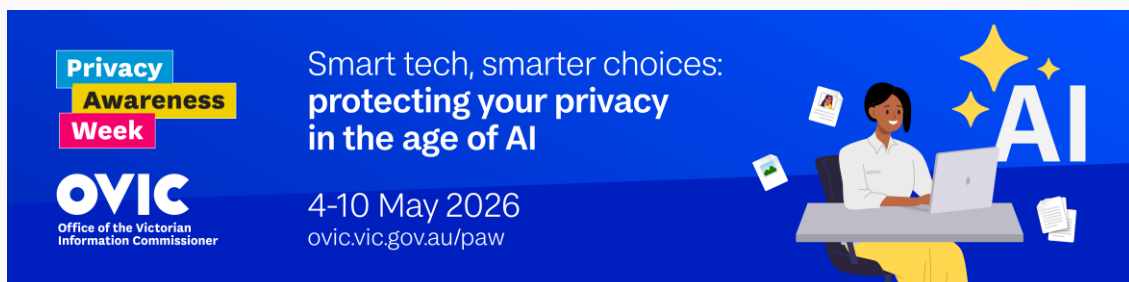


March/April 2026

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Privacy Awareness Week

Smart tech, smarter choices:
**protecting your privacy
in the age of AI**

4-10 May 2026
ovic.vic.gov.au/paw

OVIC
Office of the Victorian
Information Commissioner

Privacy Awareness Week 2026 - get involved!

Privacy Awareness Week is celebrated every year to raise awareness of privacy rights and the importance of good privacy practices.

This year, OVIC will celebrate Privacy Awareness Week (**PAW**) from **4 - 10 May**, exploring the theme *Smart Tech, Smarter Choices: Protecting Your Privacy in the Age of AI*.

During PAW, OVIC is hosting a range of events covering topics related to our theme, and producing a suite of resources to help get the conversation started at your organisation.

Download the starter pack

We've developed a suite of digital resources to help get your organisation involved in #PAW2026.



Our PAW 2026 starter pack includes:

- OVIC branded and unbranded images for social media
- event promotion images
- email signature blocks
- slide deck backgrounds
- Microsoft Teams/Zoom backgrounds
- printable posters exploring this year's theme.

Raise awareness and get the conversation started in your organisation by using one of our email signatures or artworks exploring the theme your way!

[Download the PAW 2026 starter pack](#)

Join us at a PAW event!

Follow the links below to register for our free events exploring technology and privacy.



Join us in person at Treasury Theatre or online at our launch - featuring OVIC's Anthony Corso and Jake Goldenfein from the ADM + S.

[Register here!](#)

We step through the known risks and challenges when using Generative AI tools, and set out some key tips for individuals to keep in mind when using them.

[Register here!](#)



We'll be joined by privacy commissioners from around Australia exploring the theme *Smart Tech, Smarter Choices: Protecting Your Privacy in the Age of AI*.

[Register here!](#)



Learn about function creep, how it interacts with the Information Privacy Principles (IPPs) and what steps can be taken to lower the risk of non compliance with the IPPs.



[Register here!](#)

There's more to come - sign up to be a PAW supporter

You can still sign up to become a PAW supporter to get additional resources sent directly to your inbox in the lead up to and during the week of PAW.

To get first access, visit our dedicated PAW webpage below and register your email address.

[Sign up to be a PAW supporter](#)

OVIC
Office of the Victorian
Information Commissioner

Privacy

Victorian Law Reform Commission inquiry report

In 2024, OVIC made a submission to the Victorian Law Reform Commission's inquiry into the use of Artificial Intelligence in Victoria's Courts and Tribunals.

The report was tabled on 3 February 2026, and contains 30 recommendations to guide the safe use of AI. The Commission recommends 8 principles to guide safe use of AI and to maintain public trust in Victoria's courts and tribunals.

The report is available to read below. You can also read OVIC's submission on our [website](#).

[Read the report on the VLRC website](#)



Freedom of
Information

Join the Public Access Network!

OVIC has created a new network for Freedom of Information professionals!

The Public Access Network delivers the latest information about FOI in Victoria, directly to your inbox.

Through the network, you can receive the latest news, event invitations and resources from OVIC.

We invite Victorian Public Sector employees who work or have an interest in FOI to sign up to the network.

[Sign up for the Public Access Network](#)

Before you rely on AI: what to know

OVIC has published a new resource for the public to help with the use of AI when interacting with the government.

The resource encourages people to minimise personal information shared with AI tools and to ensure any information generated by those tools is correct and accurate. It also encourages people to use responses generated by these tools as a guide and to add their own words and reasons to accurately capture their concerns.

