



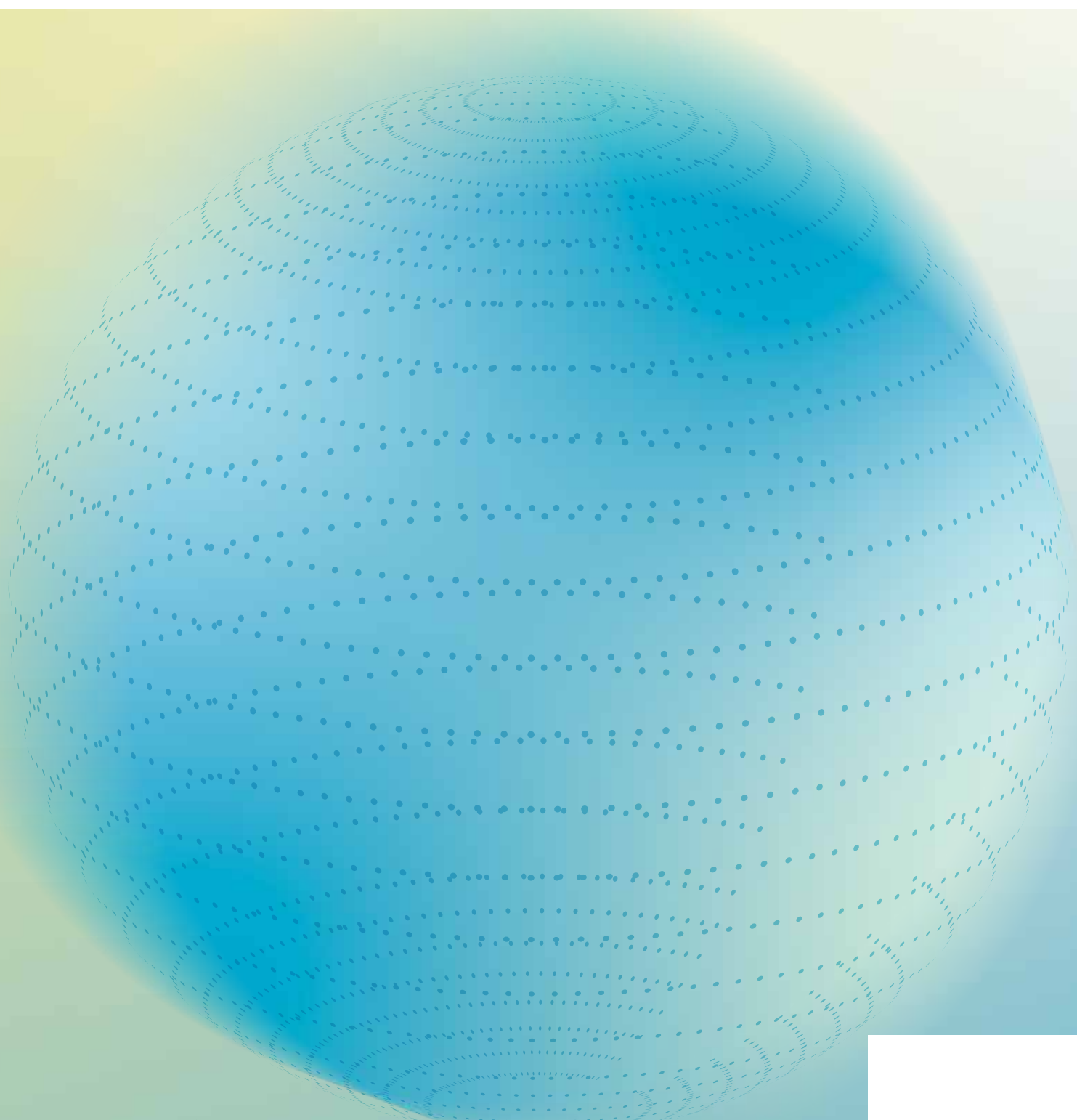
Australian Government

**Office of the Australian
Information Commissioner**

Office of the Australian
Information Commissioner

Annual report 2025–26

Volume 2



Report on information provided by agencies and
ministers subject to the *Freedom of Information Act 1982*

