

# Senate Estimates opening statement – October 2021

Thank you, Senators.

I would like to make some brief introductory remarks before taking questions, if I may.

## **Annual report**

As Senators may be aware, our annual report was tabled last week.

It provides a detailed view of the work we are doing to uphold privacy and information access rights and strengthen online privacy protections.

Against the background of the pandemic, our regulatory approach is focused on meeting community expectations for proactive release of government-held information and strong privacy protections in areas of higher risk.

We advised, and continue to advise, on areas that are critical to the pandemic response and recovery:

from privacy protections in relation to vaccinations to how agencies can meet their FOI obligations in a timely manner.

We finalised a number of investigations into significant privacy matters and we are bringing to a close a joint investigation with the UK Information Commissioner into a facial recognition app.

We also recently issued determinations on Uber, and on 7-Eleven:

outcomes that accord with our regulatory focus on high privacy impact technologies and the online environment.

Other regulatory priorities for the OAIC include overseeing compliance with personal information security obligations through the Notifiable Data Breaches scheme and Consumer Data Right.

## **FOI**

In our FOI work, we are continuing to encourage proactive publication and administrative access to government-held information, without the need for an FOI request.

The introduction of admin access schemes by agencies such as the National Disability Insurance Agency and the Department of Veterans' Affairs has reduced the number of FOI requests for personal information.

Along with agency FOI statistics, our annual report also highlights Information Commissioner reviews, where demand for our services continues to grow.

Last financial year we received over 12-hundred applications, up 15% from the previous year and up 140% since 2015-16.

We have increased finalisation rates in this area year on year – by 23% last financial year, and up 124% since 2015-16.

As you would know, we will be welcoming an FOI Commissioner, an SES Band 1 FOI Assistant Commissioner and support staff as announced in this year's budget.

This will go some way to assist us with the increasing volume.

## **Privacy reform**

Returning to privacy, one of our key roles is to influence the handling of personal information through our advisory and monitoring functions.

Last financial year we made 21 submissions and scrutinised 50 Bills, including a substantial contribution to the review of the Privacy Act.

Yesterday, the government released a discussion paper for consultation as part of this review, along with draft legislation providing for the development of an Online Privacy Code, and proposed penalties for breaches of privacy which are in closer alignment with competition and consumer remedies.

These reforms will help ensure Australia has a privacy framework fit for the digital age, that promotes innovation and economic success while preventing harm to individuals.

These are very much live issues which need to be addressed and we look forward to playing a constructive role in the industry led development of the Online Privacy Code and in the review of the Privacy Act to ensure protections that are fit for purpose into the next decade.

Thank you.