



**Office of the
Information Commissioner**

Freedom of information for Western Australia

Annual Report 2023/24



We acknowledge the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders past, present and emerging.

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This annual report and previous annual reports are published on the OIC website and are available in other formats on request.



18 September 2024

**SPEAKER OF THE LEGISLATIVE ASSEMBLY
PRESIDENT OF THE LEGISLATIVE COUNCIL**

ANNUAL REPORT TO 30 JUNE 2024

In accordance with section 63 of the *Financial Management Act 2006* I hereby submit my report for the reporting period ended 30 June 2024.

The annual report has been prepared in accordance with the provisions of the *Financial Management Act 2006* and the reporting requirements of the *Freedom of Information Act 1992* (WA).

A handwritten signature in blue ink that reads "Catherine Fletcher".

Catherine Fletcher
INFORMATION COMMISSIONER

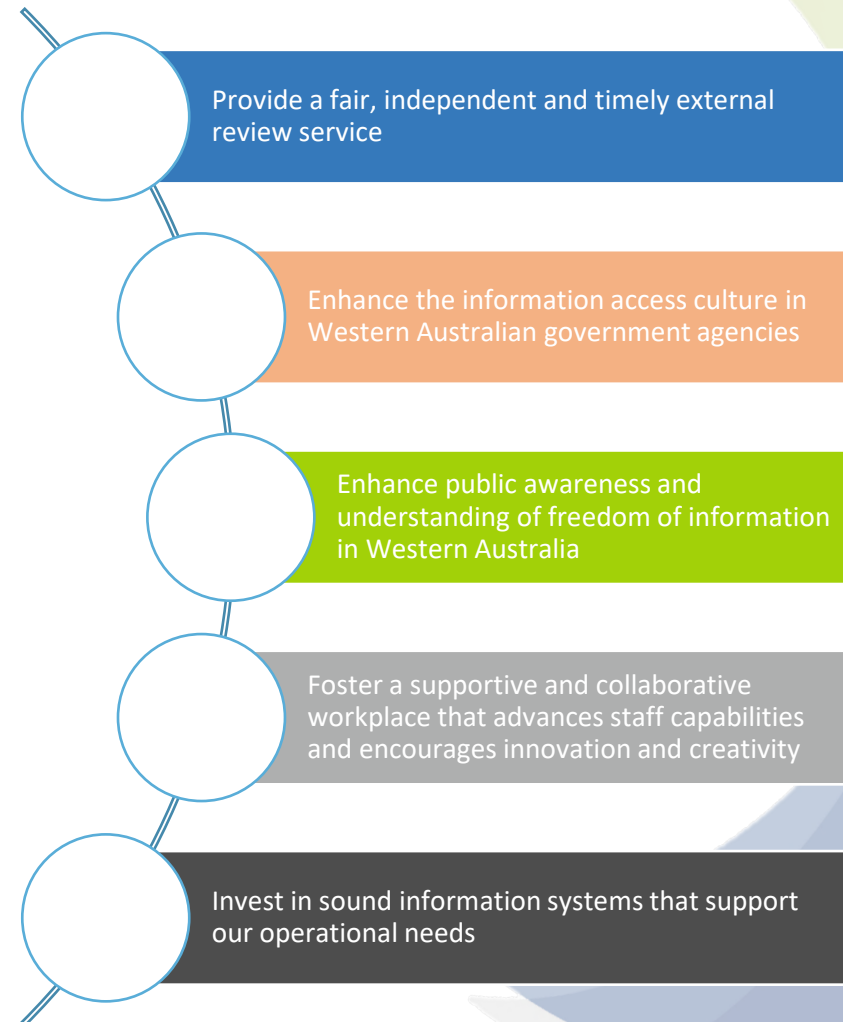
About this report

Welcome to the annual report of the Office of the Information Commissioner (**the OIC**) for 2023/24.

The aim of this report is to provide a comprehensive overview of our performance during the reporting year, provide insight into the goals and operations of the OIC, and the operation of the *Freedom of Information Act 1992 (WA)* (**the FOI Act**) in Western Australia. The services we deliver are designed to provide an outcome that gives the people of Western Australia (**WA**) access to documents held by WA State and local government agencies, as required by the law, and to provide a mechanism to ensure their personal information is accurate. We also educate agencies on their responsibilities under freedom of information (**FOI**) legislation and provide assistance to the community to help them understand their rights under FOI legislation.

The objects of the FOI Act align with the intention of agency annual reports – greater accountability and transparency. We trust that this report on our activities and performance during the last reporting year provides valuable insight into our operations and outcomes and the operation of the FOI Act in WA.

Strategic goals



Significant issues and events

Agencies not dealing with requests within statutory timeframes – deemed refusals

The FOI Act requires that agencies deal with an access application as soon as practicable and, in any event, within the ‘permitted period’. The permitted period is 45 days after the application is received; such other period agreed upon between the agency and the applicant; or such other period as is allowed by the Commissioner.