[Read the resource on the OVIC website](#)



Information
Security

Incident Insights Report: 1 July to 31 December 2025

The Incident Insights Report for information security incident notifications OVIC received between 1 July and 31 December 2025 has now been published. The report provides a summary and analysis comparing the statistics published in previous Incident Insights Reports with the notifications received by our office under the scheme.

On 31 March, OVIC held a Victorian Information Security Network (**VISN**) event highlighting the key findings of the report. OVIC were joined by guest speaker, Dr. Carl A. Gibson, who explored observations from high threat incidents and the impacts on situational awareness.

To read the latest Incident Insight Report click [here](#).

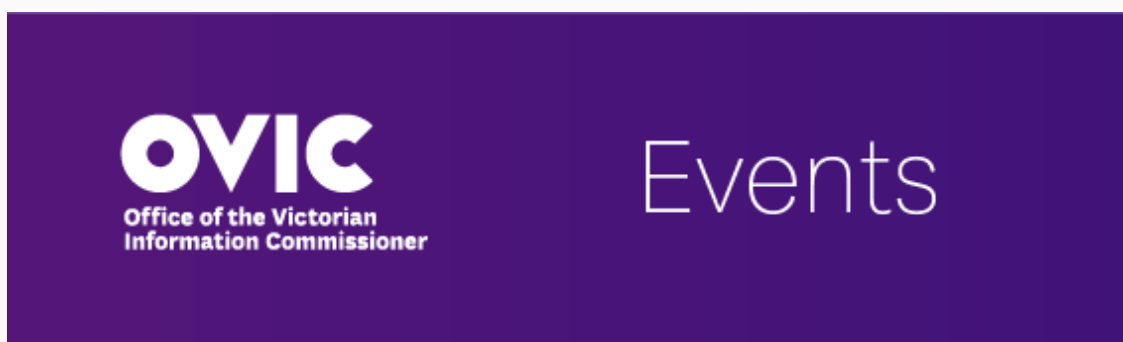
To watch or view the slides from the VISN event, click [here](#).

Updated guidance on notification of significant change

Under Part 4 of the *Privacy and Data Protection Act 2014* (Vic), organisations undergoing a significant change must review their Protective Data Security Plan.

To assist organisations in understanding this obligation, the Information Security Unit have released updated guidance and a refreshed notification of significant change form.

If you think your organisation is undergoing a significant change, please click [here](#) and read the latest guidance.



Privacy Awareness Week events

Privacy Awareness Week (**PAW**) is celebrated at OVIC every year to raise awareness of privacy rights, issues and trends, and the importance of good privacy practices.

This year, OVIC will celebrate PAW from 4 – 10 May exploring the theme *Smart Tech, Smarter Choices: Protecting Your Privacy in the Age of AI*.

We're hosting 4 free events as part of our PAW celebrations, now open for registrations on the OVIC website.

[Register to attend here](#)

Information Access Series – Proactive and Informal Release for Councils

OVIC is hosting an Information Access Series session for councils on proactive and informal release of information.

Under the *Local Government Act 2020 (Vic)* (**LG Act**), councils are required to make certain information publicly available.

In this session, OVIC will explain how the *Freedom of Information Act 1982 (Vic)* supports councils to comply with their public transparency obligations under the LG Act.

The session will also feature guest speakers from Local Government Victoria's (**LGV**) Model Public Transparency Policy Technical Working Group. Our guest speakers will present on the policy LGV is developing to promote council openness and transparency.

Key details

When: Wednesday 15 April 2026

Time: 12:00pm – 12:45pm AEST

Where: Online - Microsoft Teams

[Register to attend here](#)

Upcoming FOI and Privacy training

We offer free monthly training webinars for Victorian public sector staff on freedom of information and privacy in Victoria.

See below for the next available sessions.

Please note this training is for Victorian Public Sector (VPS) and organisations

with obligations under the *PDP Act and the FOI Act*. You may be contacted to confirm your agency prior to this training.

Introduction to Information Privacy and the Privacy and Data Protection Act 2014 (PDP Act) - June

Introduction to Information Privacy and the Privacy and Data Protection Act 2014 (PDP Act) looks at interpreting information privacy and the Act, whilst also providing public sector employees with a detailed understanding of each stage of the information lifecycle.

Key details

When: Wednesday 17 June, 2026 (Module 1-3)

Time: 10:00am - 3:30pm AEST

Where: Online

Audience: Victorian public sector (VPS) staff only

[Click here to register your attendance.](#)

Administering the Freedom of Information Act 1982 (Vic) (FOI Act) – May

The Administering of the Freedom of Information Act 1982 (Vic) (FOI Act) webinar has been developed to provide VPS employees with a general understanding of the FOI Act and guide them through how to process a request. These sessions include live chats, polls and surveys to enhance the interactivity and ensure positive learning outcomes.

