Office of the Information Commissioner
Western Australia

May 2026 - No. 10

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We are hiring!



Our office is recruiting across multiple positions as we continue to establish and build our regulatory teams in privacy and freedom of information (FOI).

We are looking for motivated professionals who recognise the importance of privacy and information access laws in our daily lives. These roles provide an opportunity to contribute to the development of privacy and FOI in WA and support effective information regulation across the public sector.

Current opportunities include:

- Conciliation Officer – PSCSAA Level 5
- Executive Officer – PSCSAA Level 4
- Investigations Officer (Privacy) & Senior Investigations Officer (Privacy) – PSCSAA Level 5 & 6
- Senior Review Officer (FOI) & Principal Review Officer (FOI) – PSCSAA Level 6 & 7
- Senior Communications Specialist – PSCSAA Level 6
- Manager, Privacy Policy – PSCSAA Level 8
- Manager, Privacy Investigations, Data Governance and Risk – PSCSAA Level 8

If you are interested in working in a dynamic, fast-paced, forward-thinking organisation focused on outcomes, we encourage you to apply.

Join our team in fostering trust and accountability in WA through privacy and freedom of information.

Privacy Awareness Week 2026: OIC event, resources and community engagement

Privacy Awareness Week (PAW) is an annual campaign supported by the Asia -Pacific privacy authorities that highlights the importance of privacy and building trust in how personal information is handled. This year's theme "Smart Tech, Smarter Choices – Protecting Yourself in the Age of AI", was adopted by many Australian jurisdictions and is especially relevant in the current climate.

As part of PAW, the OIC published guidance for members of the public titled "What are my privacy rights".

Our Information Commissioner, Annelies Moens also joined a panel discussion on the risks of AI, featuring Commissioners from NSW and Queensland, hosted by the Office of the Victorian Information Commissioner (OVIC) as part of PAW. You can access a video of this panel here: Privacy Awareness Week 2026 – privacy commissioners' panel.



Left - the Hon Dr Tony Buti, Attorney General and the Information Commissioner, Annelies Moens. Right - Privacy Deputy Commissioner, Nina Skewes, and Information Access Deputy Commissioner, Patrick Ky.

OIC PAW event

The OIC was proud to host its inaugural PAW event on Wednesday 6 May 2026. With attendees from over 60 Western Australian public sector entities and contracted service providers this event was well attended and warmly received.

The event opened with remarks from Attorney General the Hon. Dr Tony Buti followed by a keynote address from the Information Commissioner. In her address, Information Commissioner, Annelies Moens, provided background on the establishment, identity and key priorities of the OIC. She discussed why privacy matters and linked to the PAW theme with the launch of the OIC's guidance on privacy and accountability in automated decision-making. You can find a transcript of the Information Commissioner's keynote address here: Privacy Awareness Week – Keynote address by the Information Commissioner,

Annelies Moens.

This was followed by a Q&A panel with Privacy Deputy Commissioner, Nina Skewes and Information Access Deputy Commissioner, Patrick Ky who examined the key objectives of the PRIS Act and the role of the OIC in giving effect to those objectives.

The Information Commissioner then hosted a roundtable discussion with selected agency leaders to explore how privacy can be embedded into business practices as a core component of effective governance.

The OIC extends its thanks to speakers from the Department of Primary Industries and Regional Development, City of Swan and the Department of Education who generously shared their experiences in PRIS implementation as part of the in-person launch of the Privacy Community of Practice.

The final session of the afternoon was a “train the trainer” workshop which outlined how the OIC’s new Privacy 101 resources can be used by Privacy Officers and PRIS Champions to deliver privacy training in their own workplaces.

Access the new PAW resources here:

What are my privacy rights?

Privacy and accountability in automated decision-making

Privacy 101 slide deck and Trainer’s Guide

OIC Privacy Community of Practice

Registrations for our online Privacy Community of Practice are now open! This Privacy Community of Practice provides an opportunity to build capability, collaborate and share knowledge around privacy best practice, and to support the WA public sector to meet its obligations under the PRIS Act.

This community is open to WA public sector Privacy Officers and PRIS Champions (or their nominated delegates). The online meetings are held a minimum of 4 times each year. To register, please complete this form: Registration form

For further information, please email info@oic.wa.gov.au.

New FOI decisions

Re Kabay and City of Armadale [2026] WAICmr 4

The Information Access Deputy Commissioner set aside the agency’s decision to refuse access to a report prepared by a contractor for the City. The agency had claimed exemptions relating to trade secrets, commercial value and business affairs under clause 4 of Schedule 1 to the FOI Act. The Deputy Commissioner found the disputed information was not exempt and should be released.

The decision provides useful guidance on the limits of business information exemptions. In particular, it reinforces that agencies and third parties must provide clear evidence of the commercial harm that could reasonably be expected to arise from disclosure, rather than relying on broad or speculative claims. The decision also highlights information relating to work performed for government agencies will not automatically be exempt simply because it was created by, or relates to, a commercial contractor.

