




Speech By
Sandy Bolton

MEMBER FOR NOOSA

Record of Proceedings, 24 February 2022

LEGAL AFFAIRS AND SAFETY COMMITTEE

Report, Motion to Take Note

 **Ms BOLTON** (Noosa—Ind) (3.16 pm): The Office of the Information Commissioner, OIC, is an independent statutory body whose primary role, as we have heard, is to promote access to government-held information and also protect Queenslanders' personal information as held by government agencies. The Legal Affairs and Safety Committee's oversight role involves monitoring and reviewing the performance of the office and examining the annual reports as tabled in parliament.

The review of decisions made under the Right to Information Act and the Information Privacy Act showed in 2020-21 a record number of external review applications on top of the previous year's high, with a total of 787—a 26 per cent increase in two years. This ever-increasing workload could be at the heart of the agency not quite meeting its set goals of finalising all reviews and a decrease in satisfaction of applicants, which was under the 70 per cent target. Concerning is the ever-increasing median time to finalise reviews of 126 days, which is well above the 90-day target and an increase by seven days on the previous year.

Whilst the Information Commissioner has advised she is examining the key drivers of the increase in demand, it may be timely for government to consider what funding is provided to the office and whether a substantial increase is required, alongside additional training across departments to ensure that correct interpretation and implementation of RTI and IP across government is occurring. The Privacy Commissioner also commented on needing key legislative review to ensure that notifiable breaches are reported more effectively and to ensure the integrity of the overall system of privacy and security.

An important part of the oversight process was the public hearing held with representatives from the OIC including the Privacy Commissioner, the Information Commissioner and the Acting Right to Information Commissioner. Discussion surrounded the growth in demand for services, finalisation rates, voluntary notification schemes, human error in facilitating ransomware attacks and the importance of continuing reforms to ensure the legislative framework is contemporary and meets the needs of all users.

It was pleasing to hear that there has been an increase in staffing for this financial year to help deal with the high demand and file load. With a strategic review due in May 2022, it would be timely to check on the efficacy of the agency's efforts to proactively work on demand drivers and its work across departments to increase competency and core understandings of the system.

At the time of the hearing the need for legislative clarity on secondary use of the Check In Qld app was raised. We all understand that it has been an important tool previously to stay on top of COVID outbreaks but currently has minimised use. However, with projected future waves and potential variants, if it continues to be utilised in any form, Queenslanders must trust it and see its value or they will not use it. Ultimately, we need to know that Queenslanders' privacy is upheld and will not be on sold either within or outside of government.

As always, I want to thank the commissioner, office and departmental representatives for their ongoing efforts and insights into their work as well as their willingness to provide open and accountable answers to all of our questions. Thank you also to our chair, fellow committee members and the committee secretariat for their work in ensuring our committee fulfils its oversight responsibilities. I commend the report to the House.