

DAN HAWKE

PRYING OPEN GOVERNMENT



WHO AM I?

- ▶ Dan Hawke
- ▶ Not a lawyer. This is not legal advice.
- ▶ IT professional by day
- ▶ FOI knowledge from personal experience



Auckland
Fourth Linux.conf, first-time speaker
We are speaking about laws

WHAT IS FREEDOM OF INFORMATION?

- ▶ Widespread laws allowing access to public-sector information - over 90 countries
- ▶ Allows you to request a specific document, or specific information
- ▶ Small requests are free of charge
- ▶ There is an independent Ombudsman that can review issues

Useful for research projects, getting information for campaigns, journalism.

AUSTRALIA AND NEW ZEALAND: KEY DIFFERENCES

	Australia	New Zealand
Name of Act	Freedom of Information Act	Official Information Act
Anybody can make requests	✓	✗ Only "New Zealanders"
Request personal information	✓ In addition to Privacy Act	✗ Must use Privacy Act
Free of Charge	Five hours free	One hour free 20 pages printed

Australian Federal law.

The one law where New Zealanders have rights in both countries, where Australians don't.

Who:

Australia: Anybody <https://www.oaic.gov.au/freedom-of-information/faqs-for-agencies/what-happens-if-a-request-doesnt-comply-with-the-requirements-under-the-freedom-of-information-act>

New Zealand: New Zealand citizens (including overseas), people physically present in New Zealand, and corporates with a place of business in New Zealand. [<http://www.justice.govt.nz/publications/global-publications/o/official-information-your-right-to-know>]

Costs:

AU: Charges \$15-20/hour, 10c/page [<https://www.oaic.gov.au/freedom-of-information/faqs-for-individuals/are-there-any-charges-for-processing-a-freedom-of-information-request>]

NZ: Charges \$38/half hour, 20c/page [<http://www.justice.govt.nz/publications/global-publications/c/charging-guidelines-for-official-information-act-1982-requests/official-information-act#2>]

OFFICIAL INFORMATION ACT: NEW ZEALAND



One country, one (well, two) regulations - Just identify the appropriate agency.

Local Government Official Information and Meetings Act 1987

All local authorities, councils, and boards, including Chatham Islands Council.

Acknowledgements: Google Maps, as retrieved Monday 11 January 2016

OFFICIAL INFORMATION ACT: NEW ZEALAND

- ▶ All central government agencies, state owned enterprises, departments, and ministers.
- ▶ Local governments are also bound by the Local Government Official Information and Meetings Act 1987 ("LGOIMA")

AUSTRALIA IS CONFUSING



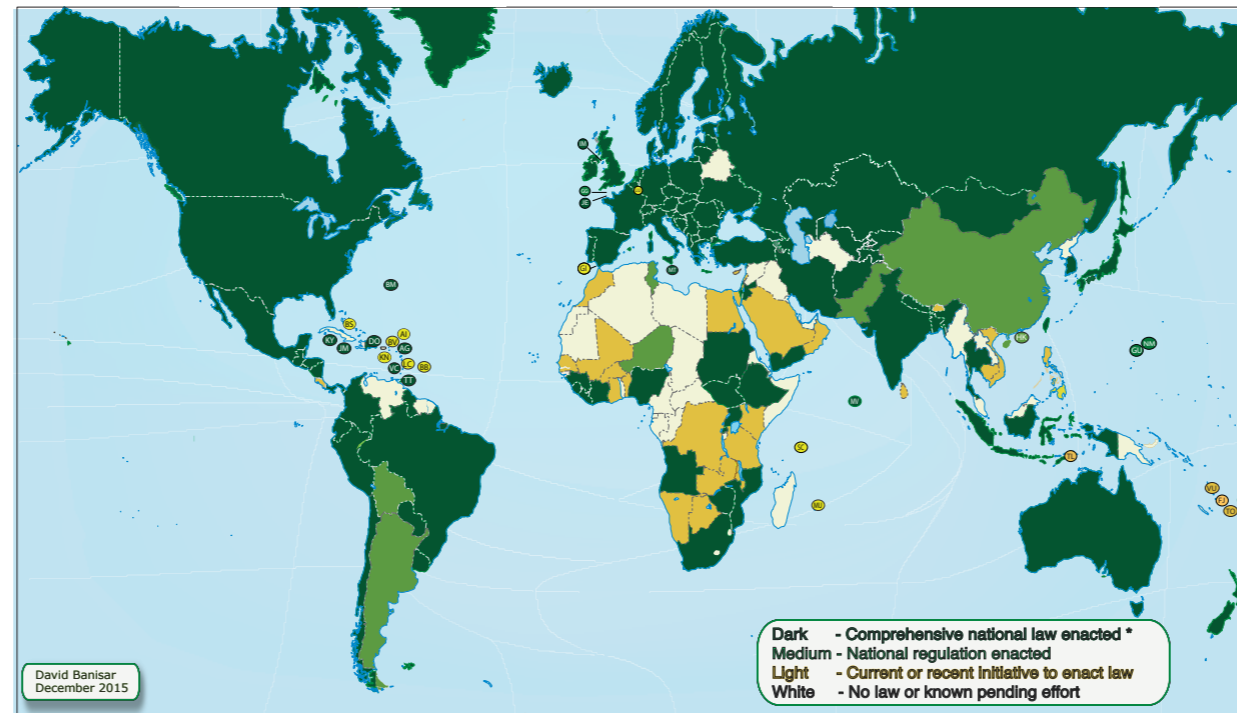
States and territories, plus Federal law.