Re Fatin and Department of Fire and Emergency Services [2026] WAICmr 2

Re Aldridge and Department of Fire and Emergency Services [2026] WAICmr 3

Both decisions concerned access to the Department of Fire and Emergency Services' State Risk Profile 2021 and considered exemptions relating to public safety, personal information and management of the State's economy.

In both decisions, the Information Access Deputy Commissioner found while some information was exempt due to the risk of prejudice to public safety and the sensitivity of certain operational and risk assessment material, large portions of the document could be released.

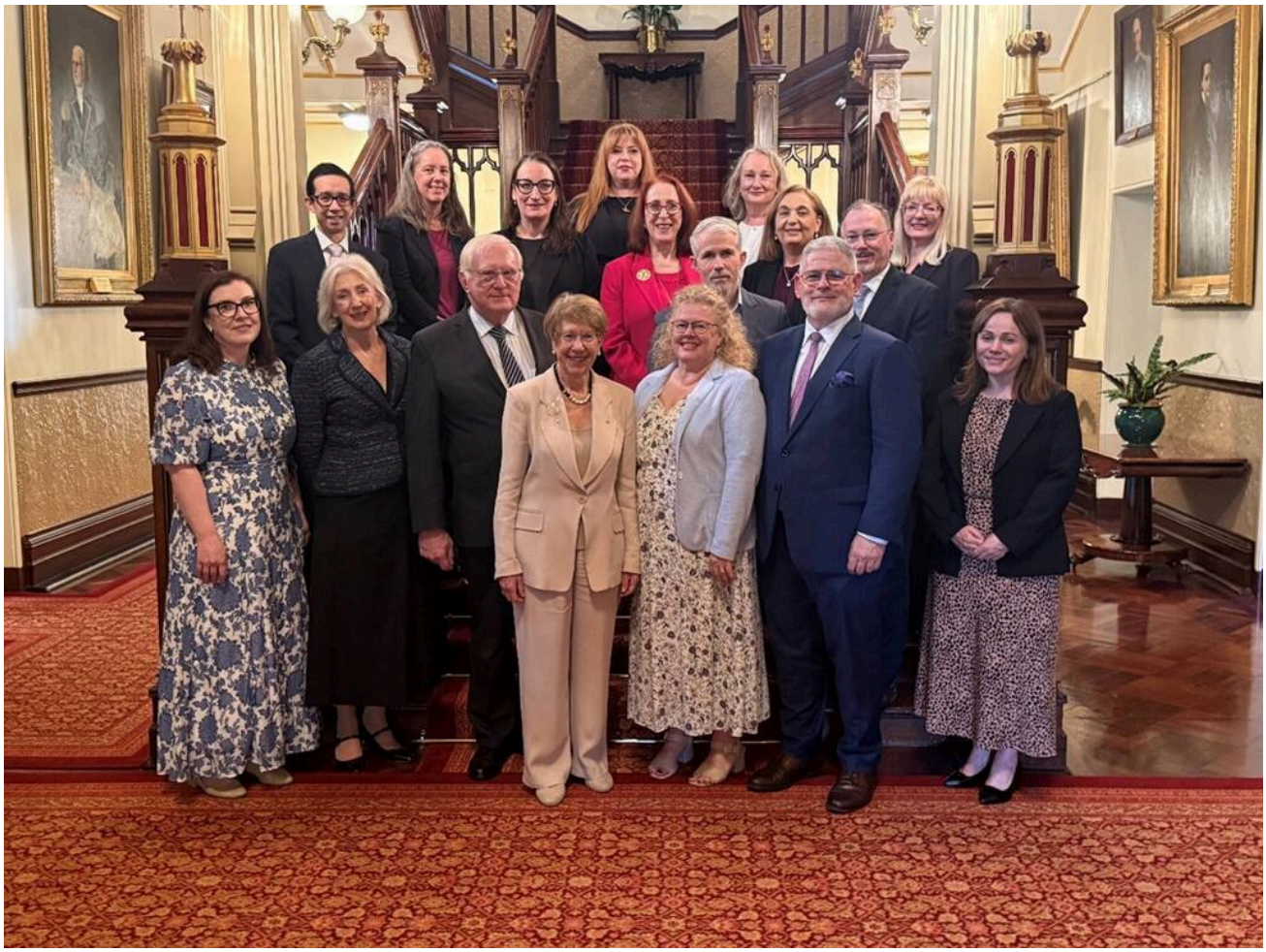
The decisions also addressed copyright, noting certain material within the report was subject to copyright protections and, where applicable, could be provided for inspection rather than copying.

