

## Leo Cussen: Keynote address

**Speaker:** Sven Bluemmel, Information Commissioner

**Date:** Friday, 7 December 2018

**Time:** 9:00am – 10:00am

## Implementation of changes to Victoria's FOI and Privacy Regime - 12 Months On

Good morning everyone and thank you to the Leo Cussen Centre for Law for allowing me the opportunity to speak this morning. I am honoured to be here on the traditional lands of the Wurundjeri people of the Kulin Nations and would like to pay my respects to their Elders, past and present, and the Elders from other communities who may be here with us today.

It is now a little over one year since my office was established. Some of you may have been at last year's event where I outlined my office's vision for information rights in Victoria. Today gives me an opportunity to look back on that vision in light of a year's experience, to see what has developed as expected, what may have developed in unexpected ways and what has come out of left field.

At the risk of spoiling any surprise, let me me say at the outset that it has not been a dull year.

As you know, the Office of the Victorian Information Commissioner, or OVIC, has combined oversight of freedom of information, privacy, and data protection, administering both the *Privacy and Data Protection Act* and the *Freedom of Information Act* here in Victoria.

Deputy Commissioners Rachel Dixon and Joanne Kummrow, our staff and I have been spending a significant amount of time engaging with stakeholders to raise awareness of the importance of the objects and administration of those Acts.

Through our engagement and operations, we are focused on driving systemic and cultural change – a key driver in the establishment of my Office.

## **OVIC's First Year**

Over the past 14 months, we have seen an enormous amount of change in the information law landscape, both locally and internationally.

OVIC has started to guide the Victoria public sector through increasingly complex challenges in information privacy, including through developing papers and presenting events dealing with data sharing, data analytics and de-identification, biometrics and information security in an interconnected world.

We have also worked with the public sector to prepare for, and indeed undertake, the first reporting cycle under the Victorian Protective Data Security Framework.

At the same time, OVIC has dealt with a record caseload of FOI reviews and complaints. Over the last three years there has been an overall increase of 45% in the number of applications made to OVIC (and its predecessor office) for review of, and complaints about, agency decisions under and administration of the FOI Act.

You can access information about our work through our new website and also by subscribing to our information bulletins, newsletters and Twitter feed for up-to-date and breaking news. I particularly encourage you to follow @OVIC\_AU, which will keep you up to date with everything that is happening.

Today, I would like to discuss the importance of information rights generally and then provide you with an update on the three functions of my office and further insight into what we have achieved, and learnt, in the past 14 months.

## **The Importance of Information Rights**

I'll begin by on a more philosophical note. As I have said before, Information is the lifeblood of modern society. The way that government and public servants handle information impacts people on an individual level, as well as society as a whole. On a personal level, the ability to exercise control over our personal information is essential to the development of one's identity, sense of self and how we interact with each other and our institutions. On a societal level, the very functioning of government and democracy rely on the ability for information to be collected, stored, used and shared securely.

When used and shared appropriately, information can enable governments to make informed decisions and provide better policy and service responses to the issues of the day. These objectives must be achieved while ensuring that Victorians' information privacy is respected and information in the hands of government and the public sector is protected from misuse and inappropriate disclosure.

Just as importantly, a meaningful right for the public to access information is crucial in ensuring government accountability and transparency.

## **Freedom of Information / Public Access**

So, how has our first year been? I will begin with FOI.

As you will be aware, Victoria was the first Australian state to enact FOI legislation. The Victorian Act closely followed the enactment of a Commonwealth FOI Act in 1982. Before the Commonwealth and State FOI Acts were introduced, the various governments of Australia had no general legislative obligation to release information to the public.

Three commonly identified justifications for FOI laws are:

- First, that transparency is essential to political accountability, and to discourage corruption and other forms of wrongdoing.
- Second, that the publication or release of information about the structure, organisation and workings of public sector bodies promotes increased participation in decision making.
- And third, that individuals should be able to access their personal records to assure themselves that they are accurate and complete, and to seek their amendment if they are not.

I would like to add another justification, namely that transparency leads to better quality decision making. This is a little more controversial than the previous three, and is not universally embraced by Ministers and other senior decision makers in any jurisdiction with FOI laws. I do, however, have a persuasive Victorian proponent for this premise in the form of the Honourable John Cain, Victoria's 41<sup>st</sup> Premier. Many of you will recall that the Cain government introduced Victoria's FOI laws. I recently had the honour of joining John Cain on a panel discussion, where he expressed the view that effective transparency leads to better policy outcomes. I

tend to agree, even though the transparency element can at times be a substantial inconvenience to the decision maker.