AUSTRALIA IS CONFUSING

- ▶ The Freedom of Information Act 1982 governs Federal agencies
- ▶ States and Territories each have their own laws:
 - ▶ ACT: Freedom of Information Act 1989
 - ▶ NSW: The Government Information (Public Access) Act 2009 (GIPA Act)
 - ▶ NT: The Information Act and Information Amendment Act 2015
 - ▶ QLD: Right to Information Act 2009 (Qld) (RTI Act)
 - ▶ SA: Freedom of Information Act 1991
 - ▶ TAS: Right to Information Act 2009 (RTI Act)
 - ▶ VIC: Freedom of Information Act 1982, Freedom of Information Regulations 2009
 - ▶ WA: Freedom of Information Act 1992

Good news: All states and territories have a law.

National Right to Information Laws, Regulations and Initiatives 2015



*Not all national laws have been implemented or are effective. See <http://www.article19.org/>

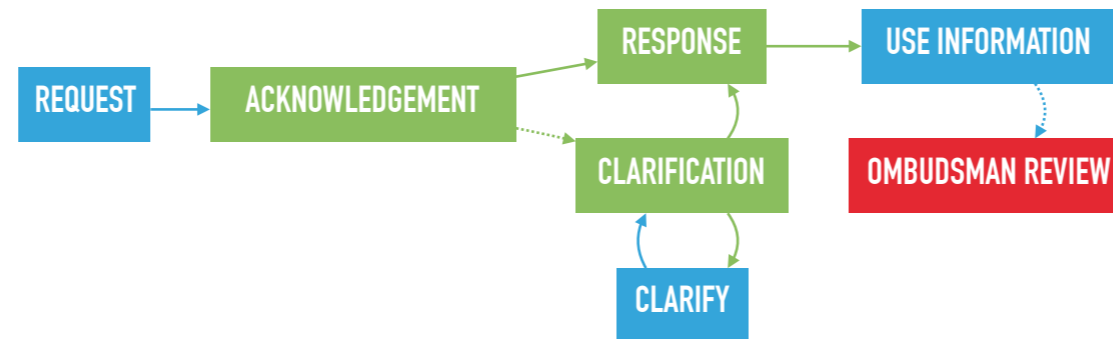
Source: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1857498

Countries where freedom of the press is expected tend to have freedom of information laws

