

Legislative Council

Hansard

Thursday 25 September 2025

The President, Mr Farrell, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

[excerpt...]

COMMISSIONS OF INQUIRY AMENDMENT (PRIVATE SESSIONS INFORMATION) BILL 2025 (No. 37)

Second Reading

[12.36 p.m.]

Ms WEBB (Nelson) - Mr President, I'm pleased to rise to speak briefly on this bill. Thank you to the Leader for reminding us that we are discussing a sensitive topic and mentioning the supports available for people who may need to access them, if this brings things up. I appreciate that.

In the midst of times when we debate lots of difficult and contentious things here, it's lovely to have a fairly straightforward bill come through that is about fixing a potentially painful thing, and where we can all agree on it being the right thing to do and we can make it happen. That's how I see this bill.

As the Leader described fully in her contribution - and I don't need to go into it in detail - this is a bill that rectifies something that we probably didn't anticipate back in 2021 when the Commissions of Inquiry Act was being amended. Sometimes it's only after things have been put in place and we see it in practice that we realise it has not worked quite properly and has become a problem for some people.

In this case, it became a problem for people who are already in incredibly vulnerable situations, who had engaged with the commission of inquiry, often at great personal cost and sometimes harm, because they saw a greater purpose in doing so. They assisted the commission of inquiry in response to various situations of systems failing children in this state, and to make it a productive and positive process with tangible outcomes.

People who engaged in private sessions probably never imagined that they would be prevented from accessing those records later. We may not have anticipated that we'd run into that administrative barrier either. It became an issue for me when I was assisting a constituent to access their records and we ran into this barrier. I would like to put on the record here that, in navigating that circumstance, the interactions we had with the department and the supports that we received to proactively look at ways to move forward were exemplary. It was really appreciated.

It has taken a bit longer than we might have hoped to get to this point due to various practical delays in our political environment, but here we are, and this bill is now before us. It's a straightforward one. It does what all of us would think was sensible, that if you have had a private session as part of a commission of inquiry, you will be able to access those records

later, should you wish, without requiring something as extreme as the State Archivist having to contact people you mentioned in those sessions to check with them that it was alright. Of course, you never would have anticipated that the people you mentioned would even know that you had been in those private sessions, speaking about them and sharing your stories. It's your information and you should be able to do with it as you like, hence the retrospective effect that's important. It's backdated because we have had the experience of the recent commission of inquiry and people encountering this barrier. We need to fix that for them in retrospect and know that we have it in place for any future commissions of inquiry.

Protection of privacy is always a paramount consideration. You can understand the positive intent behind the provisions that were put in place in 2021. In practice, however, that created a barrier for people to access information that belonged to them. I'm pleased that, once this bill - hopefully - passes and is implemented, it appears the process for accessing information is not going to be via the RTI system or some other cumbersome process. It's going to be a fairly straightforward request and administrative dealing, so that's positive too.

We know from the RTI report released just this week that we don't want to further clog up our RTI system. In fact, that report identified that much of what's clogging up the RTI system is people seeking personal records and information from various government systems. That report points to the need to create a different way for that to occur so it doesn't clog up our RTI system. The fact that this is being dealt with separate to the RTI is positive and aligns with the findings of that RTI review.

That's probably all I need to say on this bill. It's straightforward. It's fixing something that wasn't working properly to the detriment of potentially vulnerable people. It's so pleasing to see it now being rectified and positively providing for those people to not necessarily come up against the barriers that they have been facing till now. I support the bill.