

AIC Opening Statement – 9 February 2026

I appreciate the opportunity to provide a brief opening statement to the Committee on behalf of my colleagues the Privacy Commissioner, Carly Kind and Freedom of information Commissioner, Alice Linacre.

Commissioners' clear commitment to targeted regulatory priorities are impacting the marketplace and the government sector to elevate information rights for the Australian community. Whilst we still have work to do our regulatory impact is demonstrated by the:

- Contribution of the OAIC to the Commonwealth integrity landscape with the incorporation of metrics to achieve *Outcome 3: Transparency and accountability of actions and decisions are improved*. These measures include the Percentage of Freedom of Information (FOI) Act requests finalised within statutory timeframes over a quarterly period, Australia's Right to Information Rating and importantly: the percentage of OAIC reviews of FOI decisions and FOI complaints that were finalised with a financial year period.
- In that regard I am pleased to report on the significant improvements in case management as we refine our approaches, including finalisation rates and the age profile of complaints and reviews:
 - 80% of our FOI reviews are now finalised within 12 months notwithstanding a 55% increase in applications (against the same period last year) and the case age profile has reduced to 8.1 months; similarly, the average time to resolve FOI complaints reduced to 2.3 months. These outcomes are the lowest in the last 4 years.
 - In privacy, notwithstanding a 72% increase in case volumes (to February 2026). We have finalised 34% more than the same period last year. The average time to finalise a complaint is 5.9 months. This is also the lowest recorded age finalisation time frame in the last 4 years.

It is important to reflect on what this data tells us – beyond the positive demonstration of our process improvements and regulatory effectiveness. These significant and sustained increases in applications and complaints tell us that community concern regarding their information rights is growing at an unprecedented level. This is borne out in our community attitude surveys.

Community engagement with the OAIC is demonstrated by a significant increase in contacts. We are prioritising our efforts to ensure that both the community, government and industry have guidance to better support their compliance and promote prevention and early resolution.

As the regulator our posture is proactive, to promote higher levels of compliance by regulated entities and importantly ease of compliance. In doing so we anticipate benefits to the community through better operationalisation of their rights. For industry and government, our objective is a more seamless and cost-effective approach to compliance; for government in particular we are focused on greater workability as staff operationalise both the privacy and FOI regimes.

We are advancing new approaches in consultation with agencies to address historical issues such as volumes. 75% of FOI applications to agencies are for personal information. The FOI Act provides opportunities to release personal information efficiently and effectively and still preserve the right to receive a timely notice of decision. We are exploring all opportunities to inject our expertise to maximise the opportunities provided under the statutes, ensure ease of access, compliance and the workability of government.

Our proactive approach to regulatory interventions has also seen us deliver an increase in publication of effective regulatory guidance including reports to address new and emerging harms. These include guidance on practices like screen scraping, the use of automated decision making and training AI. Our view to compliance is equally proactive with a historic privacy sweep to engage and further work in 2026 to test regulated entities settings.

Under the three Commissioner model and through the commitment of OAIC staff our collective efforts demonstrated by our impact are highly credible. The rights we promote and protect contribute directly to a healthy democratic system of government that serves us all. We are actively advancing efforts to maximise the opportunities available to us under these statutory regimes to ensure they operate effectively for the community, industry and government.