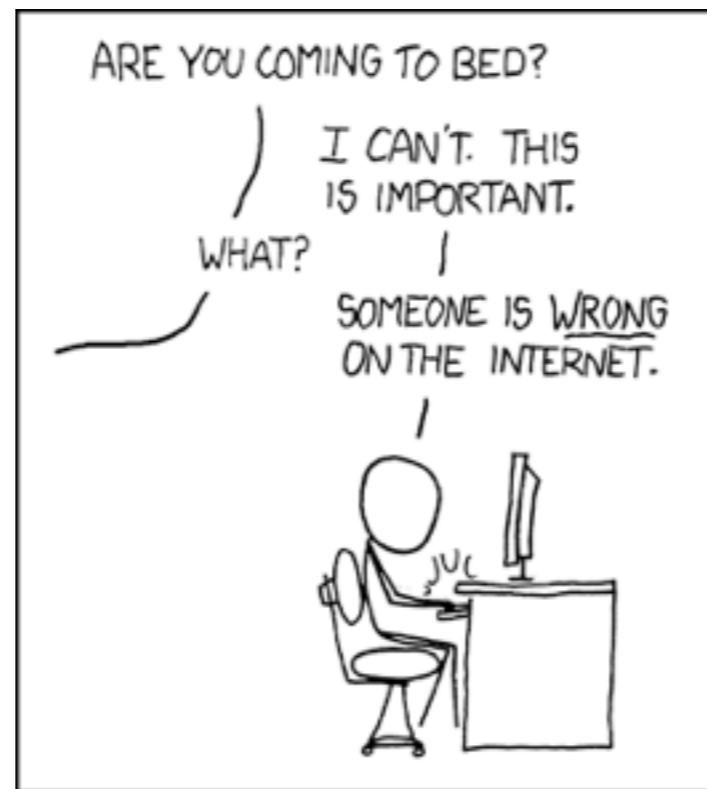
Other refs:

<http://www.freedominfo.org/2012/10/93-countries-have-foi-regimes-most-tallies-agree/>

