

- Date:** Monday 1 December 2025, 2pm – 3pm
- Location:** Office of the Victorian Information Commissioner (OVIC), Training Room 1, Level 34, 121 Exhibition Street, Melbourne / Microsoft Teams
- Attendees:** Penny Eastman, Public Access Deputy Commissioner, OVIC (Chair)
- Tyrrell Davidson, Assistant Commissioner Public Access Reviews and Regulation, OVIC
- Shantelle Ryan, Assistant Commissioner Public Access Operations and Compliance, OVIC
- Fathia Tayib, Senior Policy Officer, OVIC (Secretariat)
- Andrew Mariadason, Legal Counsel, Manager Medico-Legal Services, The Royal Melbourne Hospital
- Andrew Weston, Manager, Freedom of Information (FOI), Department of Transport and Planning
- Rebecca Cato, Legal Counsel, FOI & Privacy, WorkSafe Victoria
- Cameron Montgomery, Executive Manager Safety Governance and Risk, City of Ballarat
- Monica Barnes, Manager, FOI, Department of Education and Training
- Jay Cadiramen, Acting Manager FOI, Department of Families, Fairness and Housing
- Paul Pittorino, FOI Manager, Department of Justice and Community Safety
- Morgan McNally, Governance Officer, City of Melbourne
- Robin Davey, Manager, FOI Division, Victoria Police
- Emily Smyth, University of Melbourne
- Lisa Vescovi, Manager, FOI, and Courtney Davies, Senior Lawyer, Suburban Rail Loop Authority
- Apologies:** Peter Gannoni, Acting Senior Governance Officer, City of Melbourne
- Lisa Scholes, Acting Director, Department of Families, Fairness and Housing
- Raffaella Di Maio, FOI Lead, University of Melbourne
- Kate Braentel, Information & Privacy Manager, Transport Accident Commission (TAC)

Meeting opened at 2:01pm

## Agenda Items

### 1. Welcome / Farewell

Welcome:

- Emily Smyth, University of Melbourne

Farewell:

- Felicity Wright no longer manages the FOI team at TAC – the new manager is Kate Braentel.

### 2. Previous Meeting Minutes

All attendees confirmed minutes of 18 August 2025 (D25/6318).

OVIC appreciated members' feedback on OVIC's Transparency Guidance for AI and Automated Systems resources. OVIC is reviewing the feedback with the view to release the resources in early 2026.

OVIC celebrated International Access to Information Day (IAID) with a number of activities, including:

- a presentation on <https://ovic.vic.gov.au/freedom-of-information/iaid/-guaranteeing-the-right-to-access-to-information-in-a-turbulent-world> by a UNESCO representative
- a presentation [on the ideal state of FOI in Victoria](#) by OVIC's Policy team
- a [joint statement between OVIC and PROV](#) on the critical intersection between good records management and freedom of information.

### 3. Annual Report highlights

OVIC's annual report was recently tabled in parliament. Key FOI results include:

- an unprecedented demand for OVIC's services with increases for both review applications and complaints
- significant increase in FOI requests received by agencies in Victoria - a record high in the past decade.

### 4. PAARG 2026

To ensure PAARG continues to be of value to members, OVIC would welcome feedback on this year's PAARG and suggestions for PAARG 2026. OVIC will circulate the feedback form to members in early 2026.

### 5. OVIC Operational Updates

- (a). Updated Professional Standards

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In 2025, OVIC consulted with agencies and interested parties on updated Professional Standards following a comprehensive review of the effectiveness of the Standards.

Based on feedback from agencies and noting the current challenges experienced by agencies, OVIC has updated the Standards to be more flexible and practical for agencies to comply. The Standards aim to provide best practice guidance to agencies when administering the FOI Act, with a focus on the intent and purpose of the Act. Where possible, OVIC has included terms such as “where reasonable” or “where practicable” which provides greater flexibility to meet their obligations and statutory timeframes.

The updated Standards will be published in early 2026 and will come into effect on 1 July 2026.

The Standards apply to all agencies under the FOI Act; they do not apply to Ministers.

OVIC is looking into appropriate resources to support the updated Standards, e.g. factsheet, webinars. Members are encouraged to provide suggestions to OVIC.

OVIC will also update the relevant sections of the FOI guidelines and the FOI professional standards self-assessment tool.

## (b). Section 21 and Professional Standards compliance data and regulatory action

OVIC will be analysing data related to compliance with section 21 and the professional standards. This work will commence in late January 2026, and will look at data for the first six months of the current financial year. OVIC will be in contact with agencies where regulatory action is proposed, and those agencies will be provided an opportunity to respond before a final decision is made.

OVIC noted an increase in the number of requests, applicants making multiple requests and the complexity of requests, in a resource-challenged environment.

OVIC is reviewing internal resource allocation to best manage the increased workload in complaints and reviews. For example, OVIC has updated some complaint acceptance letters to notify applicants of the unprecedented demand for OVIC’s services which is having an impact on OVIC’s ability to respond to individual matters.

Where the complaint relates to delay only, OVIC has reduced the number of updates sent to complainants, and in some cases, complainants have been advised that they will only receive an update once the agency has made its decision. OVIC is looking to streamline the complaint handling process, with a focus on the triage of new complaints before they are formally accepted.

## (c). Complaints and reviews data/trends

OVIC is facing a significant increase in reviews. Of the 313 reviews received from 1 July 2025 to date, 266 reviews have been closed. 337 review decisions are currently open.

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Due to internal resource changes, there has been a decline in informal resolutions at OVIC. OVIC will be looking into this in the new year.

OVIC recently reached a significant milestone– 1000 de-identified review decisions published on OVIC’s website.

## (d). Short form Notice of Decisions

Some members may have noticed, OVIC using short form notice of decisions. OVIC is planning to use more short form notice of decisions, where appropriate. As part of the decision-making process, OVIC looks at the number of documents requested, the complexity of the request, the nature of the request, the types of exemptions and the sensitivity related to the request. OVIC would welcome feedback on the short form decision, whether from the applicant or members.

FOI guidelines will be reviewed early in the new year, and members are encouraged to provide suggestions to improve the documents.

## 6. Group discussion / Agency Updates

### (a). (Mis)use of AI by applicants

OVIC has been made aware of an increase of applicants using AI to generate FOI requests and communicate with agencies during the complaints process. OVIC has also received such cases where applicants are using AI to interact with OVIC.

Members advised of receiving multiple requests where the applicant has used generative AI to make requests and complaints. The use of AI is impacting timeliness to respond due to agencies needing to review the request and correct inaccurate issues or misconceptions within the requests. For example, some members received requests referencing the Commonwealth Act, rather than the FOI Act. Several members have received push back from applicants when asked to clarify their AI-generated responses.

Members expressed support of an OVIC resource, such as a fact sheet, that can be provided to applicants on the risks and benefits of using of AI to make FOI requests, along with a position statement on OVIC’s website.

### (b). Other focus areas: FOI workloads / resourcing / restructures; challenges and successes in last four months; any new pressure points; trends in request types; anticipated issues or planned initiatives for 2026.

Several members provided updates in relation to their agencies FOI workloads, resourcing and staff changes. Several members advised of significant increases in the volume of requests being received, as well as increases in the complexity of requests such as metadata, AI-generated information and political/legal related matters.

Strategies for dealing with / reducing the backlog of pending backlogs and trying to decrease processing timeframes discussed. Some successes achieved through narrowing the scope of the request with the applicant before proceeding with the request and seeking to confirm ongoing requirement where requests have been delayed.

7. Other Business

No other business was raised.

Meeting closed: 3:01pm

*Next meetings scheduled: TBC*