesman Mark Lee said Mr Batskos was appointed by the previous Labor government as part of a panel of legal experts, and retained by the Coalition.

"In addition to providing legal advice to departmental FOI officers, Mr Batskos - along with others on the panel - has also represented government departments and agencies at VCAT hearings when departmental FOI officers have been unable to do so," Mr Lee said.

But the Opposition spokesman for government scrutiny, Martin Pakula, said the Coalition had gone beyond previous regimes in subverting access to information, despite former premier Ted Baillieu promising in Opposition "ask and you shall receive".

"The veil of secrecy has become a literal iron curtain and the Government has become so paranoid and so secretive, they want to let out as little information as possible," he said.

**LISA Comment:** This is just the tip of the iceberg, and an aid to maintaining covert, captive market, government departments. Especially those who provide direct services for very vulnerable people - like the Department of Human Services (DHS).

This government department's defences against consumer and public scrutiny is far better than the green zone in Baghdad.

The department defences are reinforced by successive state government ministers who, despite being responsible to the public for the integrity of the department's funding, totally defends the department against consumer and public scrutiny.

With the minister totally on the side of his or her department, and pseudo government departments (independent statutory bodies), such as the Ombudsman, the OPA, the ODSC, the HSC, VCAT, etc, having a philosophy of the DHS knows best, there is little or no hope for consumers – vulnerable people, their families and stakeholders.

And, this is how it is in reality! The Department of Human Services, a very captive market body, totally protected from service level and quality accountability by ring after ring of very effective and very expensive defence shields.

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**Tel: 03-9434-3810: Email: [info@lisainc.com.au](mailto:info@lisainc.com.au) or [vk3qq@optusnet.com.au](mailto:vk3qq@optusnet.com.au)**

**Web: [www.lisainc.com.au](http://www.lisainc.com.au) : [www.lisa-aus.blogspot.com](http://www.lisa-aus.blogspot.com)**

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