




Speech By
Stephen Andrew

MEMBER FOR MIRANI

Record of Proceedings, 17 October 2019

LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Report, Motion to Take Note

 **Mr ANDREW** (Mirani—PHON) (3.43 pm): I rise as a member of the Legal Affairs and Community Safety Committee to speak about report No. 41, *Oversight of the Office of the Information Commissioner*. For the benefit of the House, might this report serve as further evidence as to what is so fundamentally wrong with the present government and aspects of the Public Service with regard to presenting as honest and accountable at all times.

The Office of the Information Commissioner appears to have been treated as a temporary appendage. It had been operating from temporary locations, with temporary resources and staff. The Office of the Information Commissioner reported a record demand through 2017-18 with increasing record demand expected for external reviews in 2018-19. This report highlights how delayed funding recommended by an independent review was literally granted at the eleventh hour. Fortunately, this belated granting of permanent funding allowed the Office of the Information Commissioner to retain temporary staff and the capability to stay, barely, within sight of its service delivery targets.

The Office of the Information Commissioner reported a 44 per cent increase in external review application finalisations. To quote from the public committee hearings—

The greatest increase in applicant type from 2015-16 to now has been individuals. It is projected that at the close of 2018-19 applications from individuals will have doubled across those three years.

With such growth in demand for services occurring, it is not unexpected that the median wait period of 102 days exceeds service delivery targets. The OIC cited factors in reduced expediency to include, No. 1, the challenging behaviour of applicants and the sufficiency of search issues at the agency level and, No. 2, agencies seeking multiple extensions of time to do these searches or provide submissions. Hence it comes as no surprise that only 66 per cent of applicants were satisfied with the conduct of reviews, as evidenced by the Office of the Information Commissioner being hamstrung by the acts and omissions of the other government agencies and third parties. Expending extra time and resources to achieve finalisation materially harms the resources the office can provide to delivery of privacy advice and complaint mediation services.

Most notably, the Office of the Information Commissioner is also tasked with assessing bills brought before this House for their potential impact on privacy rights, along with the formal submissions to parliamentary inquiries, commissions and government. If the Office of the Information Commissioner remains underresourced and overworked the ramifications often manifest in added complexity, costly legal cases and lengthy pauses across all manner of proceedings. In concluding, I return to my opening comments and reinforce that the contents of this report are important and highlight the need for action by the Palaszczuk government.