Allow me to illustrate. At OVIC, we review the merits of agency FOI decisions. A fairly common scenario is where the document being sought, perhaps by a journalist, opposition MP or interest group, is a business case or briefing outlining the costs, benefits and risks of a particular policy or project. Most impartial observers would agree that such documents should be well-considered, evidence based and forthright to allow the ultimate decision maker to make the best possible decision in light of high quality analysis.

An argument frequently put to me is that disclosure of such a document in response to an FOI request would have a chilling effect and result in future briefings being less forthright, reducing the quality of future decisions. However, when reviewing such documents, I am almost always struck by the thought that, were the document released for all to see, the public would be mightily impressed by the skill and dedication of their public service officers and the quality of advice that is made available to our most senior decision makers.

Of course, a decision maker may choose an option other than that which is recommended, provided they are acting within their power. Where granting an FOI request would disclose a document that clearly recommended against the chosen option, I would understand a certain level of reluctance and discomfort. But this does not necessarily make the document exempt. Nor does it follow that the public servants who prepared the document will be less forthright or competent in preparing future advice. My experience is that public servants are made of sterner stuff.

But let's unpack that scenario a little more. If the Decision maker goes against the advice, they either have a good reason, a bad reason or no reason. If they have a good reason, this can be explained when the document is released. Failing to do so is not the fault of FOI, but a failure of communication and leadership. If the decision maker had a bad reason, such as wishing to please a donor or enrich themselves unjustly, the public interest actively demands that this be disclosed. And if they have no reason, one must question their fitness to be a decision maker.

In my experience, almost all cases fall into the first category. And yes, I understand that opportunistic actors may seek to misrepresent the situation and make the decision maker's life more difficult by oversimplifying, taking things out of context,

or sensationalising. For this, the only remedy I would offer is to retain the moral high ground and make a persuasive case through effective communication. This will be made much easier if the document is quickly released in the first instance, otherwise there will be a simultaneous fight on another front, namely why so much effort and public funds were expended resisting release.

Victoria receives the highest number of FOI requests of all the States and territories of Australia, indeed this year, Victoria received more requests than the Commonwealth.<sup>1</sup> Requests for information in Victoria continue to rise year on year. In the 2017-18 financial year there were 39,040 requests for information, almost an 8% increase on the previous year.<sup>2</sup>

This is at least in part due to the fact that Victoria has what we refer to as a ‘pull model’ for FOI rather than a ‘push model.’ A push model is one in which information is required to be proactively pushed out. States that have a push model are expected to proactively and routinely release information to the public, independently from FOI-based information access and disclosure regimes, which are largely a reactive. Victoria does not have this push approach; however, my office is increasingly promoting and supporting the release of information outside of FOI, wherever possible. I touch more on this in a moment.

More generally, there has also been criticism of the way the FOI Act in Victoria is administered. The Victorian Auditor-General, in the 2012 audit report on *Freedom of Information*, stated that:

*“Since FOI legislation was introduced 30 years ago, Victoria has gone from being at the forefront of FOI law and administration to one of the least progressive jurisdictions in Australia.”*

The Auditor-General pointed to “the Victorian public sector’s systemic failure” to support the public’s “right to timely, comprehensive and accurate information.”

While considerable work has been done in response to that report – particularly by the agencies that were subject to the audit – there remains the perception, not without justification, that Victoria is lagging when it comes to FOI. This is certainly the view of the Honourable John Cain.

---

<sup>1</sup> Commonwealth received 34,438 requests.

<sup>2</sup> OVIC Annual Report 2017-18, page 55.

My vision for FOI in Victoria is to ensure that government agencies, through working with OVIC, routinely provide improved outcomes for applicants under the FOI Act in timeliness, convenience and informality. More information will be proactively released, other information will be released upon informal request and the FOI process will be used as a last resort. I believe that much improvement can be achieved, even within the confines of our ageing legislation.

I will now highlight some of the key initiatives we have been pursuing over the last year in order to achieve these objectives.

### ***Facilitating information release***

OVIC encourages agencies to identify ways to provide access to information, without the need for individuals to make a formal request under the FOI Act. We encourage public sector leaders to authorise their staff to approach requests for information with the mindset of *can we facilitate access without going through the FOI process?*

Where a matter does go through FOI, OVIC has been supporting, and will continue to support, agencies to adopt a more flexible, less technical approach of *why can't this document be released* rather than *what exemption can we apply?*

My impression so far is that while many agencies are approaching the FOI Act with a view to releasing information reasonably, others are still devoting considerable effort to finding loopholes and adopting technical approaches to avoid their obligations under the FOI Act or delay reviews by my office.

