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**Media release**

**27 September 2021**

## **NSW Information Commissioner encourages an Open by Design approach to government information by public sector agencies this Right to Know Week**

The NSW Information Commissioner and Open Data Advocate, Elizabeth Tydd, today launched Right to Know Week NSW 2021, which aims to encourage both public sector agencies and public citizens to improve applied knowledge of the *Government Information (Public Access) Act 2009* (GIPA Act), and raise awareness of a person's right to access government held information in NSW.

Right to Know Week NSW 2021 runs from 27 September – 3 October 2021, and coincides with the 10th year of reporting on the operation of the GIPA Act. The theme for the week is 'Open by Design: integrity through greater transparency and accountability in government'.

Right to Know Week NSW 2021 will commence with virtual launch event *Open Government – Transparency and Accountability*. It will be opened by the Attorney General, and Minister for the Prevention of Domestic and Sexual Violence, the Hon. Mark Speakman MP SC, who is one of two ministers with responsibility over the GIPA Act.

The virtual launch will include diverse perspectives around the findings from an analysis of 10 years of data to determine if the ambitions of legislators has been achieved and how the right to know under the GIPA Act is operating in practice. Guest speakers include Elizabeth Tydd, NSW Information Commissioner; Serena Lillywhite, Transparency International Australia CEO; the Hon. Peter Hall QC, Independent Commission Against Corruption (ICAC) Chief Commissioner; and Tom Burton, Australian Financial Review Government Editor and facilitator for the event.

Open by Design requires agencies to actively address access to all forms of information from the inception of any initiative.

The Information Commissioner, Elizabeth Tydd said, "embedding access, transparency and accountability from the outset means better information governance and a more open government.

"An open by design approach recognises that information is a vital asset to both government and citizens. Information informs government service delivery and decision making."

### **Ten years of the GIPA Act**

For Right to Know Week NSW 2021, the Information Commissioner has released a report with key findings and analysis from ten years of GIPA reporting data.

"The introduction of the GIPA Act was intended to ensure that members of the public have access to the widest possible range of information to give them confidence in government decision-making," said Commissioner Tydd.



“Agencies make decisions using vastly different information and processes than they did in 2010. Government and agency decision-making is now supported not only by data but in many instances real-time data. Likewise, machine enhanced decision-making is increasingly prevalent.

“After 10 years of reporting annually on the operation of the GIPA Act, we possess data to examine how the Act has delivered on its vision. The data provides compelling insights that must guide our future commitment to opening this public asset.

“The legislators’ ambition to give ‘New South Wales the nation’s best freedom of information laws’ will only be fully realised if accompanied by a profound cultural shift to openness.

“There has never been a more important time to consider the right of citizens to access government information and to reflect our prevailing environment in which real-time data and swift decision-making is both required and expected of governments.”

### **Animation**

The Information and Privacy Commission NSW (IPC) has developed an animation to help explain the different ways people can access government held information. The animation, [‘Ways to access government held information in NSW’](#) outlines the four pathways citizens can take to seek access to information held by NSW public sector agencies.

“Citizens need to respond to government and their access to information empowers them to do so. Agencies have a duty to preserve citizens’ right to access information and addressing any potential obstacles to the release of information will ensure that the right to access information is preserved from the outset,” said Commissioner Tydd.

### **New resources**

“This Right to Know Week, we’re encouraging agencies to use these resources and work towards implementing an open by design approach when dealing with information,” said Commissioner Tydd.

The IPC has published the following guidance for agencies to promote and uphold citizens’ rights to access government held information in NSW, and resources for citizens to better understand their rights under the GIPA Act:

- joint animation with other Australian information access jurisdictions on the right to access government information
- guideline on the obligations of Ministers and Ministerial Officers under the GIPA Act
- fact sheet on accessing a deceased person’s information under the GIPA Act
- fact sheet on public officials and personal information under the GIPA Act
- checklist on open access information under the GIPA Act and GIPA Regulation and agency requirements
- Processing Charges GIPA Compliance Report, updated Notice of Decision Template and new Request for Advance Deposit Template for agencies.



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More information about Right to Know Week NSW 2021 including links to these resources and access to the launch event can be found on the Right to Know Week NSW 2021 webpage: <https://www.ipc.nsw.gov.au/RTK2021>

**ENDS**

[The 11-page report on the review of the decade of the GIPA Act can be found here.](#)

Watch the IPC animation: [‘Ways to access government held information in NSW’](#).

**For further information, please contact:**

The Manager, Communications and Corporate Affairs on 0435 961 691 or email [communications@ipc.nsw.gov.au](mailto:communications@ipc.nsw.gov.au)

**About the Information and Privacy Commission:**

The Information and Privacy Commission NSW (IPC) is an independent statutory authority that administers New South Wales’ legislation dealing with privacy and access to government information. The IPC supports the Information Commissioner and the Privacy Commissioner in fulfilling their legislative responsibilities and functions and to ensure individuals and agencies can access consistent information, guidance and coordinated training about information access and privacy matters.

**About the NSW Information Commissioner**

The NSW Information Commissioner’s statutory role includes promoting public awareness and understanding of the *Government Information (Public Access) Act 2009* (GIPA Act); providing information, advice, assistance and training to agencies and the public; dealing with complaints about agencies; investigating agencies’ systems, policies and practices; and reporting on compliance with the GIPA Act.

The *Government Information (Information Commissioner) Act 2009* (GIIC Act) establishes the procedures for appointing the Information Commissioner and sets out the Commissioner’s powers and functions. It outlines the method for people to complain about the conduct of agencies when undertaking their duties under the GIPA Act, and the way in which the Information Commissioner may deal with the complaint. The GIIC Act also enables the Information Commissioner to investigate and report on how agencies carry out their functions under the GIPA Act.

For further information about the IPC visit our website at [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)