Section 13(2) of the FOI Act provides that, if an applicant does not receive a written notice of decision from the agency within the permitted period, the agency is taken to have given the applicant a decision to refuse access to the requested documents. In such circumstances, it is open to an applicant to seek an internal review of the agency’s deemed decision.

Section 43(2) of the FOI Act provides that, if the agency fails to give an applicant written notice of its internal review decision within 15 days after the applicant applies for internal review, or such longer period as is agreed between the agency and the applicant, the agency is taken to have decided to confirm its deemed refusal of access.

In the 2022/23 reporting period, the number of matters that came to the Commissioner for external review without the agency having made either or both an initial decision or an internal review decision within the relevant statutory timeframe (**deemed refusals**) decreased by a small number compared to the 2021/22 reporting period, however remained largely the same as the percentage of valid applications received by the OIC. This year, both the number and percentage of deemed refusals have increased significantly, which is a concerning trend.

Year	Number of valid applications for External Review	Number of matters where either or both the initial decision or internal review decision had not been made	%
2021/2022	195	11	5.6%
2022/2023	156	9	5.8%
2023/2024	156	20	12.8%

Figure 11 – Number of external review applications based on a deemed refusal in the last three years

The OIC will continue to monitor this trend.

When a matter comes to the OIC for external review without a substantive decision having been made by the agency, it is the OIC's current usual practice to require the agency to complete the decision-making process and to give its decision to the complainant.

The OIC is then required to undertake additional preliminary inquiries to establish the scope of the issues in dispute that the Commissioner is required to deal with.

Any additional time required to be spent on external reviews when they are first received places a further burden on the already heavy workload of the OIC.

The OIC encourages agencies to attempt early and reasonable negotiations with an applicant for the purpose of clarifying and, if possible, reducing the scope of the access application, to assist agencies to deal with applications within the statutory timeframe and to reduce the work involved. In addition, agencies are encouraged to ask access applicants to agree to extend the time for the agency to deal with an access application where necessary. There will be occasions that some applicants will not agree. However, a reasonable extension of time when an agency is genuinely unable to deal with the application within the statutory timeframe is generally in everyone's interest.

A guide is available on the OIC website to assist applicants to understand their rights when a notice of decision is not provided in the statutory period: [What if the agency delays making a decision?](#)

Section 23(2) – refusing access without identifying the documents

The OIC has observed an increase in the number of external reviews lodged against an agency's decision to refuse access to the requested documents under section 23(2) of the FOI Act.

Section 23(2) provides:

The agency may refuse access to the requested documents without having identified any or all of them and without specifying the reason why matter in any particular document is claimed to be exempt matter if –

- (a) It is apparent, from the nature of the documents as described in the access application, that all of the documents are exempt documents; and*
- (b) There is no obligation under section 24 to give access to an edited copy of the documents.*

This provision allows an agency to refuse access to documents without having identified any or all of them if the requirements in paragraphs (a) **and** (b) are met.

The Commissioner considers that the requirements of section 23(2)(a) will only be met if it is **apparent**, from the **nature of the documents** as described in the access application, that **all** of the requested documents are **unconditionally exempt**.

As a result, when considering whether the requested documents are all exempt, an agency must consider any limits on the exemption claimed, including whether disclosure would, on balance, be in the public interest, where applicable.

In most section 23(2) matters that come before the Commissioner on external review, the agency claims that the requested documents would all be exempt under **clause 3(1)**. Clause 3(1) provides that information is exempt if its disclosure would reveal personal information about an individual whether living or dead. The exemption is subject to the limits on the exemption in clauses 3(2)-3(6).

When an agency receives a valid access application, one of the first steps usually taken is to conduct searches to locate the requested documents.

The documents located are then examined as part of the agency's decision-making process.

However, when an agency relies on section 23(2), the agency's decision to refuse access is not based on an examination of individual documents coming within the scope of an access application. Rather, it is based on a consideration of the nature of the requested documents as described in the access application. This means that, if the requirements of section 23(2) are made out, the agency is not required to conduct searches for the requested documents.

The OIC acknowledges that searching for documents can be a time-consuming task. However, the Commissioner is concerned that some agencies may be relying on section 23(2) to avoid the work involved in searching for documents, in circumstances where the requirements of section 23(2) are not made out.

The OIC is currently drafting a more detailed guide for agencies to assist their understanding of the application of section 23(2).

The Commissioner will continue to monitor these matters and consider whether further action is required.

30 Year Anniversary of the FOI Act and the OIC

In 2023, the OIC celebrated 30 years of the legislative right to access documents of WA State and local government agencies under the FOI Act and the establishment of the OIC.

While the FOI Act was passed in 1992 and received royal assent on 15 December 1992, the sections of the FOI Act that created the role of Information Commissioner, established the OIC and outlined the right to access government documents did not commence until 1993.