There will be FOI requests that are complex; where the stakes are high; where the public interest considerations are finely balanced. The FOI access regime and the external review process are designed for such matters. However, many matters do not fall into this category and could be released more readily.

Of course, providing the public with full and open access to public sector information depends on agencies first understanding and being able to properly manage the information they hold.

The Victorian Auditor-General's 2015 report, *Access to Public Sector Information*, expressed doubt that many agencies had reached a level of maturity in information management to properly facilitate access to public sector information.

OVIC has been working with agencies to address this in a number of ways, including by promoting the use of Information Asset Registers as an important tool for identifying, valuing, and managing risks to an agency's information assets. We are making progress but we also understand that this is a very large task for us and for agencies.

### ***Internal business improvements for Public Access***

Speaking of achieving improvements, OVIC too needs to work smarter to meet increasing demands on our office. Since 2015-16, review and complaint applications have increased substantially year on year, to the largest ever received in 2017-18 of 1,242 matters. This trend has continued into the current financial year.

In response, our office has implemented a range of measures to improve the timeliness and efficacy of our external review and complaints process for Public Access. We have recently restructured our Office and now have two Assistant Commissioners in the Public Access team. One Assistant Commissioner oversees our Registry, Early Resolution and Complaints teams and the other oversees our formal Reviews team. Through these two senior roles, we are endeavouring to deal with more and more matters at an earlier stage, through early resolution and to focus on improving the timeliness of our formal decisions on review applications.

Coupled with this, we have put significant work into refining and simplifying our notices of decision, to make them accessible to applicants and act as an educative tool for agency staff. This will be accelerated with the publication of notices of decision, which will commence from 1 July 2019. Our decisions, which will be de-identified, will be published on the OVIC and Austlii website. This will promote transparency and consistency in decision making. We also trust our decisions will assist agencies in dealing with applicants where the agency can point to a previous OVIC decision to advise an applicant as to how a request for similar or identical documents was resolved.

We are now beginning to see the benefits of these business improvements. In 2017-18 we were able to finalise a total of 1,098 review and complaint matters - 113 more than the previous year.

### ***Development of Professional Standards***

Another key priority is the development of new Professional Standards under Part IB of the FOI Act. The purpose of Professional Standards is to ensure greater public access to government held information, by providing agencies with clarity, and making them accountable for acting consistently with the pro-disclosure object of the FOI Act.

Drafting of the Standards will commence shortly by our Policy team which, following our restructure, now covers FOI and privacy. We look forward to undertaking consultation with our stakeholders about the issues to be addressed in the Professional Standards.

OVIC will also be reviewing its Part II statement and updating it to ensure it reflects best practice under the FOI Act. In undertaking this exercise, we will also be preparing a suite of resources and a Part II statement template to assist agencies to ensure they too are complying with the publication scheme requirements under Part II of the FOI Act.

### ***Training, education and awareness for FOI***

Finally, one of our key initiatives is to provide regular, high quality training and education offerings to agency staff. I am pleased to say that as of 1 July this year, all of our training has been offered to agencies free of charge, and this will continue. Our training will continue to be directed not only to assisting agencies with processing FOI requests, but also providing meaningful guidance on how to administer the FOI Act consistently with its objects.

Other initiatives include providing detailed guidance for agencies on administrative release and proactive disclosure, and developing a cross-sector 'community of practice' where FOI practitioners can come together to share knowledge and be recognised for excellence, like our new Information Access Series.

We always appreciate feedback on our training and welcome any suggestions of further offerings or delivery channels that would be useful for agencies.

### ***Research into FOI culture and operations***

Over the last few months, my office has been working with Monash University to scope a pilot project that will undertake research into cultural and procedural barriers to information release under the FOI Act. We will be inviting other



jurisdictions to join us and the results may form the basis of a larger future research project.

## Privacy

I will now move on to take a look at some of the key developments in the information privacy space, which my office regulates under the *Privacy and Data Protection Act*.

Undoubtedly, privacy is ‘having a moment’ in 2018. Public awareness of privacy has gained momentum recently, with the news of the Cambridge Analytica privacy breach coupled with the commencement of the EU’s General Data Protection Regulation, or GDPR, dominating our newsfeeds.

