

# Information Access Landscape

Department of Premier and Cabinet

## Timeline

2010	2011	2012-2013	2014	2016 - 2019
<p><i>RTI Act 2009 replaces Freedom of Information Act 1991.</i></p> <p><b>TSS</b> Implementation of the Right to Information Requirements begins</p>	<p><b>DOJ</b> <i>RTI Amendment Bill 2011</i> is introduced and referred to the Standing Committee</p>	<p><b>HoA Standing Committee on Community Development</b> Inquiry conducted into the <i>RTI Amendment Bill 2011</i></p>	<p><b>Government</b> Transparency Agenda initiates</p>	<p>Calls for RTI amendment in Parliament.</p> <p><b>DOJ</b> Amendments passed in 2019</p>
2020	2021	2022	2023	2024
<p><b>Government</b> Bolder Transparency Agenda announced which considered RTI legislative reform</p>	<p><b>Government</b> Commission of Inquiry established</p>	<p><b>Government</b> Interim response to the Commission of Inquiry established</p> <p><b>DOJ</b> Amendments to the RTI Act consistent with the HoA Committee's suggestions circulated for comment</p>	<p><b>DPAC</b> RTI Uplift Project commences</p> <p><b>TLRI</b> Review of privacy laws in Tasmania commences</p> <p><b>COI</b> Commission of Inquiry final report is handed down and later tabled in Parliament</p>	<p><b>Government &amp; JLN</b> Confidence and Stability agreement reached with Jaqui Lambie Network members and Premier</p> <p><b>TLRI</b> Review of privacy laws in Tasmania completed and final report released</p> <p><b>IC</b> Integrity Commission releases two reports which make recommendations on RTI</p>

House of Assembly Standing Committee on Community Development Inquiry	The Committee released its final report in 2013 which made <b>18 recommendations</b> relating to the proposed amendments in the <i>Right to Information Amendment Bill 2011</i> , the interrelationships of the information management legislation, and consistency of information management practice.
RTI Uplift Project – Discussion Paper	The RTI Uplift Project Discussion Paper makes <b>9 recommendations</b> about public authorities' internal processes relating to RTI, culture, the confusing interaction between the PIP Act and the RTI Act, and community interface.
Commission of Inquiry Final Report	The Commission of Inquiry made <b>2 recommendations</b> relating to information access. 19.7 requires the Tasmanian Government to review confidentiality and secrecy provisions (incl. the PIP Act) to remove barriers to sharing information. This is due by July 2029. 17.8 requires a review and reform of the operation of the RTI Act and PIP Act to ensure simple and efficient access to information. This recommendation also asks the government to consider centralising RTI.
Review of Privacy Laws in Tasmania	The Tasmanian Law Reform Institute's report into privacy laws in Tasmania makes <b>62 recommendations</b> . Many of these relate to suggested amendments to the PIP Act and operational guidance on how it should be applied. Other recommendations relate to things such as increasing the resources of the Ombudsman's office and introducing new offences or other privacy regulation (such as surveillance legislation).
Confidence and Stability Agreement	The Jacquie Lambie Network reached a confidence and stability agreement with the Premier in April 2024. Clause 6(II) of the agreement requires a review of RTI legislation (including public interest disclosure laws) and resourcing of the Ombudsman with the goal of increasing transparency and accountability of public administration across the State.
An investigation into the management of a right to information request in the Department of Health	The Integrity Commission undertook an investigation into potential misconduct in DoH following a complaint received. The resulting report included <b>3 recommendations</b> . Two of these were specific actions for DoH to take which have been completed. The other recommendation asked the Ombudsman to consider whether educational or other measures are needed to address the risk of RTI decisions being considered by 'panels' of people other than the decision maker.
Misconduct risks in Tasmania's right to information regime	The Integrity Commission authored a research paper examining the improper exercise of powers and functions in RTI following a complaint made about an RTI delegate's conduct and a subsequent investigation. The research report includes <b>5 recommendations</b> relating to RTI resourcing, routine disclosure of RTI delegate information, restricting communications about RTI, and restrictions on delegates 'double-handling' matters.

# Key Findings



Of the recommendations made across these 7 reviews/reports:

- 82 recommendations relate to reviewing and reforming legislation (including the *Right to Information Act 2009*, *Personal Information Protection Act 2004*, *Archives Act 1983*, *Public Interest Disclosures Act 2002*)
- 7 recommendations relate to increasing training and guidance for officers
- 9 recommendations relate to increasing the consistency of information management processes across government
- 2 recommendations relate to improving culture towards one that is more transparency driven
- 6 recommendations relate to increasing resourcing of departments and the Ombudsman's office
- 1 recommendation relates to disciplinary processes in a specific matter

# Key Findings



The PIP and  
RTI Acts are not  
working as  
intended

Inadequate  
Resourcing

A lack of training  
and guidance

Inconsistent  
processes  
between public  
authorities

# Key Findings



## Commission of Inquiry/Privacy Laws Response

The PIP and  
RTI Acts are not  
working as  
intended

Inadequate  
Resourcing

## RTI Uplift Project

A lack of training  
and guidance

Inconsistent  
processes  
between public  
authorities

# RTI Uplift Project - Proposed Next Steps



Training program for RTI delegates



Review of routine disclosures



Advice to applicants on how to effectively seek information



Model policies and procedures for consistency across the TSS



Training resources for others involved with actioning an RTI request