Response to Commonwealth's
Data Availability and Transparency Bill
2020

Executive Summary

GovHack Australia Limited (GovHack) strongly supports the Data Availability and Transparency Bill 2020. We strongly believe that data sharing is fundamental to ensuring compliance with the services offered by the commonwealth and also ensuring excellent service delivery. Trust of Government services will be bolstered with this bill.

This bill further strengthens the open data movement and clearly distinguishes between different forms of exchanging data between different stakeholders under various legislation. We believe that democracy thrives on transparency of government activities and thus data released in accordance with Freedom of Information Act 1982 perfectly resonates this. We support this bill as it is in line with our core democratic principles.

Furthermore this bill sets right data sharing principles to ensure data is shared in securely with appropriate security controls and proper data contract. As this bill is based on the Five Safe Framework to facilitate data sharing, it sets a strong foundation for data sharing amongst data custodians.

In relation to open data/open access, we believe that data release through the Government's open data portal is the best way to facilitate data sharing of data custodians with the public. At GovHack, we have been championing the use of the use of open data to fuel innovation and contributed great outcomes to our community.

1.   Introduction

GovHack Australia Limited (GovHack) welcomes the opportunity to provide comments on the *Data Availability and Transparency Bill 2020 [Provisions] and Data Availability and Transparency (Consequential Amendments) Bill 2020 [Provisions]* bills. This submission provides our ideas in enabling the public agencies to safely and securely share data between other agencies and accredited entities such as research institutions..

2.   Background

GovHack provides government at all levels with the ability to directly engage with a passionate hacker (*hack - To program a computer in a clever, virtuosic, and wizardly manner. ... hacking is the domain of digital poets. Hacking is a subtle and arguably mystical art, equal parts wit and technical ability ...*) community to find creative and innovative mashups to defined (or not so defined) civic problems using government agency open data.

GovHack is a respected community hackathon event, run mostly by volunteers. We have established relationships with government agencies at Federal, State and Local levels across Australia and New Zealand coupled with strong ties to the developer communities and the technology and communications industries in both countries.

Our passionate and creative hackers showcase the potential of open data to help solve the challenges facing government and its citizens. GovHack is an international competition for people of all abilities who seek to make communities better through open data.

> *GovHack is a Festival of Ideas, using open government data to make our communities better places.*

We do this by providing access to data and a space to connect with Government and organisations so participants can workshop ideas around community challenges and imagine and develop concepts to drive meaningful change.

Across one weekend, thousands come together across Australia and New Zealand to form teams, agree to projects, and participate in what has become one of the world's premier open data competitions. In 46 hours, teams create a proof of concept and a video that tells the story of how data can be reused, looking for new ways to solve challenges facing the government.

GovHack teams get to participate in a movement that helps build trust between government, industry and citizens to improve communities by unlocking the power and potential of open data. We're an inclusive event, and we have a strong focus on developing regional talent.

3.   Key Observations and recommendations

1. We have observed that the proposed bill adheres to a prominent framework, five safes framework for sharing the data. This framework covers the entire spectrum of components necessary to facilitate data sharing. In relation to Section 16 (Page 27) of the proposed bills follow all the principles based on the Five safes framework. For all open access data release, we recommend adhering to FAIR principles[1].

2. We have also observed that in Section 127 Guidelines (page 104) that the National Data Commissioner may publish guidelines relating to data management and curation. We believe that data management is foundational for good governance and analytics. We strongly support the National Data Commissioner to share best data sharing practices. Further to this, we recommend that the National Data Commissioner spread awareness and promote education about government data collection and the potential use for public data.

3. We have observed that in Section 128 Register of ADSPs (page 105) about registration of ADSPs. We strongly recommend the National Data Commissioner to streamline this process such that it does not increase governance overhead of commonwealth agencies, state government bodies and Territory government entities. We recommend the National Data Commissioner to publish this register as an open dataset and keep this up to date.

4. We have observed that in Section 130 about the Register of data sharing agreement (page 130). We recommend the National Data Commissioner to publish this register as an open dataset and keep this up to date.

5. We have observed that in Section 63 about the Membership of the National Data Advisory Council. We recommend including an academic professor as a key member of this council.

We hope that our recommendations will be considered and appropriate amendments will be made.

4.   Conclusion

We believe that the commonwealth government is taking the right steps to facilitate data sharing. GovHack supports this bill.

---

[1] https://www.go-fair.org/fair-principles/