Something that the Cambridge Analytica privacy scandal highlighted is the notion that privacy is no longer a one-to-one transaction, or a matter of specific, independent choice, as a consumer. You may have come across an opinion piece written by Waleed Aly earlier this year, commenting on this very shift in the privacy paradigm – that individuals giving away their personal data to access services online are no longer consumers, rather, they are the product.

Aly writes:

*“Viewed this way, privacy becomes something new. Not so much a thing that’s your own, and more a thing in which we all have a stake. In the networked world of Facebook, your lack of privacy is everyone else’s problem.”*

This draws on a famous online thread on the site metafilter in 2010, by Canadian journalist Andrew Lewis, who also goes by the handle Blue Beetle. The phrase was apparently borrowed from an old saying in the advertising industry – “If you are not paying for it, you’re not the customer; you’re the product being sold.” When viewed this way, the fact that people actually *pay* for the privilege of having third party listening devices in their homes in the form of smart speakers, rather than *demanding payment* from the manufacturers of said devices, seems curious indeed.

It is interesting to think of privacy as a public good, similar to clean air or safe drinking water. If you think about privacy as a public good, we *all* suffer when some of us choose to allow broad access to our personal information, just as we *all* suffer if some of us choose to pollute the water supply. We need to shift the way we think

about privacy from a purely *individualistic* or transactional mind-set, to one that is more collective and long-term.

Given the rise of the connected economy, largely fuelled by exchange and pooling of personal data, a question we all must ask ourselves is – *how do we keep the law in time with rapid technological change, and in turn, the increasing commodification of personal data?* The law reform process tends to move at a slower pace than technological advancements and data-driven innovation.

One answer can be found in the legislative approach taken by the EU, in the General Data Protection Regulation or GDPR. This sets a blueprint for modern privacy law in many ways, responding to the use of personal data for competitive advantage. The principles relating to the processing of personal data under the GDPR reflect the founding principles of privacy law – collection limitation, purpose specification, use limitation, accountability and so on.

Closer to home, we have seen an enormous amount of change in the information privacy landscape over the last 14 months – from the Notifiable Data Breaches scheme at the federal level, to data sharing legislation here in Victoria. Each of these changes has affected the way that we think about privacy and respond to privacy challenges in the Victorian public sector, whether or not they impact us directly.

OVIC's job includes helping agencies to navigate this landscape. One of our significant projects this year involves the updating of our guidance relating to the Information Privacy Principles. This was last issued in 2011 and many of the issues I've just mentioned mean the guidelines will benefit from updating in line with new case law and increased technological change. We're onto it.

### ***Data breach reporting***

You will be aware that, earlier this year, the Notifiable Data Breaches scheme, administered by our colleagues at the Office of the Australian Information Commissioner, came into force. This has changed the way we think about privacy breaches. Even though this scheme has a limited application in Victoria, its objectives have filtered through to the mindset of the Victorian public sector. OVIC is now seeing a larger number of breaches being reported to us, because organisations understand the benefit in doing so.

Indeed, my team has done a lot of work to encourage privacy and data breach reporting to OVIC, and we see time and time again that those organisations that do come to us when they experience a privacy incident are better equipped to manage the risk and put measures in place to prevent a similar incident in the future. Many of you will be aware of a number of high profile matters in which OVIC has played a role over the last year.

Two key pieces of legislation were passed in the last year, the *Victorian Data Sharing Act 2017* and the *Service Victoria Act 2018* both include mandatory data breach notification requirements to OVIC. These reforms were the product of early and positive engagement with my office and are an encouraging sign that these issues are being taken seriously in the legislative process.

### ***Information sharing***

A number of other legislative developments in Victoria have also impacted upon the recent work of OVIC, particularly in the information sharing space. Organisations are grappling with an increasing demand to share information, having to navigate complex legislative requirements in addition to new technologies that pose their own set of challenges. We recognise that getting the balance right between using data for economic and social gains, and maintaining strong privacy and security protections, is difficult.

A challenge for any organisation, whether public or private, is knowing how to reap the social and economic benefits of data, while establishing and maintaining strong privacy and security protections. Some of the most recent challenges in information sharing are not necessarily technology-related. Of course, the legal and ethical challenges underpinning the use of big data, artificial intelligence and the Internet of Things, to name a few, remain.

By working with organisations leading information sharing reform across Victoria, OVIC has been able to better understand these challenges, and instil within legislation a *Privacy by Design* approach. I mentioned earlier the *Data Sharing Act* and the *Service Victoria Act* – the new family violence and child safety and wellbeing information sharing schemes are also examples of this.