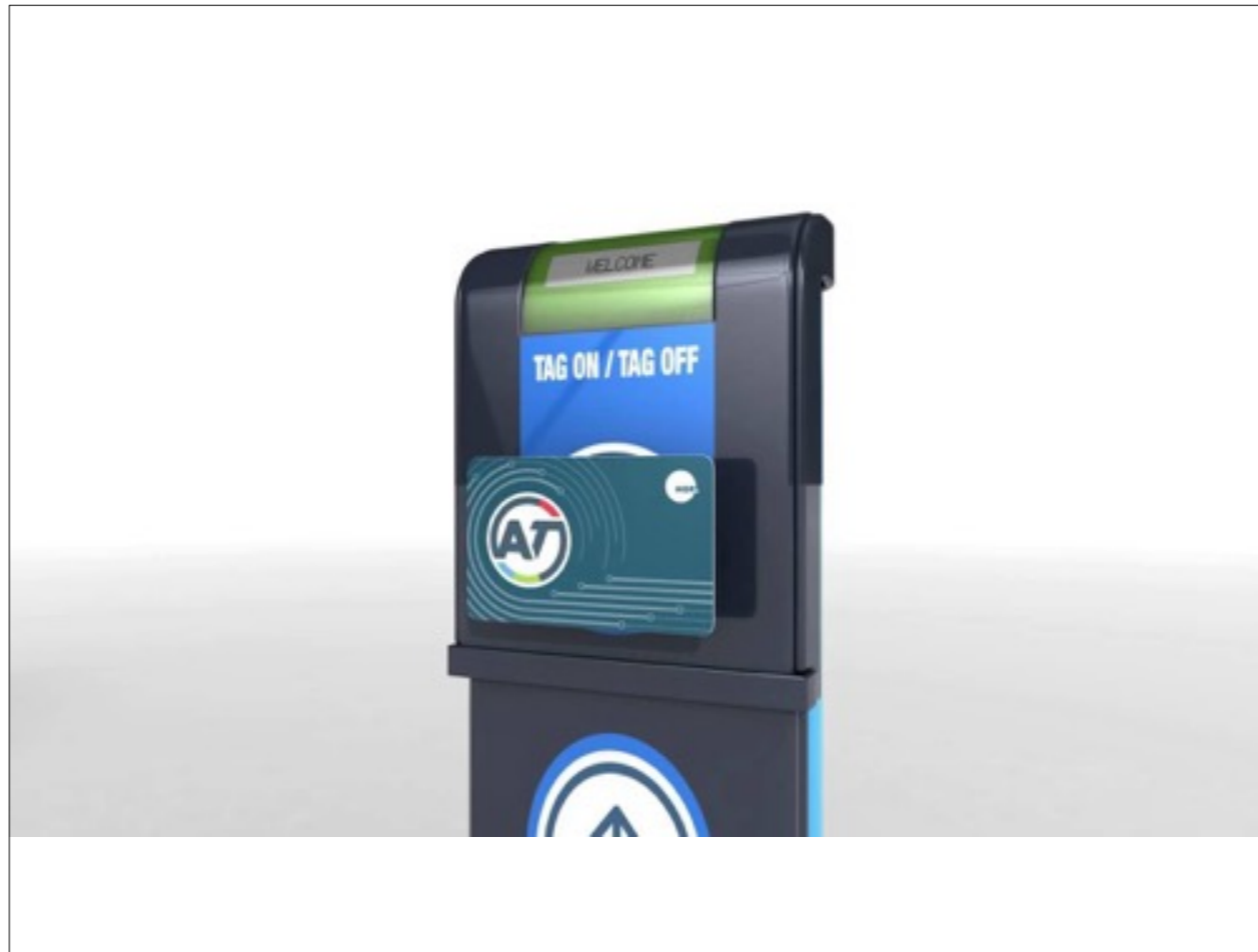
THE PROCESS



- Organisations sometimes request extensions before providing the response.



"Duty Calls" Retrieved from xkcd.com/386 under CC:BY-NC 2.5



In addition to roads, public transport.

AUCKLAND TRANSPORT

What is the AT HOP card

- ▶ A reusable prepay smart card for travel on trains, ferries and buses around Auckland.
- ▶ Save money on fares - at least 20% discount off single trip cash fares (excludes NiteRider and SkyBus bus services and Waiheke ferry services). Check out AT HOP fares.
- ▶ Load a concession for discounted fares.

Source: <https://at.govt.nz/bus-train-ferry/at-hop-card/>

From web site word for word.
Seems fine? No, nitpick.

AUCKLAND TRANSPORT

What is the AT HOP card?

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Source: <https://at.govt.nz/bus-train-ferry/at-hop-card/>

...the main issue is...

AUCKLAND TRANSPORT

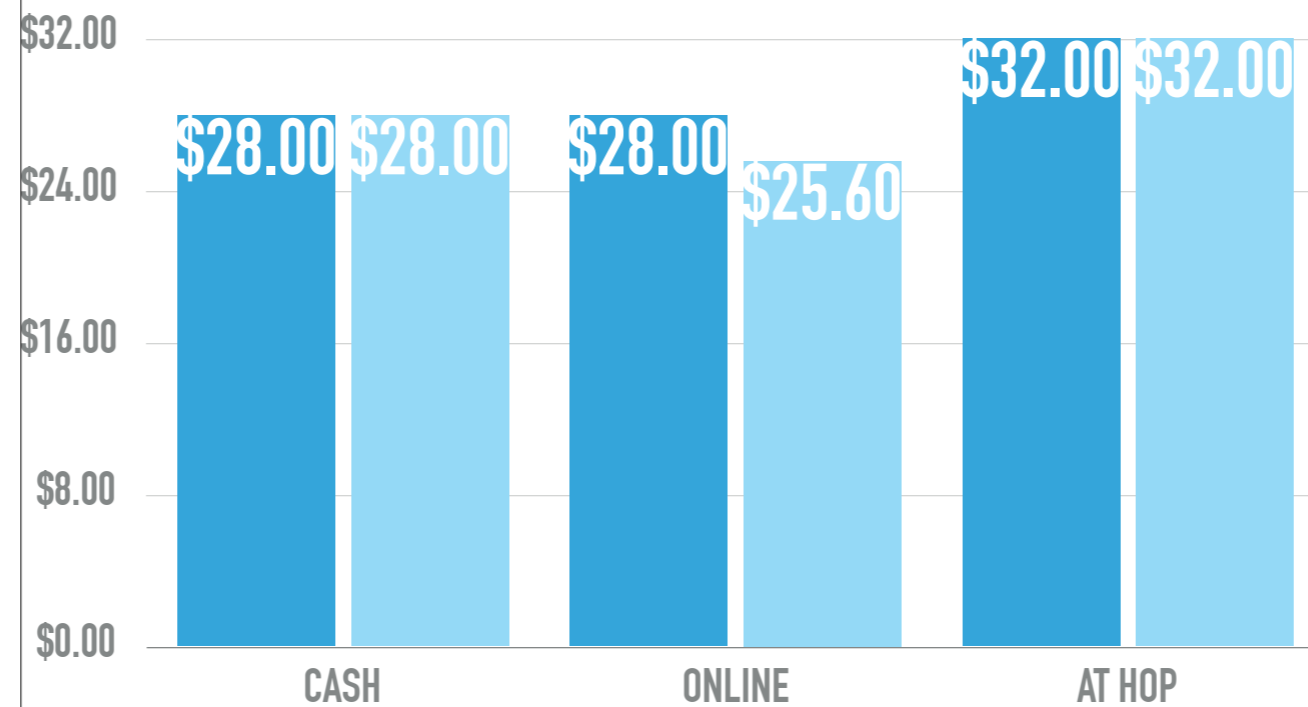
What is the AT HOP card?

