



Speech By  
**Melissa McMahon**


**MEMBER FOR MACALISTER**

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Record of Proceedings, 17 October 2019

**LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE**

**Report, Motion to Take Note**

 **Mrs McMAHON** (Macalister—ALP) (3.32 pm): I rise to speak to the Legal Affairs and Community Safety Committee report No. 41, titled *Oversight of the Office of the Information Commissioner*. The Legal Affairs and Community Safety Committee has oversight of the Office of the Information Commissioner. This includes, but is not limited to, monitoring and reviewing the performance of the Information Commissioner and examining each annual report tabled in the Legislative Assembly under the Right to Information Act and the Information Privacy Act.

The Office of the Information Commissioner's annual report 2017-18 was tabled in the House on 15 October 2018. On 25 February 2019 the Information Commissioner, the Right to Information Commissioner and the Privacy Commissioner attended a public meeting of the Legal Affairs and Community Safety Committee.

During the 2017-18 reporting period, the Office of the Information Commissioner finalised its implementation of recommendations from the independent strategic review. To remind members of the House who may not recall, the strategic review was finalised in April 2017 and tabled in this House in May 2017. The Office of the Information Commissioner identified it as a priority focus to implement these recommendations during the reporting period. In the public meeting, the Information Commissioner advised the committee that the office had finalised its responsibilities with regard to those recommendations.

Another area that the office of the commissioner focused on during the period was conducting a training needs analysis to identify the needs and requirements of stakeholders and, as a result, implementing new training communication and engagement and career growth strategies.

It was noted that the Office of the Information Commissioner physically relocated its office during the reporting period. The annual report noted that this move in October 2017 will bring savings to the office's leasing costs and outgoings. The relocation also provided an opportunity for the office to adopt more contemporary ICT technologies and printing services which will reduce overhead printing costs compared to that of previous years.

The areas of the Office of the Information Commissioner that were reported on included the external reviews, privacy advice and complaint mediation, and assistance and monitoring services. The external review service experienced a 44 per cent increase in external review applications finalised in the 2017-18 period. Sixty-six per cent of the applicants were satisfied with the conduct of the reviews and 94 per cent of agencies were satisfied with the conduct of the review.

During the public meeting when we spoke about that 66 per cent satisfaction rate from applicants it was noted that, in many cases, the applicants were unhappy with the outcome and therefore associated that outcome with the overall process management. We found that the applicants could not separate the result from the process.

During the public meeting the Information Commissioner commented about the increase in the number of applicants who were individuals. She noted that the number of individual applicants would have doubled between 2015 and 2019. That increase was attributed to the growing awareness in the community of their information access rights. We discussed in the public meeting a number of high-profile personal information incidents particularly involving big organisations like Facebook. For a government that seeks to increase transparency in decision-making, it is a good thing that members of the public feel they have a pathway if they have concerns about privacy.

With respect to privacy advice and complaint mediation services, some great metrics were achieved. Eighty-eight per cent of agencies were satisfied with privacy complaint mediation and 100 per cent of privacy complaints were finalised. Assistance and monitoring service metrics were likewise impressive. One hundred per cent of agencies were satisfied with the information assistance provided and the quality of the information provided. I am especially pleased with the data on the training that was provided by the office, with 33 training activities provided during the period and 13,900 people undergoing training, whether online or face to face.

During the public meeting there was also comment about this increase. During the public meeting it was stated that it was reported to us in 2018, that if the Office of the Information Commissioner did not receive additional permanent funding for four review officers as recommended by the independent strategic review, there would be trouble keeping pace with the external review applications. I can report to the House that following this review period—if members can recall, in not this year's budget but last year's budget—there was an allocation of \$2.5 million over four years plus \$644,000 per annum—

*(Time expired)*