Event Celebrating the 30th Anniversary

To celebrate the 30th anniversary, the OIC held a morning tea for key dignitaries, OIC staff, and agency FOI coordinators on 26 July 2023. The WA Attorney General, The Hon. John Quigley MLA, addressed the event. This was followed by an address from the Information Commissioner.

30 years of FOI in WA web resources

As part of its 30 year celebrations, the OIC developed a webpage, [30 Years of Freedom of Information in WA](#), which includes stories from 30 years of OIC annual reports, links to the consideration of the FOI bills in Hansard and the history of the OIC website.

30 years of FOI access applications

Over the past 30 years, there has been a steady and consistent increase in the number of valid access applications to WA State and local government agencies. See Figure 12 to see the steady increase in the number of access applications made to State and local government agencies. There has been a 10-fold (or almost 900%) increase in agency applications over that 30-year period from 2,138 applications in 2002/03 to 21,241 in 2022/23.



Photograph 2 – Attorney General, The Hon John Quigley, Information Commissioner Catherine Fletcher and OIC staff cut the OIC's 30th Anniversary cake

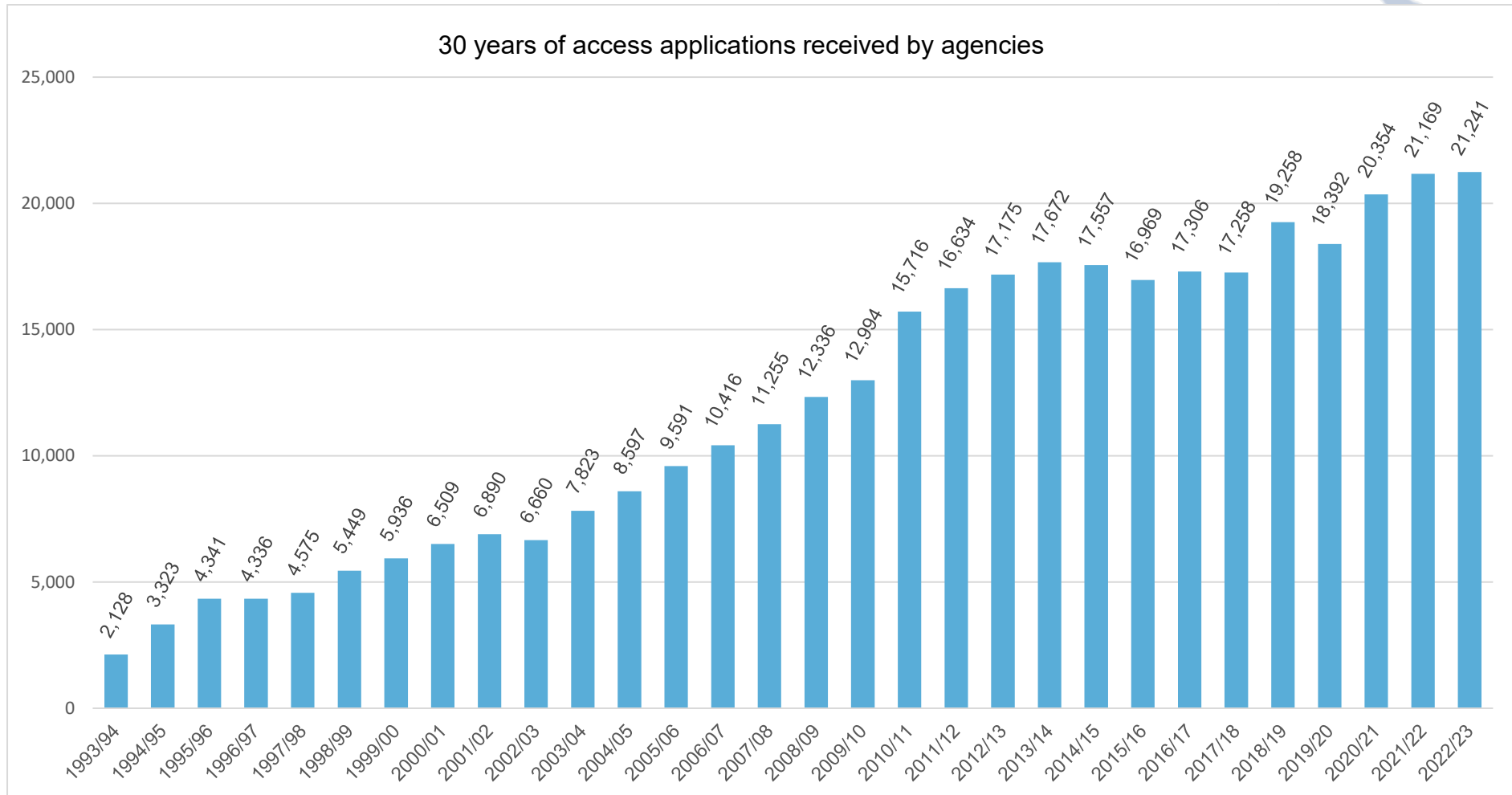


Figure 12 – Number of access applications over the 30 years of the FOI Act

30 years of FOI external review applications

The first annual report of the Information Commissioner in 1993/94 reported receiving 61 applications for external review between 1 November 1993 and 30 June 1994. In the 2022/23 annual report, the Information Commissioner reported receiving 156 applications for external review.