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- ▶ Save money on fares - **at least 20% discount off single trip cash fares (excludes NiteRider and SkyBus bus services and Waiheke ferry services)**. Check out AT HOP fares.
- ▶ Load a concession for discounted fares.

Source: <https://at.govt.nz/bus-train-ferry/at-hop-card/>

Excluded from the discount.

AIRBUS EXPRESS/SKYBUS: COST OF 1 AND 10 RETURN TRIPS



10 trip fares shown on a 'per-trip' cost basis.

2x single fare

References: <http://www.skybus.co.nz> - Fares, <http://www.skybus.co.nz/faq>

THE PROCESS: DAY 0 – THE REQUEST

Dear Auckland Transport,

I would like to know:

- How many trips have been made using an AT HOP card on Airbus Express?
- How many unique AT HOP cards have made a trip on Airbus Express?
- How many of these AT HOP cards made a subsequent trip on Airbus Express within one month?
- What was the cost to Auckland Transport/any other public or ratepayer funding sources for installing AT HOP card readers on the Airbus Express service?

Yours faithfully,

Dan Hawke

Ask who understand what a unique AT HOP card is.

Request made through FYI using Alaveteli:

<https://fyi.org.nz/request/1680-use-and-costs-of-at-hop-card-on-airbus-express>

Trimmed slightly from its original form.

THE PROCESS: DAY 0 – THE ACKNOWLEDGEMENT

Thank you for contacting Auckland Transport.

Your enquiry will be referred to a member of our customer services team, who will respond to you directly or refer your query to the appropriate business unit.

If you have requested feedback, we aim to respond to all correspondence within 10 working days.

If you have an urgent enquiry, please phone our call centre on 09 355 3553. The Auckland Transport call centre is open 24 hours a day, 7 days a week, including public holidays.

Kind regards
Auckland Transport
Private Bag 92250, Auckland 1142
P 09 355 3553 | F 09 355 3550
[1]www.aucklandtransport.govt.nz

This acknowledgement is generic - not specific to OIA requests.

Request made through FYI using Alaveteli:

<https://fyi.org.nz/request/1680-use-and-costs-of-at-hop-card-on-airbus-express>

Trimmed slightly from its original form.

THE PROCESS: DAY 2 – CLARIFICATION

Thank you for contacting Auckland Transport on the 12th of May 2014 requesting information around the use and costs of AT Hop card on Airbus Express.

Under Section 10(2) of the LGOIMA, the information requested must be "specified with due particularity" to enable the receiver to determine a relevant response. Please therefore provide the following:

- ▶ A period of time you would like the information for and
- ▶ A clarification of what you mean by "unique AT Hop cards" in Point 2 of your request.

This information should be supplied to Auckland Transport within 20 working days. In the interim your request will remain on hold and if the information is not provided within this time the request will be closed.

Should you believe that we have not dealt with your request appropriately, you have the right in accordance with section 27(3) of the Local Government Official Information and Meetings Act 1987 to make a complaint to the Office of the Ombudsman to seek an investigation and review of the decision.

Yours faithfully

Customer Response Team

Main inclusions:

- Acknowledgement of my request date
- Reference to applicable law
- Specific requests for clarification
- Timeline for response
- Right to ombudsman review

This stops the timer.

THE PROCESS: DAY 2 – CLARIFY

Dear Auckland Transport,

To clarify as per your request:

RE timeframe, AT Hop on Airbus has only been operating since 19 March 2014 - therefore I see no requirement to restrict this timeframe further.

RE Unique AT Hop card. I understand that a person can have one or more AT Hop cards, and cards can be either registered or unregistered. So a Unique AT Hop card would be a single registered or unregistered AT Hop card, so a user may have one or more of these. A unique card would have a different journey history and serial number.