It is certainly not within the spirit of these reforms to displace or ignore privacy. The use of data for better service delivery and policy design in the Victorian public sector does not have to come at the expense of privacy. Rather, these reforms have been

designed to reconcile the need for information sharing in certain circumstances with the protection of privacy. This is, again, encouraging.

### ***Research papers***

During our first year we also invested our time in pursuing research into two big issues affecting privacy – de-identification and artificial intelligence – and earlier this year we published two research papers on these topics.

Our report on de-identifying unit record-level personal information was prepared for us by researchers and academics at the University of Melbourne, whose work on de-identification has been instrumental over the past couple of years. Since publishing this report in May, we have seen a shift in the Victorian public sector’s understanding of this concept and its acceptance of the challenges that go alongside de-identification as a privacy-enhancing measure, particularly when it comes to publishing de-identified data sets publicly. For those of you who advise organisations on the use and sharing of de-identified data or are responsible for making decisions around how personal information is de-identified, I’d encourage you to take a look at this paper, which is available on our website.

OVIC has also been leading work on artificial intelligence, exploring the impacts of AI not only on privacy, but also information security and freedom of information. We published an issues paper in June this year that looked at some of the privacy challenges of AI, and we’ve also commenced work on a short e-book that we hope to publish next year.

We have also recently established a cross-jurisdictional privacy policy group. This group will work together to enhance Australia’s policy capability in the information privacy space. This is an issue of growing importance given the increasingly complex mechanisms by which public services are delivered. OVIC is proud to have taken the lead on this.

### ***Input into legislation***

Since coming into existence in September last year, my office has also made a number of submissions in relation to legislation and projects that have a potential information rights aspect, both in Victoria and nationally. These have included submission on the following:

- the Child Information Sharing reforms;

- the Consumer Data Right;
- the Identity Matching Service Bill;
- the partial privatisation of the land titles system in Victoria;
- the Trusted Digital Identity Framework;
- regulatory aspects of connected and autonomous vehicles; and
- the Telecommunications and Other Legislation Amendment (Assistance and Access) Bill, generally referred to as the Decryption Bill.

### ***Engaging with our stakeholders***

As a relatively new office, OVIC has also been making a deliberate effort to increase its stakeholder engagement activities here in Victoria. One of the most noticeable ways we have done this is through the launch of the new OVIC website, which went live a few months ago. The website contains all of our resources, events, training and complaints processes in the one place, and provides a more modern, functional experience for users.

Some of you may be familiar with the quarterly privacy forums my staff have been running for two years now. Throughout 2018, we have continued to host public forums on topical privacy issues, to which we invite expert speakers to come along and share their knowledge and ideas with us. These forums have not only been useful for the audiences that join us, but they have informed OVIC's thinking on key issues, such as the GDPR and AI. The number of attendees we see at these forums is encouraging, demonstrating that there is an appetite not only from across government, but amongst the community as well, for these types of discussions about privacy. Our next public forum is on Monday, in celebration of International Human Rights Day. The topic of discussion is data ethics and its role in data science, and we would love for you to join us. Details are on our website.

OVIC also celebrated a huge Privacy Awareness Week, or PAW, this year, marking the week with a number of events and resources under the theme *Privacy: From Principles to Practice*. Work is already underway for PAW 2019, and we are excited to share our ideas with you in the new year. We see PAW as a great opportunity to raise awareness of privacy both within the Victorian public sector and the broader

community, and we encourage you all to get on board and mark PAW 2019 in your own way.

OVIC's Youth Advisory Group has also been a key part of our stakeholder engagement over the past year. For those of you that aren't aware, that Youth Advisory Group, or YAG, is a group of 10 young people aged between 15 and 20, who meet regularly to discuss privacy issues that matter to them and undertake projects aimed at engaging young people in privacy. I can assure you, despite common misconceptions, young people *do* care about their privacy. They may value their privacy in a different way to you or me and make different choices about their information than we might, but it is certainly encouraging as Information Commissioner to see that the future of privacy is in good hands.

Earlier this year the YAG produced a postcard, which we sent out to Victorian secondary schools, to encourage young people to think about where their information goes and make conscious choices about their privacy. YAG will continue to work on some exciting new projects over the next year.

## **Data protection**

The third function of my office that I would like to talk to you about today is data protection. I have already mentioned that the *Privacy and Data Protection Act* establishes the *Victorian Protective Data Security Framework* that requires agencies to adhere to 18 Standards that have been endorsed by the Special Minister of State.