Key details

When: Module 1 & 2: Tuesday 19 May | Module 3 & 4: Thursday 21 May, 2026

Time: 10:00am - 1:30pm AEST

Where: Online

Audience: Victorian public sector (VPS) staff only

[Click here to register your attendance.](#)

Latest OVIC FOI review decisions

OVIC publishes de-identified decisions made by the Information Commissioner and Public Access Deputy Commissioner under the FOI Act on our website and via Australasian Legal Information Institute (**AustLII**). We currently have over [830 decisions published on our website](#).

'GG2' and Federation University Australia (Freedom of Information) [2026] VICmr 2 (9 February 2026)

FREEDOM OF INFORMATION – remuneration – senior agency officers – key performance indicators – strategic plan – committee minutes
Sections in the FOI Act: 30, 33(1), 34(1)(a), 34(1)(b), 34(4)(a)(ii), 25

[Click here to read the full decision.](#)

Latest VCAT review decisions

Avalon Airport Pty Ltd v Environment Protection Authority [2026] VCAT 95

The FOI Applicant requested correspondence between the EPA and Avalon Airport (AA) about the PFAS contamination at the airport between 20 October 2022 to the date of the request. The EPA consulted with AA about the request and asked for their views on disclosure, AA objected on the ground that all the documents were exempt under 29(1), 32, 34(1) and 35(1). The EPA consulted with the Department of Defence regarding the section 29 claim who had no objections to release.

The EPA identified 14 documents and granted access to 13 in full with one exempt under section 32.

The documents included correspondence between AA and the EPA about the contamination. Firstly, AA submitted that a consultation report dated 2021 attached to document 1 was outside the scope of the request. Secondly, that docs 1, 4 and 5, being emails between AA and the EPA, were privileged. And thirdly that all the documents were exempt under section 34(1)(b).

Alternatively, AA submitted that all the documents would be exempt under section 35.

SM Djohan upheld the decision of the Agency. Firstly, she found that the consultant report was within the scope of the request because it was stated to be a specific enclosure to a document that was within scope.

Secondly, the documents claimed to be privileged were not because there was no evidence that the emails and the consultant report were made for the dominant purpose of seeking legal advice. While legal advice might have been one of the purposes for engaging consultants to draft the report, another purpose might equally to have been to investigate the matter. Furthermore, the identification of the documents as 'urgent and confidential' did not make the information privileged. Doc 5 was not privileged because the extract within it said to be privileged could not be identified in any other privileged document.

There was discussion about whether providing the documents to the EPA constituted a waiver of privilege. AA said that the provision of the documents was inconsistent with the maintenance of privilege. SM Djohan found that the documents were provided to the EPA for the purpose of assisting AA's dealings with the EPA and to potentially influence their decision. The provision of the documents to a regulatory authority that could commence proceedings against them is inconsistent with the maintenance of privilege.

Finally, SM Djohan found that there was nothing in the AA's evidence to support a claim under sections 34 or 35.

[Read the full VCAT decision on the AustLII website \[external link\].](#)

Secretary to the Department of Government Services v Summers [2026]
VCAT 164

The Applicant request details of fine notices issued to real estate agents in 2022/23 due to underquoting. The Agency identified one document and granted partial access, exempting some information under section 38 in conjunction with section 70Y of the Estate Agent's Act and 31(1)(a) of the FOI Act. The Applicant sought review at OVIC which determined to release the document in full.

The Agency commenced proceedings under section 50(3D), submitting that the information is exempt under section 38. Additionally, a third party also sought appeal, contending that the information is exempt under sections 31, 33 and 34. This decision considered both sets of proceedings.

SM Djohan found that section 70Y is not a section 38 provision because it was not specific enough. She contrasted it with other decisions of VCAT where provisions had been found to be specific enough. Section 38 therefore did not apply.

SM Djohan then found that section 31 did not apply because there was no evidence before the tribunal of any current investigation of breach or possible breach of the Estate Agent's Act.

SM Djohan found that section 34 did apply. The entry in the report in the 'respondent' column related to a commercial or business entity. She found that disclosure would expose an undertaking unreasonably to disadvantage (SM Djohan clarified that it is the expose and not the disadvantage that must be unreasonable) for the following reasons:

- The report lists details of infringement notices – name of recipient is a business entity name, and there is no means by which to identify the individual that may have been responsible
- The report does not contain any details of whether any of those infringement notices were withdrawn or overturned by legal proceedings

- Information is incomplete to advance the public interest in evaluating aspects of government regulation
- Any evaluative consideration of the exercise of discretion by CAV is not necessarily advanced by the disclosure
- Disclosure would cause reputational damage to estate agents
- Not satisfied any public interest in evaluating CAV's administration of the Act outweighs the unreasonable exposure to disadvantage

Finally, SM Djohan found that section 33 applied because the third party objected to the disclosure and it would unreasonably expose them to reputational damage.

