

Ten years of the public's right to know: Our 2019/20 Report on the Operation of the *Government Information (Public Access) Act 2009*

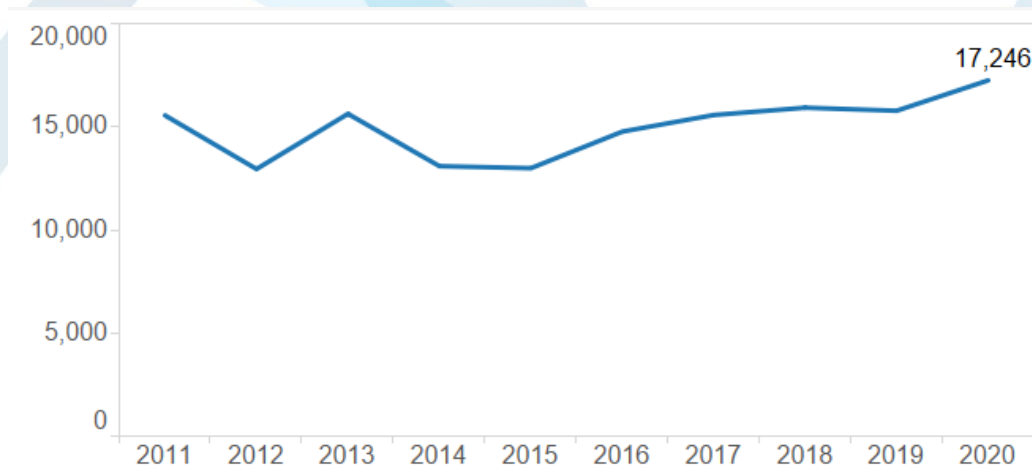
The introduction of the *Government Information (Public Access) Act 2009* (GIPA Act) was a freedom of information revolution and is fundamental to the promotion of a healthy, transparent and accountable democracy in NSW. Premier Nathan Rees championed the 2009 Bill, stating “the public’s right to know should be respected. Members of the public should be able to have access to the widest possible range of information to give them confidence in government decision making.” Further, Rees said, “Our public sector must embrace openness and transparency and governments must forever relinquish their habitual instinct to control information.”

In the 10 years since the Information and Privacy Commission began reporting on NSW’s release of information, positive steps have been taken towards the widespread adoption of open data policies, and momentum has gathered year-on-year. Information Commissioner Elizabeth Tydd says, “The adoption of an open access and open data culture within government and by agencies requires a cultural shift – from controlling and shielding information to releasing it and allowing others to use it. This must be supported by a governance framework that is committed to an open access [and] data culture.”

We are pleased to announce steady growth in NSW citizens’ exercising of their right to know. More than 240 government agencies release information to public applicants. Most of these applicants are private citizens, who account for 75% of all applications.