4,001 applications for external review were received within the first 30 years of the FOI Act. Over the last 10 years, the average number of external reviews received was 139.2 for the years 2013/14 to 2017/18, compared to 170.6 for the years 2018/19 to 2022/23.

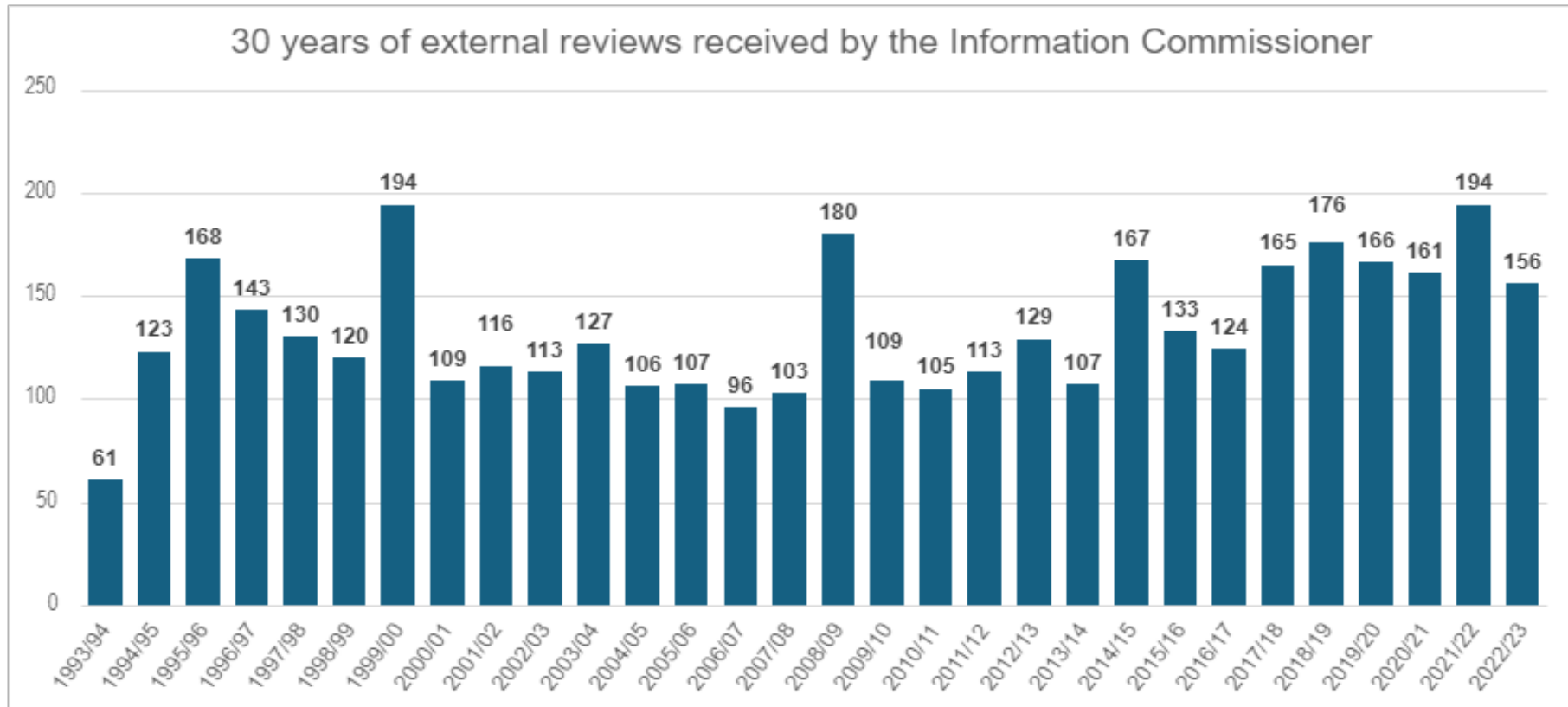


Figure 13 – Number of external review applications received by OIC over the first 30 years of the FOI

Recommended legislative and administrative changes

The Commissioner is required under section 111(4) of the FOI Act to include in the annual report to Parliament any recommendations as to legislative or administrative changes that could be made to help the objects of the FOI Act be achieved.