Other recent decisions

The Information Access Deputy Commissioner also made two recent decisions concerning access to, and amendment of, personal information under the *Freedom of Information Act 1992*:

- *Re K and East Metropolitan Health Service [2026] WAICmr 5*
- *Re T and City of South Perth [2026] WAICmr 6*

Association of Information Access Commissioners (AIAC) Meeting



The Association of Information Access Commissioners attended morning tea with Her Excellency the Hon Margaret Beazley AC KC, Governor of New South Wales and Mr Dennis Wilson Government House, Sydney on 29 April 2026. This was attended by the WA Information Commissioner, Annelies Moens, as well as the WA Information Access Deputy Commissioner, Patrick Ky,

You can read more in the communiqué article posted by the IPC NSW here - *Association of Information Access Commissioners Communiqué*

Vale Hon David Smith

The Office of the Information Commissioner notes the passing of the Honourable David Smith on 16 April 2026. As Minister for Justice, he introduced Western Australia's landmark freedom of information bill into Parliament and oversaw the passage of the legislation.

In his second reading speech in the Legislative Assembly on 10 November 1992, the Honourable David Smith made observations that remain relevant today:

> *Without information about the processes of Government, members of the community cannot fully participate in Government and exercise their rights as citizens. Freedom of information legislation strengthens democracy, promotes open discussion of public affairs, ensures the community is kept informed of the operations of Government, and opens Government performance to informed and rational debate.*

Upcoming events

Responsible Information Sharing (RIS) Community of Practice - Panel discussion

Information Commissioner, Annelies Moens, is speaking at the Responsible Information Sharing Community of Practice hosted by the Department of the Premier and Cabinet on, *Balancing risk: Using and protecting data for community benefit* on 29 May 2026. The session will explore the role of information governance and how the various legislative and policy requirements work together to ensure regulated entities use and protect government-held information assets in the public interest.

Annelies Moens will be joined by Greg Italiano (Government Chief Information Officer), Damian Shepherd (State Archivist), Natalia Kacperek (Chief Data Officer), and Peter Bouhlas (Chief Information Security Officer) for this event.

Getting ready for the PRIS Act - Turning policy into action for WA government agencies

Information Commissioner, Annelies Moens, is speaking at an event for government entities on 3 June 2026 alongside the State Archivist, hosted by Grace Information and RecordPoint at the State Library of Western Australia.

RIMPA global Perth roadshow

Information Access Deputy Commissioner, Patrick Ky, will present at RIMPA's Global Perth Roadshow, on 25 June 2026. The Roadshow will deep dive into the intersection of records, information, privacy and

AI, and the Deputy Commissioner will reflect on his observations since commencing his role.

[For more information visit the RIMPA Global event website.]

Recent past events

Administrative Law Panel Discussion – Information Commissioner, Annelies Moens, spoke at an event organised by the Australian Institute of Administrative Law on 23 April and hosted by Squire Patton Boggs.

PAW Commissioner Panel Discussion – Information Commissioner, Annelies Moens, joined privacy commissioners from across Australia in a Privacy Awareness Week panel hosted by OVIC, *Smart Tech, Smarter Choices: Protecting Your Privacy in the Age of AI*, on Thursday 7 May at 9:00am WA time. The session explored how regulators are responding to privacy challenges and opportunities arising from AI and emerging technologies.

IAPP KnowledgeNet – Privacy Deputy Commissioner, Nina Skewes, joined a panel of experts at the Perth IAPP KnowledgeNet Privacy Awareness Week event, Managing ADM Complaints and Building Privacy-Aware Processes. This event was on Thursday 7 May from 3pm to 4:30pm at the City of Stirling, 25 Cedric Street, Stirling. The session explored how agencies can respond to privacy challenges when AI-driven decision-making goes wrong, using a live, scenario-based approach. Attendees gained practical insights into managing complaints and strengthening privacy-aware processes in high-pressure environments.

WA In-house Counsel Day – Information Commissioner, Annelies Moens, opened the 2026 WA In-House Counsel Day on 13 May, the annual professional development forum for in-house lawyers across Western Australia. The opening session, Navigating Privacy and Data Governance: A Conversation with the Information Commissioner, explored the evolving privacy landscape, including data governance, regulatory change, and the introduction of the Privacy and Responsible Information Sharing framework.

FOI and privacy tip of the month



FOI: supporting targeted requests

Some of the hardest FOI applications to process are those where the applicant seeks “everything” about a topic.

Early engagement with applicants who make broad applications can help refine scope, reduce the risk of deemed refusals and improve processing outcomes for all parties. Agencies can help applicants understand a targeted request often increases the likelihood they receive the documents that actually matter to them, more quickly.

A quick phone call can often clarify what documents are actually being sought and uncover the underlying issues behind the request, something not always apparent in email correspondence.

Privacy: double-check the recipient list before you hit send!

Sending an email to the wrong recipient is a common and potentially



serious privacy incident. Before clicking ‘send’, pause and check the recipient list to see if you are emailing the correct recipient – you may have used auto-complete but found someone with a similar name! Also check whether everyone on the recipient list actually needs the information being sent (including the cc and bcc fields).

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Acknowledgement of Country

The Office of the Information Commissioner acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures, and to Elders both past and present.