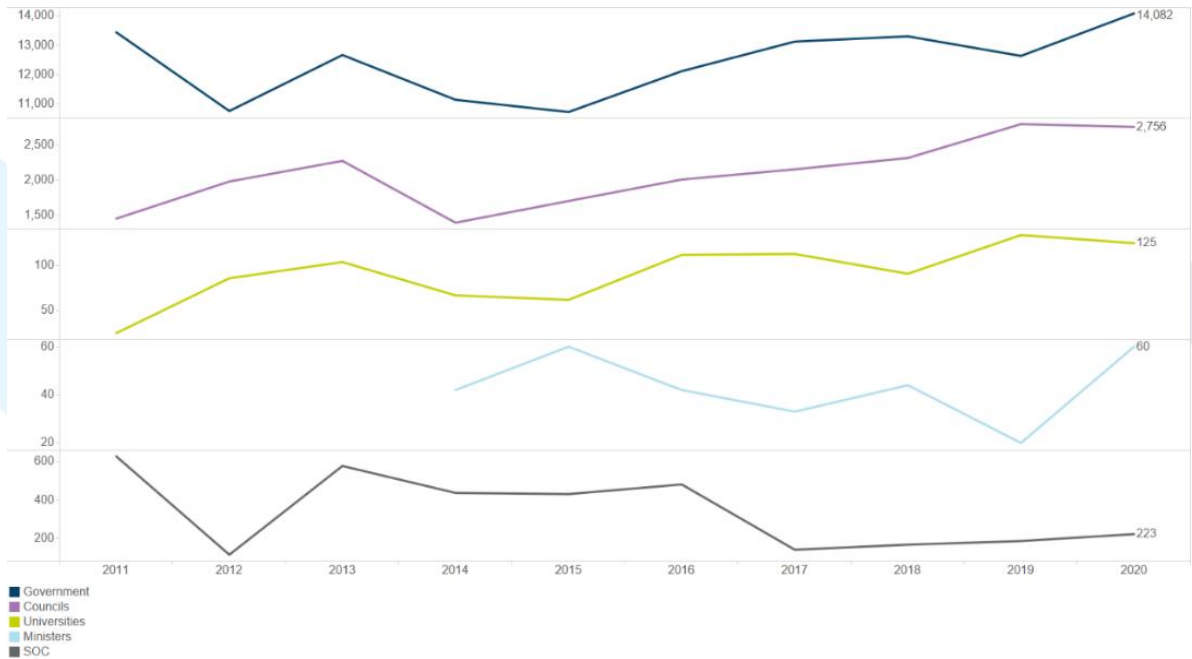
Steady increase in GIPA requests and streamlined responses documented over 10 years

Citizens of New South Wales continue to exercise their right to know in growing numbers. 2019/2020 produced the highest number of valid applications received over the past 10 years, with 17,246 valid applications. This upward trend has been consistent since 2013/14.



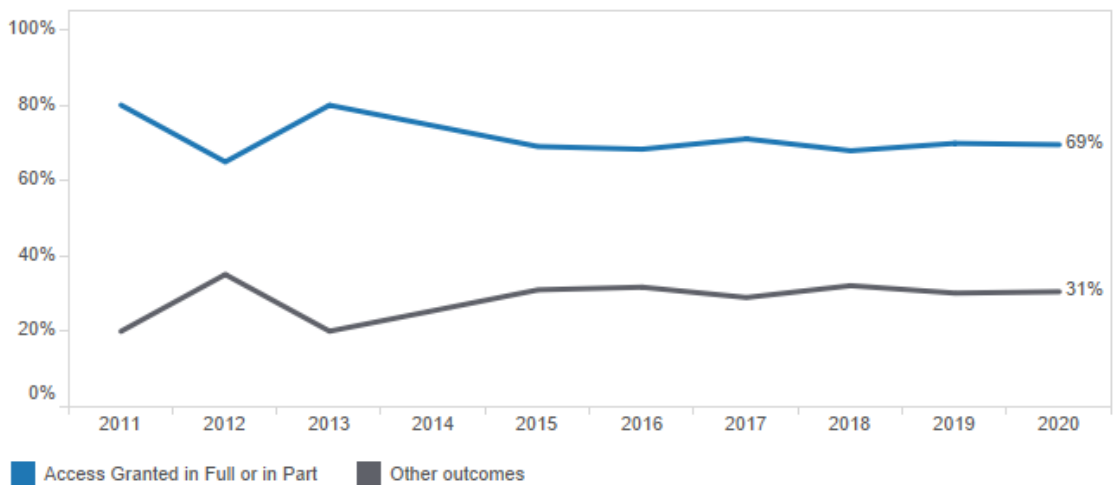
Total number of valid applications received, 2010/11 to 2019/20

Applications in the Government sector rose to the highest level yet, with significant increases recorded in the Minister and state-owned corporation (SOC) sectors. The Government sector increased by 11 per cent on 2018/19 figures, to 14,082 applications. Applications to the SOC sector rose by 19% while in the Minister sector, applications rose by 200% – the highest level recorded since 2014/15.