Our aim for data protection is to work to facilitate the ongoing improvement of the data security practices of Victorian government agencies, rather than striving for perfection. The nature of data protection and the constantly evolving threat environment means that encouraging agencies to take a risk based approach to data security will support businesses achieving their objectives, in a manner commensurate with their resources. And also note that I refer to improving *practice*, not just systems or technology.

Good data security is more than just ICT. You may have the most secure software and technology in place to protect your information, however, if there aren't appropriate overall controls in place to limit access to that information, including physical and personnel security, then the information may still be compromised.

I would like to highlight that from a practical point of view, while privacy and security are different concepts they are inextricably linked – you can't expect to maintain overall good privacy governance if your data security practices are poor.

August this year saw the first reporting cycle under the framework, under which agencies need to provide a high level Protective Data Security Plan to my office, together with an attestation on behalf of the head of the agency about the agency's protective data security activities.

It is important to mention that the Framework is based on agencies' own risk analyses. Security is a constantly evolving concept, and what was considered secure last year may be known to be insecure this year as a result of changes in technology or practice. By adopting a model that looks at the standard in the context of the risks and the environments to which they apply, we hope to give agencies a better base for understanding their own operations and being in a position to improve their security posture.

My office's guidance material and reporting requirements placed on agencies will only lead to meaningful and positive change if those materials are respected as having been built on a solid foundation of recognising agency business realities. To ensure that this is the case, we need to talk to, and listen to, agencies. At all levels of their business. OVIC's data protection team has been doing exactly that.

While we consider that the first reporting and attestation cycle has been a success, we are currently undertaking an extensive review of the process and will ensure that any insights, positive and negative, inform our office's future efforts and allow us to improve.

### **OVIC's regulatory approach**

Finally, I would like to talk about OVIC's regulatory approach. At last year's conference, some of you may recall that one aspect of my vision was that OVIC would be a regulator that engages constructively with agencies to achieve the legislative outcomes that have been entrusted to us by Parliament – while maintaining strong independence and impartiality.

I am pleased to report that in just over 14 months, my office has been open to consultation, both proactive and reactive, from agencies seeking to enhance their FOI, privacy or data protection practices or implement new initiatives.

A crucial piece of work that my office has undertaken in this regard is the development of OVIC's regulatory action policy, which is a document that sets out each of OVIC's powers and the circumstances under which we intend to use them. The regulatory action policy will be made publicly available once finalised so that our stakeholders and members of the public can be clear about our approach.

We have also established, for the first time, a dedicated investigations team, which will exercise my powers to conduct investigations, reviews and audits under the *Privacy and Data Protection Act* and the *Freedom of Information Act*. Our investigations work will have both reactive and proactive elements. Reactive investigations will be conducted in response to issues in complaints, referrals from third parties, or public discussion and reporting of significant issues. We will use the findings of reactive investigations to inform our future guidance to organisations, with the intention of using those lessons to improve practice. Proactive assessments, reviews and audits will be conducted by OVIC based on our identification of systemic or significant issues. Sometimes they will be conducted to examine the practices of a number of agencies or a sector.

I want to ensure that agency practices in privacy, data protection and information access are consistently improving, ensuring that Victoria's approach to handling information is as robust as possible. The way I foresee doing this is to make it as easy as possible for agencies to do the right thing. Anybody who has been to any of my presentation is likely to have heard that before.

OVIC welcomes the opportunity to work with Victorian agencies in a positive and collaborative manner and it has been encouraging to see the agencies with whom we have worked regard us as an enabler for their objectives, rather than as a regulator who delights in punishing them when they do something wrong.

My office has also recently completed its new Strategic Plan which will be published next month. Our aspirations for 2021 are:

- first, that OVIC is a highly effective organisation that delivers on its legislative duties;
- second, that Victorian agencies are enhancing their FOI, privacy and data protection practices;



- third, that we are seen by our stakeholders as a collaborative adviser and thought leader; and;
- fourth, that the general public knows its information rights, how to use them and sees OVIC as a trusted, independent regulator.

There is a lot to do, but I am confident that we are heading in the right direction.

### **Concluding remarks**

Let me finish by saying that it has been a pleasure to come here and talk to you today. Please stay in touch with the work of OVIC and engage with us early on matters that have an information policy dimension.

As I said last year, our doors are open and talking to us in the early stages of any new initiative will allow us to support you to achieve your policy objectives while ensuring strong privacy and data security protections for the benefit of all Victorians.

Thank you.