

2025

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

TABLING STATEMENT

**‘THE JOURNEY TO PRO-DISCLOSURE: STATUTORY REVIEW OF THE *FREEDOM OF
INFORMATION ACT 2016*’**

**Presented by
Tara Cheyne MLA
Attorney-General
September 2025**

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I am pleased to table the independent report 'The Journey to Pro-disclosure: Statutory Review of the *Freedom of Information Act 2016*' (The Report). The *Freedom of Information Act 2016* (FOI Act) was implemented in 2018 to introduce a new framework for the public to access ACT Government information. The aim of the new framework was to modernise the system and improve the transparency of the ACT Government, with the intent that it be administered with a pro-disclosure bias.

The FOI Act has now been in place for over 7 years, and this statutory review presents a timely opportunity to investigate whether the scheme is meeting its objectives and identify opportunities to improve and strengthen the scheme. Freedom of Information is a crucial component of a flourishing democracy. It is vital that the public can access, understand and gain insight into Government decision making, and that pathways exist to ensure Government accountability.

I am pleased to note that, overall, the Report is positive and finds that the ACT is on track on its journey to pro-disclosure. The system is broadly achieving its objectives with strong legislative framing, a committed FOI processing culture, supportive Executive leadership, timely decision-making and robust independence in FOI functions. I note the review found that the ACT is Australia's leading jurisdiction for completing FOI requests within statutory timeframes. I want to take this opportunity to acknowledge the hard work of FOI officers and executive in facilitating this system, making the Territory a highly open and transparent jurisdiction, and ensuring that the right to access to information enshrined by the scheme is upheld.

The Report also identifies some key areas for improvement and makes 21 recommendations around the core themes of leadership and culture, resourcing and skilling, open access and proactive disclosure, and legislative change. The Report provides extensive options to reinforce the pro-disclosure culture of the scheme and make the scheme more fit for purpose for Government, core stakeholders and members of the public. Most of the recommendations centre on cultural, operational and policy change, rather than legislative amendment, demonstrating the strength of the current FOI Act.

The statutory review into the FOI Act involved substantial consultation across Government and targeted consultation with key justice and media stakeholders. I want to first thank the independent consultants Proximity Advisory Services for their expertise and thoughtful recommendations that reflect the complexity and nuances of the ACT jurisdiction. I would also like to thank the individual officers and Executive across Government who participated in the review and provided input. Finally, I thank the ACT Ombudsman, the ACT Human Rights Commission, representatives of our justice and media community and the Territory Records Office for their active engagement with the review.

I look forward to considering the recommendations and continuing to work with Directorates and agencies on options for enhancing our system over the course of this Term.