




Speech By
Peter Russo
MEMBER FOR TOOHEY

Record of Proceedings, 24 February 2022

LEGAL AFFAIRS AND SAFETY COMMITTEE

Report, Motion to Take Note

 **Mr RUSSO** (Toohey—ALP) (3.01 pm): I move—

That the House take note of the Legal Affairs and Safety Committee report No. 18, 57th Parliament, *Oversight of the Office of the Information Commissioner*, tabled on 9 November 2021.

The Legal Affairs and Safety Committee has oversight responsibilities for the Office of the Information Commissioner. The committee has reviewed the Office of the Information Commissioner's annual report 2019-20, which was tabled on 23 September 2020, and held a public hearing with representatives from the Office of the Information Commissioner on 30 August 2021.

The Office of the Information Commissioner is an independent statutory body established under the Right to Information Act 2009 and the Information Privacy Act 2009 with the aim of promoting access to government held information and protecting people's personal information held by the public sector. The Office of the Information Commissioner's functions include giving information and help to agencies and members of the public on matters relevant to the Right to Information Act; conducting reviews into personal information handling practices of certain entities; investigating and reviewing decisions of agencies and ministers; and reviewing and reporting on agencies in relation to the operation of the Right to Information Act and the Information Privacy Act.

The Office of the Information Commissioner's annual report 2019-20 provides information about the Office of the Information Commissioner's financial and non-financial performance and includes a checklist outlining the governance, performance, reporting and procedure obligations contained in legislation. During the 2019-20 period the Office of the Information Commissioner inquiries service responded to a record 5,684 inquiries by way of 3,965 telephone calls, 1,572 emails/letters and 147 website inquiries.

There were 25 new resources published by the Office of the Information Commissioner, which was up from eight the previous year, and existing information resources were reviewed to meet stakeholders' needs. A total of 12,997 participants completed the Office of the Information Commissioner's online training courses with a 98 per cent satisfaction rating of the training sessions provided noted by participants.

The Office of the Information Commissioner actively promoted awareness through separate means including through activities from the Right to Information Day, the Solomon Lecture and Privacy Awareness Week. Awareness was also promoted via its website and engagement with rural and regional agencies.

There were three Office of the Information Commissioner reports tabled in parliament, which were titled: *Compliance audit—Bundaberg Regional Council*, focussing on access to information strategies and risk areas the council identified in the 2018 self-assessment; *Follow-up of Report No. 2 of 2017-18—Audit of Townsville City Council's implementation of recommendations*; and *Follow-up of Report No. 3 of 2017-18; Audit of Ipswich City Council's implementation of recommendations*.

At the public hearing the Information Commissioner highlighted that there has been a clear increase in the demand for the services of the Office of the Information Commissioner over the past five years including in external review applications, inquiries and privacy complaints. The Office of the Information Commissioner is currently examining the key drivers of the increase in demand and how it can address this.

The Information Commissioner noted there was a 'significant' increase in external review applications where the agency had not made a decision on the initial application within the statutory time frame. This increased the Office of the Information Commissioner's workload for these matters and contributed to the applicants' frustration at the extended delay as well as diminished trust in the process.

The Office of the Information Commissioner reported on the implementation of recommendations from local government compliance audits in 2019-20 and tabled an audit in July 2020 about managing the risk of re-identification and public datasets. In regard to the Office of the Information Commissioner's privacy work, there has been substantial growth.

I commend the report to the House.