Number of applications received, by sector, 2010/11 to 2019/20

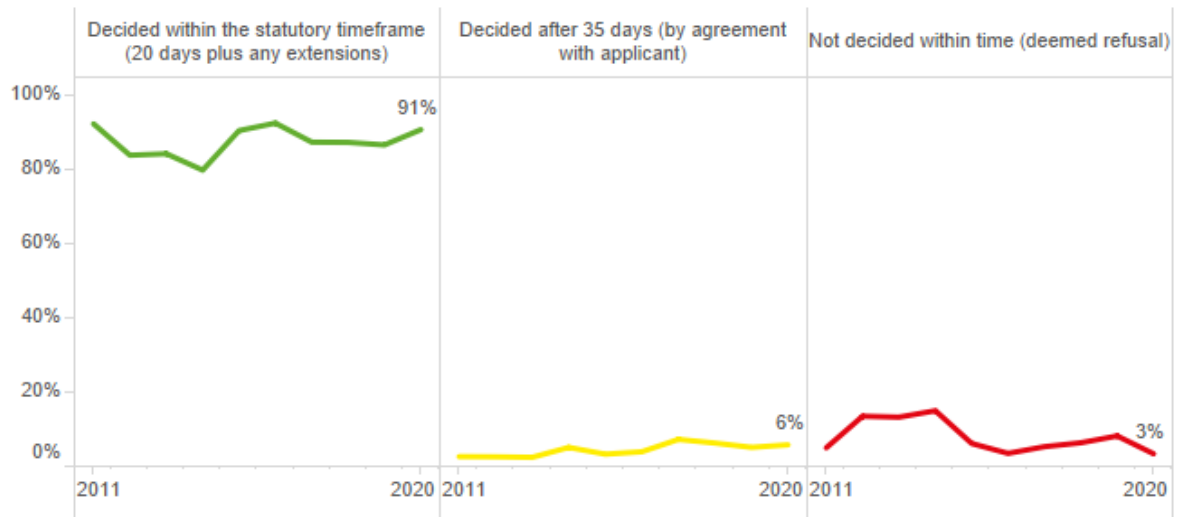
Release rates have remained stable since 2014/15 at 69%, after a peak of 80% in 2012/13. We encourage greater release of information across-the-board and will work with agencies to promote the proactive release of information, a requirement of the Act in some cases.



Overall release rate across all sectors, 2010/11 to 2019/20



In 2019/20, timeliness almost returned to its 2010/11 peak, with 91% of decisions made within the statutory timeframe. Coupled with a nine per cent increase in valid applications in the 2019/20 year, this is positive progress. In 2019, the Information Commissioner released a checklist to assist citizens to frame a valid application in the first instance.



Applications that were decided within the statutory time frame as a percentage of all applications decided, 2010/11 to 2019/20

Self-monitoring provides an opportunity to embrace open data and promote transparency

Our Agency Dashboard enables agencies and citizens to monitor access application outcomes year-on-year. Comparisons within and between sectors encourages the sharing of best practice advice and elevates overall performance. At a national level, policy- and lawmakers can compare information release between states and territories.

These tools promote accountability and transparency, and inform public debate about the experience of citizens as they exercise their legislated right to access government information in NSW.

Commissioner Tydd says, “It is important that agencies apply the data available to them on the GIPA Dashboard, together with regulatory guidance and the good practices demonstrated by other agencies to elevate compliance with statutory timeframes. Better practice will ensure that agencies are able to meet statutory timeframes when faced with increasing volumes and complexity of applications.”

ENDS

Read the [Information Commissioner’s overview on 10 years of GIPA data here](#).



information
and privacy
commission
new south wales

For further information, please contact:

The Manager, Communications and Corporate Affairs on 0435 961 691 or email 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