[Read the full VCAT decision on the AustLII website \[external link\].](#)

Myers v Victorian Legal Aid [2026] VCAT 169

The Applicant applied to the Agency for documents identifying case names for matters that were provided grants of funding by the Agency under the public interest and strategic litigation guideline. The Agency provided the Applicant with a list of eight names. The Applicant did not consider that this decision responded to his request and so he applied to OVIC. OVIC handled the matter as a complaint, and considered that the Agency had provided a reasonable explanation to the concerns raised.

The Applicant then sought review at VCAT under section 50(1)(ea). The principal registrar rejected the application under section 71(1)(c) of the VCAT Act on the grounds that VCAT did not have jurisdiction to review the decision. The Applicant sought review of this rejected under section 48 of the VCAT Act.

Member Cohen consider that the letter given to the Applicant was a notice of decision. Although the Applicant was of the view that the decision did not respond to his request, sections 50(1)(ea) and 53 do not provide an avenue to make an application to VCAT, the purpose of those provisions is to ensure a person is not without remedy where a decision is delayed. The Applicant was

therefore not entitled to make the application to VCAT.

Member Cohen affirmed that OVIC is the correct place to make a complaint about searches.

The registrar's rejection of the VCAT application was confirmed.

[Read the full VCAT decision on the AustLII website \[external link\].](#)

Davis v Department of Premier and Cabinet [2026] VCAT 160

This decision considered three different proceedings where in each the applicant had sought access to agenda and minutes of meetings of the Suburban Rail Loop Interdepartmental Committee. The proceeding numbers are Z733/2023, Z386/2024 and Z40/2024.

Z733/2023 proceeded to VCAT on the Agency's deemed refusal.

Z386/2024 was an application for review by the Agency of OVIC's decision to release more information.

Z40/2024 proceeded to VCAT on OVIC's deemed refusal.

Z733/2023 was varied by VCAT to release further information.

Z40/2024 was varied by VCAT so that the department did not have to release certain information that OVIC had determine to release:

- Document 1 dated 30 January 2020 (Document 4 in OVIC decision) - Item 5
- Document 3 Document dated 30 September 2020 (Document 17 in OVIC Decision) Item 6
- Document 4 dated 28 October 2020 (Document 19 in OVIC decision) Item 3 dot point 5

- Document 5 Document dated 19 May 2021 (Document 29 in OVIC decision) Item 4 – third last dot point.
- Document 6 Document Dated 14 July 2021 (Document 32 in OVIC decision) Item 6 and Item 7

Z386/2024 was varied by VCAT to release further information.

[Read the full VCAT decision on the AustLII website \[external link\].](#)

Department of Treasury and Finance v Rooney [2026] VCAT 198

The Applicant requested ministerial briefs and other documents relating to the Suburban Rail Loop (SLR). The Agency refused access to ten documents. The Applicant sought review at OVIC where seven of the ten documents were found to be exempt under section 28 and the remaining three released in full. The Agency applied to VCAT. They relied on section 30 for all of the documents and section 28 for documents 7 and 10.

VCAT confirmed the PADC's decision.

Documents 7 and 10 were powerpoint presentations outlining processes associated with the funding strategies for the SRL. SM Dea found that they were part of an iterative process and there was uncertainty when they were created about whether they would be put before the Minister or submitted to Cabinet. Therefore they could not be exempt under sections 28(1)(b), (c) or (ba) of the Act. Additionally they were not exempt under section 28(1)(d) because the versions of the docs were the subject of consultation and parts were translated into a later document that went to Cabinet, they did not disclose the deliberative process of Cabinet.

SM Dea found that section 30 did not apply to the documents because:

- A fair reader would know that the documents were drafts;
- There was no connection between the documents and the cabinet submissions;

- There was no evidence about how disclosure would cause confusion or ill-informed debate;
- There were no final versions of the documents;
- There was no evidence as to why disclosure would lead to less frankness and candour by public servants
- Where it was clear on the face of the documents that they represent a specific point of time, the public interest could be served by disclosure; and
- The generalised fear of causing confusion does not outweigh the public interest in people with an interest and capacity to assess the information from doing so.

[Read the full VCAT decision on the AustLII website \[external link\].](#)

