

# Right to Know Week NSW 2021

27 Sep – 3 Oct 2021

**Open by Design:**

integrity through greater transparency  
and accountability in government



[www.ipc.nsw.gov.au/RTK2021](http://www.ipc.nsw.gov.au/RTK2021)

# 10 years of the operation of the GIPA Act



The GIPA Act was to put power in citizens' hands via information release.

The new legislation put in place a framework built upon the principles of:

1. Proactive disclosure
2. A presumption in favour of public interest disclosure, and
3. Oversight by an independent champion of open government in the form of a new Information Commissioner.

# 10 years of the operation of the GIPA Act



**The data provides meaningful insights into both the formal access pathway together with mandatory proactive release:**

- 128% growth in applications from members of the public is unparalleled by any other applicants – 6,000 (2010) to 13,640 (2020)
- 230% increase in applications seeking personal information – 3,000 (2010) to 10,000 (2020)
- Release rates for members of the public is around 70%
- Release rates for private sector business higher at 75%
- Research into the NSW community attitudes to information access consistently report that more than 90% of NSW citizens value their right to access information.

# 10 years of the operation of the GIPA Act



## Conclusive overriding presumptions against disclosure (COPIAD)

- In the first three years of operation, reliance upon the Cabinet in Confidence COPIAD was 8.46% combined for government departments and the State-Owned Corporation sector.
- In 2016/17 the IPC decoupled reporting State-Owned Corporation data from government departments.
- The State-Owned Corporation sector increased their reliance upon Cabinet in Confidence dramatically from 33% to 50% and 67% over the last three years of reporting.

# Mandatory Proactive Disclosure

Proactive release rates and risk orientated e.g. government departments & local council sector.

From 60% in 2010, compliance with proactive disclosure requirements by government departments and sampled smaller agencies rose to all-time high of 83% in 2017/18 and reduced to 72% in 2019/20.

In 2020 only:

- 22% (2 departments) had a full or partial list of major assets and acquisitions (consistent with 2018/19)
- 11% (1 department) partially met the requirement in relation to both the total number and the total value of properties the department disposed of during the previous financial year, while another 67% (6 departments) had information only on the value of properties disposed of, mostly included in the department's annual report
- 11% (1 department) had the department's guarantee of service (consistent with 2018/19)

Equally, low levels of compliance by Local Councils in respect of their requirement to make available on their websites disclosures of interests, represents a failure of systems, process, and culture.



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