Standing recommendations for legislative amendment

In past annual reports the Commissioner has made recommendations for amendments relating to the following issues:

1. Appointment of staff by the Commissioner.
2. Outdated reference to 'intellectually handicapped persons'.
3. Public health facilities operated by non-government operators.
4. Consultation with officers of government agencies.
5. Refusal to deal with amendment applications.
6. Refusal to deal with repeat applications.
7. Not confirming the existence of documents that are exempt under clause 14(5) of Schedule 1 to the FOI Act.
8. Reference to closest relative.

The recommendations referred to at 1, 2 and 8 above are addressed in the PRIS Bill and IC Bill currently before Parliament.

None of the other recommended amendments are currently proposed for the FOI Act. The Commissioner maintains the need for all of these amendments, as well as the need for a comprehensive review of the FOI Act.

In last year's annual report, the Commissioner recommended the establishment of a Deputy Information Commissioner. The need for this amendment has been superseded by the proposed provisions in the IC Bill currently before Parliament.

Review of the FOI Act

The FOI Act has been in operation for 30 years. Since 1993, the annual reports of the Commissioner have recommended legislative or administrative changes that could help the objects of the Act to be achieved. However, there have been few amendments to the Act arising out of those recommendations. As noted in previous reports, with both the passing of time and the significant technological advancements in the way information is created, used and stored, the FOI Act is now well overdue for review.

As reported in the OIC's 2021/22 and 2022/23 annual reports, since 2020, the Legislative Council's Standing Committee on Public Administration (**the Committee**) has produced two reports recommending that the Attorney General undertake a review of the FOI Act and table a report in Parliament within three years: see [Report No 34, Consultation with Statutory](#)

Office Holders, November 2020, and Report No 38,
Consultation with Statutory Office Holders February 2023.

Following the Committee's Report No 38, the Attorney General invited the Commissioner to provide a proposed terms of reference for a review of the FOI Act.

On 27 June 2024, the Commissioner provided a proposed terms of reference for a review of the FOI Act to the Attorney General. The Attorney General has not yet indicated whether he will in fact support a review of the FOI Act.

Privacy and Responsible Information Sharing (PRIS)

On 16 May 2024, the *Privacy and Responsible Information Sharing Bill 2024 (PRIS Bill)* and the *Information Commissioner Bill 2024 (IC Bill)* (together, **the PRIS legislation**) were introduced into the WA Parliament.

This is a very significant development for the OIC, the public and the public sector.

The PRIS Bill provides a framework to protect the privacy of personal information handled by public entities and to authorise the responsible sharing of information held by public entities. The IC Bill establishes the offices of the Information Commissioner, Information Access Deputy Commissioner and the Privacy Deputy Commissioner.

Under the IC Bill, the current Information Commissioner appointed under the FOI Act, will be taken to be appointed as the Information Access Deputy Commissioner on the day that the privacy provisions in Part 2 of the *Privacy and Responsible Information Sharing Act* commence.

Both the PRIS Bill and the IC Bill amend the FOI Act. The amendments are primarily consequential to the substantive provisions of the PRIS legislation. They harmonise the relevant provisions of the FOI Act with the PRIS legislation and create a tripartite single authority structure that will regulate privacy and freedom of information under the PRIS legislation and the amended FOI Act.

The OIC has provided extensive feedback to Government on the draft legislation during its development, particularly as it relates to information access and the FOI Act.

Importance of good record-keeping

Good record-keeping underpins the right of access to documents under the FOI Act. While it is not the Information Commissioner's role to examine in detail an agency's record-keeping practices, one of the Commissioner's functions under the FOI Act (section 63(2)(d)) is to ensure that agencies are aware of their responsibilities under the FOI Act. That includes highlighting deficiencies in an agency's record-keeping practices that may impact upon the proper functioning of the FOI Act, where such deficiencies are uncovered in the course of an external review: see for example [Re Cox and Town of Claremont \[2009\] WAICmr 36](#) at [33].

Record keeping deficiencies were highlighted during the reporting period when the Commissioner dealt with an application for external review where the agency had not taken appropriate steps to protect CCTV footage following receipt of the complainant's access application.

The [General Retention and Disposal Authority for State Government Information \(GRDASG\)](#) issued by the State Records Commission provides that surveillance/CCTV footage taken from fixed cameras around public open spaces and public access areas, where footage is not required for investigations, can be destroyed after 31 days: see page 171, Reference No. 88, Security/Surveillance.

However, section 2.2 of the GRDASG also states:

If an Investigation or Inquiry is in progress (or likely or imminent), or if an access application under the *Freedom of Information Act 1992* has been lodged, all records relevant or subject to the Investigation/Inquiry/FOI application must be identified and retained until the action and any subsequent actions are completed. This applies regardless of whether the records in question are due for destruction.

This means that, if an agency receives an access application under the FOI Act, the requested documents should be identified and retained regardless of whether the documents are due for destruction.

In light of the extensive use of CCTV cameras by agencies in public places, the Commissioner considers it is essential that agencies have proper processes in place that protect CCTV

footage from destruction when an access application for the CCTV footage is received.

