



17 April 2026

Ms Mary de Groot  
Secretary  
Joint Standing Committee on Integrity  
Parliament of Tasmania

By email: [integrity@parliament.tas.gov.au](mailto:integrity@parliament.tas.gov.au)

Dear Ms de Groot

**Ombudsman response to Question on Notice from Joint Standing Committee on Integrity public hearing on 20 March 2026**

Thank you for your letter of 31 March 2026, providing the Question on Notice of the Joint Standing Committee on Integrity (the Committee) and seeking my response. I appreciate the opportunity to provide the following clarification for the benefit of the Committee.

***Question on Notice:***

In relation to the Office of the Ombudsman Tasmania's response to the *Independent Review of Tasmania's Right to Information Framework: Getting Back on Track*, by Professor Tim McCormack and Adjunct Associate Professor Rick Snell, of the recommendations responded to as 'not supporting,' are any of these titled as such on the grounds of barriers such as resourcing or legislative power, rather than an in-principle objection?

***Ombudsman response:***

I did not support four recommendations in the Independent Review Report which were specifically relevant to the role of the Ombudsman – recommendations 23, 37, 38 and 39. I can clarify that my response to all of these recommendations was not an in-principle objection to the full recommendation in any instance but I hold major or minor concerns regarding all four recommendations which were not supported.

I set out each recommendation, my published response and then my additional response in light of this Question on Notice below.

**Recommendation 23:** *A specialised unit of seconded experienced RTI delegates be established to help address surges in workloads, assist with the development of training*

*and assist in various cross-government initiatives in information sharing and management. Our preference would be for this unit to be under the direction of the Ombudsman but alternatively, the Unit could be incorporated into the RTI Uplift Project reporting to the RTI Uplift Project Steering Committee or reporting directly to a committee of the Secretaries Board.*

**My published response:** I do not support this recommendation. My primary concern is preserving the independence of my office, given its role as the external review body. It is not appropriate for staff from my office to provide explicit advice to public authorities on matters that may subsequently come before me on external review.

Further, it is not clear to me how this specialised unit of experienced delegates will be drawn. Most, if not all, public authorities have a team of 'core' RTI delegates and do not have resources to spare. If public authorities were to lose experienced delegates, the ability of public authorities to respond to assessed disclosure applications would likely be impacted.

**Additional response to question on notice:** As it relates to my role as Ombudsman, I hold an in-principle objection to this recommendation. As set out in my published response, this is due to the fundamental incompatibility of a role in actively assisting RTI delegates in handling assessed disclosure applications with the legislated role I hold as external reviewer at a later stage in the same process. Any perception or actual lack of impartiality in this process would undermine the value and independence of this role and the operation of the RTI scheme.

In relation to this role being performed by other public officers or government employees, I have no in-principle objection in relation to assisting with workload surges and information sharing. In relation to developing training or undertaking an educative role, I have some reservation regarding increased risk that this may not be consistent with guidance provided by my office but this has generally been overcome in the past through the provision of input into any such training.

**Recommendation 37:** *Provide a deidentified list of all reviews on hand, listing public authorities, date received, and stage of the determination process reached by each review.*

**My published response:** I do not support this recommendation, as I am concerned about its impact on the resources of my office. My office has previously provided such data on request and is willing to continue to do so. I also note that I provide detailed statistics that indicate the performance of my office for each financial year in my annual report.

**Additional response to question on notice:** This is not an in-principle objection but the recommendation is not supported due to resource constraints and concerns about the significant administrative burden for limited public benefit.

**Recommendation 38:** *Undertake a yearly audit on 3-5 agencies on processes for handling Right to Information requests.*

**My published response:** I do not support this recommendation. I do not have the power under the RTI Act to conduct such audits. I would be reliant upon the own motion investigative powers contained in s13 of the *Ombudsman Act 1978 (Tas)*. Further, the parameters of the requested audits are not well defined in the recommendation and I am concerned about my capacity to conduct such audits given resourcing constraints.

**Additional response to question on notice:** This is not an in-principle objection but the recommendation is not supported due to the lack of legislative power to undertake a proactive monitoring function in RTI and an inability to undertake this proposed new function within the current resources of my office.

**Recommendation 39:** *Facilitate quarterly fora/workshops for public authorities and Ministers subject to the Right to Information Act 2009 (Tas) – and their principal and delegated officers – where best practice and recent decisions are analysed. Attendance to be publicised (including level of most senior officer from each public authority).*

**My published response:** The Department of Justice facilitates a quarterly right to information practitioners meeting. These meetings provide a forum for delegates, predominantly from within the State service, to request guidance on the operation of the RTI Act from representatives from my office, including my Principal Officer - Right to Information and Senior Investigation Officer, who regularly attend these meetings. The recommendation that attendance be publicised seems to be aimed at encouraging attendance at these meetings by naming those that do not attend. There may be valid reasons for Principal Officers or delegates not to attend these meetings from time to time, and as such, I do not support the publication of attendance.

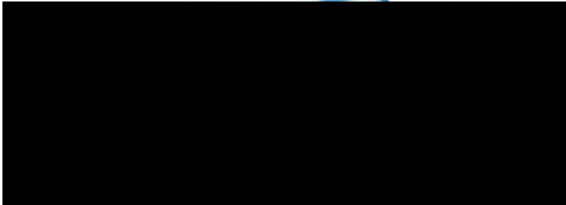
**Additional response to question on notice:** This is not an in-principle objection to such fora/workshops. I did not support this on the basis that this would duplicate an existing group and that there would be constraints on this group if it were facilitated by my office. My staff currently only attend for a portion of the meeting to allow practitioners the

opportunity to raise and discuss individual matters or operational concerns which may be inhibited by the presence of members of the external review body.

These meetings are well attended but do not currently publish attendance as a routine practice, which does not seem inappropriate for a practitioner group of this type. It is an educative, information sharing and a community of practice group rather than a steering committee or other decision-making body.

I trust the above provides the context sought by the Committee and remain willing to provide any further clarification or relevant information to assist if required.

Yours sincerely



Dr Grant Davies  
**OMBUDSMAN**