

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
OFFICE OF THE PRIVACY COMMISSIONER

Question No. 160

Senator Stott-Despoja asked the following question at the hearing on 31 October 2005:

In light of your Review commitment to consider increasing transparency of complaint outcomes (Recommendation No 43), do you intend to increase or at least maintain the number of de-identified case studies to be published in this and subsequent financial years?

The answer to the honourable senator's question is as follows:

The Office has been publishing case notes since December 2002. In recognition of the value to stakeholders, including complainants and respondents to complaints, in having information about the Office's view about the application of the Act, the Office set itself a target of producing two case notes a month. Since December 2002 the Office has published 50 case notes.

We are currently reviewing the approach to case notes and may decide that the current target of 24 case notes per year is not appropriate, or that the target needs to be varied from time to time to allow for other important priorities.

In addition, we note that the complaint matters chosen for inclusion in case notes involve new interpretations of the Act or associated legislation, illustrate systemic issues, or illustrate the application of the law to a particular industry. We will continue to produce case notes about complaints that meet these criteria but do not intend to produce case notes about cases that are merely routine. This may mean that there may be some periods where the Office is not producing case notes.