Amendment to the FOI Act

During the reporting period, a new exemption, clause 13A Abortion Information, was inserted into Schedule 1 to the FOI Act by the *Abortion Legislation Reform Act 2023 (WA)*. The Explanatory Memorandum stated that clause 13A enables 'abortion information to be an exempt matter under the [FOI] Act.' It also stated that '[t]his clause does not preclude a person from accessing their own health information.' The Commissioner was consulted on the proposed amendments.

Submissions and consultations

During the reporting period, the Commissioner was formally consulted about various proposed amendments to the FOI Act.

The OIC also contributed comments and submissions (as requested) on a number of government proposals ranging from proposals affecting information disclosure more generally, privacy and information sharing (see below) and government accountability, integrity and transparency.

In addition, the Commissioner made a submission to the Victorian Integrity and Oversight Committee Inquiry into the operation of the *Freedom of Information Act 1982 (Vic)*. The Commissioner's submission is available on the [Parliament of Victoria website](#).

Privacy and responsible information sharing (PRIS)

As noted above, in May 2024, the Government introduced the PRIS legislation to the Parliament.

During the reporting period, the OIC provided feedback and assistance as requested to the Office of Digital Government (an office within the Department of the Premier and Cabinet) and to the State Solicitor's Office in relation to the proposed PRIS legislation.

The OIC also continued to attend the Public Sector PRIS Implementation Steering Committee as an observer and is also a member of a related working group.

Supreme Court appeals

An appeal can be made to the Supreme Court on any question of law arising out of a decision made on an external review by the Commissioner. An appeal on a question of law is not a further full merits review and there is no appeal to the Supreme Court in relation to decisions on a deferral of access, imposition of charges, or the payment of a deposit. The Commissioner is usually not a party to the appeal.

During the year, one decision of the Commissioner was the subject of an appeal to the Supreme Court. That appeal (filed by the complainant) arose from the Commissioner's decision in [Re Pearlman and University of Western Australia \[2024\]](#)

[WAIComr 6](#). As at the end of the reporting period, the Supreme Court had not heard the appeal.

Links to all Supreme Court decisions relating to decisions of the Commissioner are available on our [website](#).

Information Access Study 2023

In 2023, the OIC participated in a third cross-jurisdictional study of community attitudes on access to government information with Information Access Commissioners. The study was coordinated by the Information and Privacy Commissioner of New South Wales and conducted by Woolcott Research and Engagement.

As in the previous studies conducted in 2019 and 2021, approximately 350 WA residents aged 18 years and over were surveyed in a mixed mode survey using online panel and computer assisted telephone interviewing.

The full results of the WA study are available on the OIC [website](#).

Some of the highlights of the research from the WA survey are:

- Similar to 2019 and 2021 results, most respondents (88%) indicated that having a right to access government information was either very important or quite important. Respondents who had tried to access information held by a government agency in the last three years were much more likely to feel it was very important (58%).

- In 2023, slightly less people knew they had the right to access information held by the listed agencies (72% compared to 79% in 2021). Respondents were more likely to be aware of their right to access information from local governments/councils (55%), and least likely to be aware of the right to access information from public universities, state owned businesses and Ministers (29%).
- Similar to previous years, close to a third of respondents (31%) had tried to access information held by government agencies in the last three years. As with previous years, respondents were more likely to access information held by local government (17%) and public hospitals and health services (15%).
- In 2023, significantly fewer respondents who tried to access information from these agencies were successful (77%), compared to 88% in 2021 and 91% in 2019.

This year two new questions were asked in addition to those asked in previous years:

- *How important is it to know when government uses technology to assist in decision-making that affects members of the public?*

Over three quarters (78%) of respondents indicated that knowing when the government uses technology that affects members of the public was important.

- *How confident are you that Freedom of Information laws in WA will ensure you obtain access to information about how decisions are made by government agencies?*

More than half (52%) of respondents were either very or quite confident that freedom of information laws ensured the public could access information about how decisions are made by the government. However, approximately a third of people (34%) indicated a lack of confidence in these laws.

In September 2023, the Information Commissioners and Ombudsmen from across Australia released a summary of the findings of the cross-jurisdictional study of community attitudes on access to government information comparing data collected from the various jurisdictions. The comparative study of results across the Commonwealth jurisdiction and the State information access jurisdictions in New South Wales, Queensland, Tasmania, Victoria, Western Australia and the ACT are available on the OIC [website](#).

National Metrics about Information Access Rights

The National Dashboard of Utilisation of Information Access Rights compares statistics on the use of information access rights across Australian access jurisdictions.

In 2017, Australian Information Access Commissioners and Ombudsmen released the inaugural dashboard of metrics on public use of freedom of information access rights, fulfilling a commitment made in the [Open Government National Action Plan](#).

The metrics for each jurisdiction reflect current available data that is reasonably comparable across jurisdictions. The metrics for WA are compiled from agency statistical data provided to this office each year.