Yours sincerely,

Dan Hawke

Less than two months data, no need to restrict.

Timer resumes

...NOW WE WAIT...

- ▶ New Zealand OIA and LGOIMA requests must be answered within 20 working days



Guess what day they responded?

Local Government Official Information and Meetings Act 1987

Image src: <http://www.freeimages.com/photo/calendar-1192688>

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THE PROCESS: DAY 20 – RESPONSE

Thank you for your email dated 12 May 2014, which Auckland Transport received on the same date requesting:

1. How many trips have been made using an AT HOP card on Airbus Express?
2. How many unique AT HOP cards have made a trip on Airbus Express?
3. How many of these AT HOP cards made a subsequent trip on Airbus Express within one month?
4. What was the cost to Auckland Transport/any other public or ratepayer funding sources for installing AT HOP card readers on the Airbus Express service?
5. If any forecasting was done around the usage of AT HOP on Airbus Express, and comparisons to use so far, this information would also be useful.

On 14 May 2014 you further refined your request to the time period from 19 March 2014 onwards and clarified your definition around "unique" cards relating to journey history and serial numbers of the cards.

Response: 11 June

Three parts: Part 1: Reiteration.

THE PROCESS: DAY 20 – RESPONSE

1. The total number of trips made using an AT HOP card on the Airbus Express since 19 March 2014 is 3,425.
2. The number of unique AT HOP cards utilised is 2,369.
3. 597 subsequent trips were undertaken on the Airbus Express within one month.
4. The costs for installing AT HOP readers on each bus are covered by the operator directly; there are no costs incurred by either Auckland Transport or public/ratepayer funding for installation of the readers on the buses.
5. No forecasting was done around the usage of AT HOP on Airbus Express. However we are currently developing Key Performance Indicators (KPIs) for AT HOP on this service.

Part 2: Actual answers. (Good thing!)

2+3 < 1 - so other trips happened also, e.g. return trip outside of one month, or more than two trips on a card.

THE PROCESS: DAY 20 – RESPONSE

We trust the above information has addressed the matters raised however, should you believe that we have not responded appropriately to your request, you have the right in accordance with section 27(3) of the LGOIMA to make a complaint to the Office of the Ombudsman to seek an investigation and review in regard to this matter.

www.aucklandtransport.govt.nz

PUBLICATION

in Transport

Dan Hawke

Published

June 24, 2014

Extra Charges for Auckland Transport's AT HOP Card Users

This post was co-authored with [Geniesa Tay](#)

Since Auckland Transport introduced the Airbus Express AT HOP fares on 19 March 2014, 597 users of this service have reportedly been charged more than the allocated cash fare. This is a total of at least an extra \$2388 than if these users had paid cash return fares instead throughout the few months since the beginning of AT HOP's operations.

The AT HOP card advertises a minimum of 10% discount on all but the Airbus Express fares^[1]. It is however not made evident to consumers that these fares do in fact cost more than ordinary cash paper tickets. The AT HOP return ticket from

<http://dan.kiwi/wp/extra-charges-for-auckland-transport-at-hop-card-users/>

PUBLICATION



WIRES:	SCOOPS	PARLIAMENT	POLITICS	REGIONAL	BUSINESS	SCI-TECH	WORLD	CULTURE
SECTIONS:	HOME	COMMENT	MULTIMEDIA	NZ POLITICS	BIZ & SCI/TECH	WORLD	LIFESTYLE	
Local Govt National News Video Parliament Headlines Politics Headlines Search								

Scoop >> Regional



Related Email Print

Extra Charges for Auckland Transport's AT HOP Card Users

Friday, 27 June 2014, 11:04 am

Article: **Dan Hawke**

Extra Charges for Auckland Transport's AT HOP Card Users

by Dan Hawke and Geniesa Tay. Original article published at: <http://dan.kiwi/wp/?p=41>

Since Auckland Transport introduced the Airbus Express AT HOP fares on 19 March 2014, 597 users of

<http://www.scoop.co.nz/stories/AK1406/S00635/extra-charges-for-auckland-transport-at-hop-card-users.htm>

USE BY MEDIA

- ▶ Statistics:
 - ▶ Student loan debt
 - ▶ Beneficiaries
 - ▶ Economic performance indicators
- ▶ Politics
 - ▶ http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11247570

Includes copies of police emails to and from MP Maurice Williamson and New Zealand police. Williamson resigned as a minister after allegations of interfering with a police investigation into a businessman he was affiliated with, also party donor.

