

**Access to government information:
Understanding facilitators and constraints**

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CERTIFICATE OF ORIGINAL AUTHORSHIP

I, Maureen Henninger declare that this thesis is submitted in fulfilment of the requirements for the award of Doctor of Philosophy in the School of Communications, Faculty of Arts and Social Sciences at the University of Technology Sydney.

This thesis is wholly my own work unless otherwise reference or acknowledged. In addition, I certify that all information sources and literature used are indicated in the thesis.

This document has not been submitted for qualifications at any other academic institution.

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Published papers

- Henninger, M. 2013, 'The value and challenges of public sector information', *Cosmopolitan Civil Societies: An Interdisciplinary Journal*, vol. 5, no. 3.
- Henninger, M. 2016, 'Government information: Literacies, behaviours and practices', *Government Information Quarterly*, vol. 34, pp. 8-15.
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- Henninger, M. 2018, 'Reforms to counter a culture of secrecy: Open government in Australia', *Government Information Quarterly*, vol. 35, pp. 398-407.

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Abstract

Liberal democratic governments like Australia have declared they are open, transparent and accountable to their citizens, acting in the public interest in matters of governance and in service provision. Access to government information is fundamental to openness, and is a bulwark against secrecy. This thesis critically examines Australian government claims to openness. It uses Pierre Bourdieu's relational field theory to analyse both governmental power over information, and the relationships with other fields to restrict access and delimit legitimate or contentious reasoning which not only compromises the public interest, but also entrenches cultures of secrecy.

The thesis investigates three key barriers to open government information: inaccessibility, secrecy and commercialisation. These are addressed through three case studies. The first discusses e-government assumptions that content published on the web, in compliance with minimal regulatory and technical standards, is sufficient to meet citizens' expectations. The study shows this is not the case, since citizens need information to be readily accessible as well as technically available. When information is far from view, a mismatch can emerge between government assumptions and citizens' expectations. The second case study analyses Freedom of Information requests. It questions whether the legislation and governmental procedures enables access or legitimises its restriction in the name of official secrecy. The findings demonstrate that governmental agents and bureaucrats, often use legal disclosure exemptions to deflect inquiries or refuse access on contentious grounds. The third study examines the reasoning behind decisions for commercialising and, in some cases, privatising public information and datasets. Making it 'commercial-in-confidence' or rendering it 'fee-for-access' constrains information openness. The study finds that different ideological positions on the relative status of public information and private commerce produce contradictory results, many of which are not in the public interest.

All three cases demonstrate information technologies are a significant factor in shaping access to public information. They also highlight contradictory government positions that often reflect relationships with powerful institutions and actors within government, and

between government and external actors, producing results that are not always conducive to openness.

The study, by addressing the power of technology, extends Bourdieu's field theory to digital information capital and to a hybridised field, digital government information. While the focus is access to Australian Commonwealth government-held information, the insights into how open government declarations are made consistent with restrictive practices and the extent to which this can fuel public disquiet, may shed light on international trends.