The National Metrics data now includes the data for 2022/23 (which is the most recent data across the jurisdictions) and was published in the reporting period. The most recent National Metrics are available on the NSW Information and Privacy Commission's [website](#).

Development of the National Metrics

Under Commitment 3.2 of Australia's first Open Government National Action Plan 2016-2018, the NSW Information Commissioner led work by Australian Information Commissioners and Ombudsmen to develop (within the remit of their jurisdictions) uniform metrics on public use of freedom

of information access rights and the collection and publication of this data.

The objective was that Australia will better measure and improve our understanding of the public's use of rights under access to information laws.

The scope of the metrics covers:

- the type of applicant;
- application rates per capita;
- release rates;
- refusal rates;
- timeliness; and
- review rates.

In line with the milestones for Commitment 3.2 detailed in the National Action Plan, NSW lead a validation and pilot process for data collection and presentation, for release in the first data report using the metrics.

The National Metrics are not all directly comparable to the statistics published about agency applications in the OIC annual report. The raw data from the statistical returns is used to calculate each metric so as to link similar applications, and outcomes that are reasonably comparable across jurisdictions.

For example, in the National Metrics, the reported number of access applications where access is refused in full does not include those where there was a decision made under section

26 of the FOI Act to refuse access (on the basis that the documents cannot be found or do not exist).

This is because not all jurisdictions have the equivalent of a section 26 decision available.

More information about the nine years of National Metrics data is available on the OIC's [website](#).

What the data says about information access in WA in 2022/23

The data from the 2022/23 dashboard indicates that WA agencies:

- receive the highest number of access applications per capita, alongside South Australia;
- has the third highest percentage of access provided in full or in part (93%), alongside the Northern Territory;
- has the lowest percentage of external reviews received, as a percentage of the total number of access applications received by agencies; and
- dealt with 87% of access applications within the statutory timeframe provided by the FOI Act.

It is also interesting to compare the WA data with jurisdictions that have reformed their information access laws to include a greater emphasis on proactive disclosure over access applications to provide access to information (such as New South Wales, Queensland, the Commonwealth and the Australian Capital Territory).

Notably there is a consistently lower rate of access applications made per capita and a higher rate of use of review rights. This likely indicates that information access laws are used less often and for more contentious information in the reformed jurisdictions.

WA Metrics – 2017/18 to 2022/23

Description	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Metric 1: Number of formal applications received by agencies	17,258	19,258	18,392	20,354	21,169	21,241
Metric 2: Formal applications received per capita	6.7	7.3	6.9	7.6	7.6	7.4
Metric 3: Percentage of all decisions made on formal applications where access was granted in full or in part	96%	94%	91%	92%	91%	93%
Metric 4: Percentage of all decisions made on formal applications where access was refused in full	4%	6%	9%	8%	9%	7%
Metric 5: Percentage of all decisions made within the statutory time frame	91%	90%	87%	86%	88%	87%
Metric 6: Percentage of applications received which are reviewed by the jurisdiction Information Commissioner/ Ombudsman	1.0%	0.9%	0.9%	0.8%	1.0%	0.7%

Figure 14 – WA Metrics from the National Metrics about information access rights

FOI research project by Monash University Monash University – *The culture of implementing freedom of information in Australia*

In partnership with Monash University and with significant funding from the Australian Research Council, the Office of the Victorian Information Commissioner, the South Australian Ombudsman and the OIC participated in a research project led by Monash University to examine key aspects of FOI culture and practices in those jurisdictions.

The OIC contributed approximately \$38,000 to the research project over the three years.

The three-year project was completed during the reporting year. The project sought to:

- capture and analyse how FOI officers view information access, and the factors that shape their attitudes towards implementing FOI;
- determine the factors that play a key role in determining FOI cultures within agencies;
- identify and develop practical measures that can be implemented by regulators to improve these cultures; and
- identify any additional measures that may be required to improve the interface between records management and FOI practice.

Researchers reviewed 377 surveys completed by agency officers within the three jurisdictions, and interviewed 257 individuals at 96 agencies from hospitals, government departments, statutory agencies, local government and universities across Victoria, South Australia and Western Australia.

32 WA government agencies completed 109 surveys, and 70 officers participated in interviews. All responses were de-identified in the report.

The report recognises that an analysis of the survey and interview responses demonstrates that FOI officers of WA government entities have a deep knowledge and understanding of the purposes, functions and challenges facing the FOI system and ideas about how to make the system work better.

Based on its findings, Monash University made eleven recommendations to improve the culture and administration for FOI in Australia and four recommendations specifically for WA. Those recommendations are set out below:

FOI Legislation – should be reformed to:

1. Make explicit that proactive information release should operate as the default rather than the use of FOI applications as a means for providing access to information.