ALAVETELI

- ▶ Open-source
- ▶ Ruby on Rails 3
- ▶ Postgres
- ▶ API with JSON
 - ▶ For users, administrators, and authorities responding
- ▶ Themes and colours!

ALAVETELI: REQUEST PROCESSING

The screenshot shows the Alaveteli website interface. At the top, there's a purple header with the Alaveteli logo on the left and user navigation links ('Hello, Dan!', 'My requests', 'My profile', 'My wall', 'Sign out') on the right. Below the header is a secondary purple bar with navigation tabs: 'Make a request', 'Browse requests', 'View authorities' (which is active), and 'Help'. A search bar is located on the right of this bar. The main content area has a light beige background. It features a section for 'The Glow Cloud', identified as a public authority with an 'admin' link. A descriptive paragraph follows: 'The Glow Cloud does not need to converse with us. It does not feel as we tiny humans feel. It has no need for thoughts or feelings of love. The Glow Cloud simply is. All hail the mighty Glow Cloud.' Below this text are two buttons: a green 'Make a request to this authority' button and a grey 'Follow' button, followed by the text '0 followers'. Further down, there's a section titled 'Freedom of Information requests made using this site' with the text 'Nobody has made any Freedom of Information requests to The Glow Cloud using this site yet.' To the right of this section is a 'More about this authority' box containing three links: 'Home page of authority', 'View FOI email address', and 'Ask us to update FOI email', with a green 'Follow' button at the bottom.

Alaveteli Hello, Dan! My requests My profile My wall Sign out

Make a request Browse requests **View authorities** Help Search

The Glow Cloud

A public authority ([admin](#))

The Glow Cloud does not need to converse with us. It does not feel as we tiny humans feel. It has no need for thoughts or feelings of love. The Glow Cloud simply is. All hail the mighty Glow Cloud.

Make a request to this authority Follow 0 followers

Freedom of Information requests made using this site

Nobody has made any Freedom of Information requests to The Glow Cloud using this site yet.

More about this authority

- [Home page of authority](#)
- [View FOI email address](#)
- [Ask us to update FOI email](#)

Follow

Web-to-email

ALAVETELI: REQUEST PROCESSING

Make a request

To: **The Glow Cloud**

The Glow Cloud does not need to converse with us. It does not feel as we tiny humans feel. It has no need for thoughts or feelings of love. The Glow Cloud simply is. All hail the mighty Glow Cloud.

Summary:

Puny Human Survival

A one line summary of the information you are requesting, e.g. 'Crime statistics by ward level for Wales'

Your request:

Dear The Glow Cloud,

Fill in a web form

ALAVETELI: REQUEST PROCESSING

Your Freedom of Information request has been sent

We will email you when there is a response, or after 20 working days if the authority still hasn't replied by then.

Share your request

[Tweet it](#) [Share it](#)

Keep your request up to date

If you write about this request (for example in a forum or a blog) please link to this page, and [add an annotation](#) below telling people about your writing.


What next?

[View other requests to The Glow Cloud](#)

[Help us classify requests that haven't been updated](#)

Puny Human Survival

[Dan \(admin\)](#) made this Freedom of Information request ([admin](#)) to [The Glow Cloud \(admin\)](#)

 Currently waiting for a response from [The Glow Cloud](#), they must respond promptly and normally no later than **February 15, 2016** ([details](#)).

From: Dan

FOLLOW THIS REQUEST

There is 1 person following this request

This is your own request, so you will be automatically emailed when new responses arrive.

ALAVETELI: REQUEST PROCESSING

```
Delivered-To: glowcloud@dan.kiwi
Received: by 10.103.73.83 with SMTP id w80csp1779963vsa;
        Sun, 17 Jan 2016 17:18:47 -0800 (PST)
X-Received: by 10.107.152.21 with SMTP id a21mr19435136ioe.
        176.1453079927775;
        Sun, 17 Jan 2016 17:18:47 -0800 (PST)
Return-Path: <foi+request-113-6e7ed6fb@alaveteli.10.10.10.30.xip.io>
From: Dan <foi+request-113-6e7ed6fb@alaveteli.10.10.10.30.xip.io>
To: FOI requests at The Glow Cloud <glowcloud@dan.kiwi>
Message-ID: <ogm-12+569c3d728043b-63b6@alaveteli.10.10.10.30.xip.io>
Subject: Freedom of Information request - Puny Human Survival
Mime-Version: 1.0
Content-Type: text/plain;
        charset=UTF-8
Content-Transfer-Encoding: 7bit
```

Blue: Alaveteli generates a new response email address for replies to go to.