2. Ensure that terminology and procedures are reflective of modern digital environments, rather than the paper-based environments that prevailed when the FOI Acts were first enacted.
3. Streamline consultation requirements to ensure that consultation is required only where it is reasonable and practicable and that it does not unduly extend decision-making timelines.
4. Ensure that legislative timeframes are realistic having regard to the processes involved and based on working days, rather than calendar days.
5. Include within the legislation clear and adequate procedures for dealing with vexatious applications.

FOI administration – should:

1. Support agencies in developing proactive release policies relevant to their specific needs.
2. Ensure that any ministerial noting processes are structured to ensure that FOI officers can process requests within required timeframes.
3. Provide recurring sector-specific FOI training.
4. Provide recurring records management (**RM**) and FOI education for wider agency employees, including executives.
5. Ensure that RM rollout is consistent with both with RM best practice and FOI efficiency.

6. Work with state public record offices regarding agency adherence to RM policies and strengthen the knowledge and understanding between RM best practice and FOI efficiencies.

The four WA specific recommendations were:

1. Review and reform of the FOI Act.
2. Update OIC WA website to be user friendly to both applicants and practitioners.
3. Provide sectors with more bespoke education and examples.
4. Examine how proactive release could assist sectors by releasing commonly requested documents by default.

The report also noted “the critical role of adequate funding for records management and FOI processes in promoting a culture of transparency and the effective operation of the FOI Acts”.

Within the next reporting period, the OIC will work to respond to the recommendations of the report.

Accountability Agencies Collaborative Forum

The Commissioner is a member of the Accountability Agencies Collaborative Forum (**the AACF**), which consists of a number of small independent accountability agencies. The AACF meet twice yearly to discuss opportunities to collaborate, share ideas and provide mutual support.

This also allows members to discuss matters unique to small agencies with oversight and accountability functions.

Association of Information Access Commissioners (AIAC)

The Commissioner is a member of the Association of Information Access Commissioners (**AIAC**). Established in 2010, this is a network of Australian and New Zealand information access authorities who administer access to information legislation. The purpose of the AIAC is for members to exchange information and experience in the exercise of their respective oversight responsibilities, and to promote best practice and consistency in information access policies and laws.

The AIAC meets twice per year. The Commissioner attended both AIAC meetings in the 2023/24 financial year. The OIC hosted the November 2023 AIAC meeting in Perth on the day following the FOI in WA Conference. The second AIAC meeting was held in Melbourne in March 2024.

The AIAC produces a communique after each meeting to inform the community of key outcomes of the meetings:

- 16 November 2023: [Communiqué of the Association of Information Access Commissioners of Australia and New Zealand \(AIAC\) meeting - 3 November 2023, Perth, Australia](#)
- 09 April 2024: [Association of Information Access Commissioners of Australia and New Zealand \(AIAC\) meeting communiqué - 15 March 2024, Melbourne, Australia](#)

A Communications Working Group (**CWG**) has recently formed between the members of the AIAC. The CWG provides a regular forum through which communications, education and engagement officers can collaborate on advocacy and education and also share ideas and experiences. This work enhances public trust and confidence in access to information. The International Access to Information Day events and promotions are an important focus of the group.

International Conference of Information Commissioners

The Commissioner is a member of the [International Conference of Information Commissioners \(the ICIC\)](#). The ICIC is comprised of Information Commissioners and Ombudsmen from across the globe, who meet to discuss issues related to the protection and promotion of the right to public information for the benefit of citizens.

The Information Commissioners of Australia, Queensland, New South Wales and Victoria are also members of the ICIC.

The 2024 ICIC conference was held in Albania, both in person and online from 3 to 5 June 2024. The Commissioner attended part of the conference online.

Information Management

By virtue of her role as Information Commissioner, the Commissioner is one of four State Records Commissioners under the *State Records Act 2000*. The other Commissioners are the Auditor General, the Ombudsman, and an Archives/Record Keeping Expert who is outside the public sector. As State Records Commissioner, the Commissioner takes an active part in a broad range of public sector information related projects led by the State Records Office, including projects relating to revised record-keeping standards and principles, information management and information classification.

Western Australian Information Management Framework Working Group

As noted in the 2022/2023 OIC annual report (at page 51), the Commissioner participated in a working group to support the State Records Office in the development of an [Information Management Framework for Western Australia \(the Framework\)](#). In April 2024, the Framework was released by Government. The Framework is underpinned by three information management principles: information rights are respected; information is managed as a valuable public asset; and information has integrity and can be trusted.

Western Australian Information Classification Policy Working Group

The [WA Information Classification Policy \(the WAICP\)](#) (launched by the WA government in 2020) provides a common language for agencies to identify risks and apply appropriate sensitivity labels that will assist agencies to protect, store and share their information assets.

The Working Group is comprised of agency and independent office representatives and was established to assist with the development of guidance materials to support the implementation of the WAICP. During the year, the OIC continued its involvement with the Working Group and the Information Classification Community of Practice in relation to the implementation of the WAICP across the sector.