Green: The organisation details are specified by the Alaveteli administrator

TEXT

ALAVETELI: API

The screenshot shows the Alaveteli website interface. At the top is a purple header with the Alaveteli logo on the left and a 'Sign in or sign up' link on the right. Below the header is a navigation bar with links: 'Make a request', 'Browse requests', 'View authorities' (which is highlighted), and 'Help'. To the right of these links is a search bar with the placeholder text 'Search' and a magnifying glass icon. The main content area has a light beige background. It features a large heading 'The Glow Cloud' followed by the text 'A public authority'. Below this is a paragraph: 'The Glow Cloud does not need to converse with us. It does not feel as we tiny humans feel. It has no need for thoughts or feelings of love. The Glow Cloud simply is. All hail the mighty Glow Cloud.' Underneath the paragraph, it says '1 request'. There are two buttons: a green one that says 'Make a request to this authority' and a grey one that says 'Follow'. To the right of the 'Follow' button, it says '0 followers'. At the bottom of the main content area, there is a section titled 'Puny Human Survival' with the text 'Request sent to The Glow Cloud by Dan on January 18, 2016.' and a status icon with the text 'Awaiting response.'. To the right of this section is a heading 'More about this authority' followed by three links: 'Home page of authority', 'View FOI email address', and 'Ask us to update FOI email'.

Alaveteli Sign in or sign up

Make a request Browse requests **View authorities** Help Search

The Glow Cloud

A public authority

The Glow Cloud does not need to converse with us. It does not feel as we tiny humans feel. It has no need for thoughts or feelings of love. The Glow Cloud simply is. All hail the mighty Glow Cloud.

1 request

[Make a request to this authority](#) [Follow](#) 0 followers

Puny Human Survival

Request sent to The Glow Cloud by Dan on January 18, 2016.

Awaiting response.

More about this authority

[Home page of authority](#)
[View FOI email address](#)
[Ask us to update FOI email](#)

In addition to the web page...

This is the information page for a public authority

ALAVETELI: API

- ▶ Many pages have JSON forms by appending ".json"
- ▶ For example, an authority:
- ▶ GUI at http://10.10.10.30:3000/body/the_glow_cloud
- ▶ Read API at http://10.10.10.30:3000/body/the_glow_cloud.json

```
{
  "id":10,
  "url_name":"the_glow_cloud",
  "name":"The Glow Cloud",
  "short_name": "",
  "created_at":"2016-01-18T01:14:15+00:00",
  "updated_at":"2016-01-18T04:55:20+00:00",
  "home_page":"http://www.dan.kiwi",
  "notes":"The Glow Cloud does not need to converse with us. It does not feel
as we tiny humans feel. It has no need for thoughts or feelings of love. The Glo
w Cloud simply is.\r\nAll hail the mighty Glow Cloud.",
  "publication_scheme": "",
  "tags":[
  ],
  "info":{
    "requests_count":1,
    "requests_successful_count":0,
    "requests_not_held_count":0,
    "requests_overdue_count":0,
    "requests_visible_classified_count":1
  }
}
```

FURTHER READING

- ▶ Alaveteli Software: <http://alaveteli.org>
- ▶ Make a request:
 - ▶ New Zealand: <https://fyi.org.nz>
 - ▶ Australia: <https://www.righttoknow.org.au>
- ▶ Me: <http://dan.kiwi>
- ▶ The Glow Cloud: <http://www.welcometonightvale.com>

ACKNOWLEDGEMENTS

- ▶ Open Systems Specialists: <http://oss.co.nz>



- Organisers
- OSS for ticket and time to create this presentation
- The New Zealand Herald for providing information about how the Media uses the law, and helping to fund the New Zealand FYI web site.

...Questions?

DAN HAWKE

PRYING OPEN GOVERNMENT

Local installation available