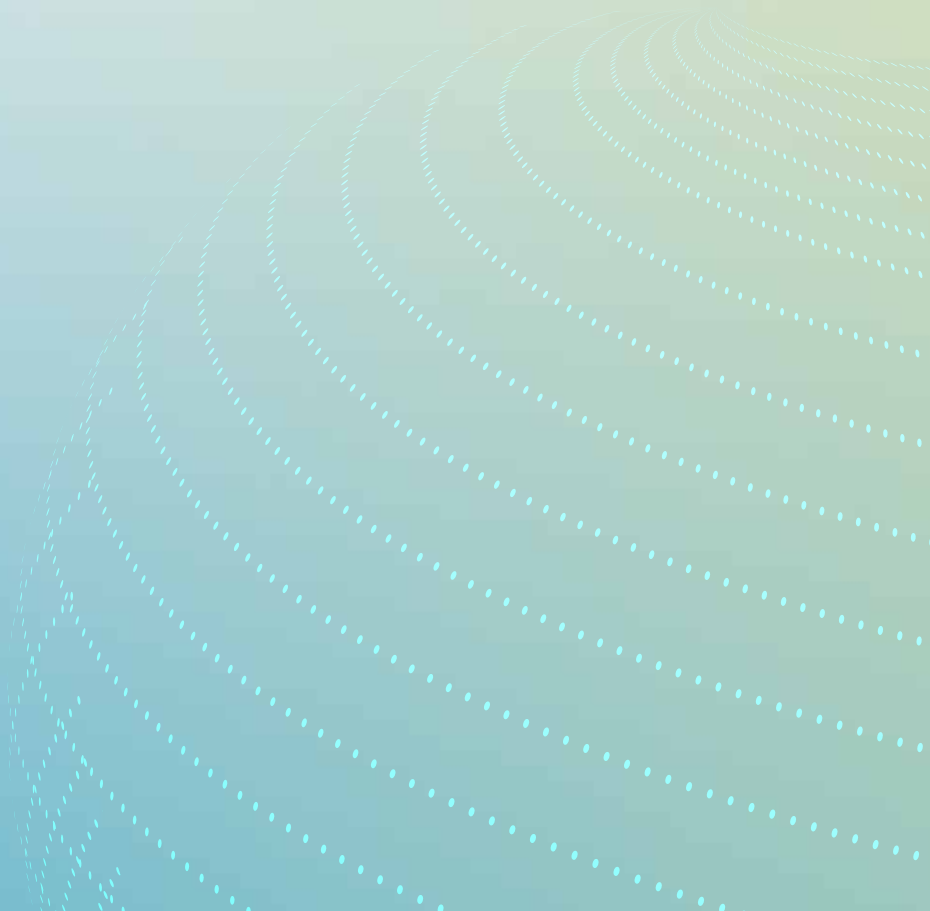
OAIC

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Freedom of Information Commissioner's foreword

I am pleased to present this collection of Freedom of Information (FOI) statistics reported to the Office of the Australian Information Commissioner (OAIC) in 2025–26 by Australian Government agencies and ministers that are subject to the *Freedom of Information Act 1982* (FOI Act). This volume forms part of the OAIC's annual report prepared under ss 30 and 31 of the *Australian Information Commissioner Act* (AIC Act), and s 46 of the *Public Governance, Performance and Accountability Act 2013*.

The objects of the FOI Act are explicit in the intention to promote Australia's representative democracy. The FOI Act recognises that government information is a national resource and access to this information supports transparency, accountability and public participation in government decision-making.

Since my appointment as FOI Commissioner, I have committed to 4 priorities that guide the OAIC's work in the FOI space:

1. Promote Open Government to better serve the Australian community.
2. Make FOI compliance easier.
3. Increase OAIC FOI regulatory and case management effectiveness.
4. Uplift agency capability in the exercise of FOI functions.

The state of FOI

The Australian FOI system faces considerable pressure. The Australian public are keenly aware of their information access rights, and government agencies and ministers continue to receive record numbers of applications for information. FOI practitioners, seeking to support their agencies and ministers to make good timely decisions, also face pressure.

As the volume of FOI requests increase, it is incumbent on all of us in the system to seek greater efficiencies and utilise pathways of lower cost, such as administrative release and proactive release frameworks. There is also the possibility of broader investment in technology, such as AI, to drive efficiency and productivity in meeting the

requirements of the FOI framework and delivering access to the community. I am encouraged by the opportunities to harness innovation to deliver greater access and reduce the costs of the FOI system while maintaining the important right of access.



In 2025, 96% of Australians surveyed stated that they consider the right to access government-held information is important or very important. In the same period, Australian Government agencies and ministers received the highest number of FOI requests on record in 2025–26, totalling 46,933. This is an increase of 8% on the number of FOI requests made in 2024–25 and marks a steady increase in request numbers.

The Department of Home Affairs (Home Affairs) accounted for 35% of all FOI requests received in 2025–26 (16,270), which is more than the next 5 Australian Government agencies combined, including Services Australia, National Disability Insurance Agency (NDIA), the Administrative Review Tribunal (ART), the Australian Taxation Office (ATO), and the Australian Federal Police (AFP).

FOI has at its heart the objects in section 3, the importance of ensuring credible information is available to the public and that systems to access information are consistent with the processes and guidance set out in the FOI Act and elaborated upon in the FOI Guidelines has never been more critical.

Transparency and access in accordance with the statute deliver public value to the community by informing public debate and explaining government activity. At a time where mis and disinformation is readily available, the integrity of the source information is paramount. That integrity is delivered through release of documents upon requests for access and upon proactive release practices and compliance with the Information Publication scheme. The existence of these statutory rights must be accompanied by excellent administrative practices and the regulator taking an active role in that administration and decision-making. The ability for

the community to exercise their rights is dependent on these systems and the innovation, integrity and compliance that builds trust and gives life to the rights enshrined in the FOI Act.

As the Regulator we take our role in this framework seriously, we actively support, test and measure the agencies and ministers we regulate through review of decisions, investigations and monitoring. We also encourage innovation and, consistent with our public service obligations around stewardship, a race to be the most effective administrator of the FOI Act in all aspects. We publish guidance, deliver education and guidance and respond to changes in our regulated environment.

There are technologies such as automated decision-making (ADM) and messaging apps that impact on the FOI system. The Information Commissioner has provided informative reports, in the context of the FOI Act, on both these technologies in the previous 18 months, highlighting that transparency about their use, and having the right governance processes in place, are paramount.

Our decision to publish Part 2 of our Annual Report, focusing on FOI, is one way we seek to add transparency to the operation of the system and provide useful information to all stakeholders on where progress can be realised. It has also allowed us to highlight some of the best practice that can be utilised more widely.

Key statistics and themes

One of the most significant issues in FOI administration is timeliness. The FOI Act has timeframes that must be complied with to allow access requests to be processed in accordance with the objects. Timeliness is a core part of whether the FOI system feels fair and trustworthy and links directly to the OAIC's regulatory focus on ensuring timely access to government information.

By sharing what's working in FOI administration, lessons learnt and spotlighting better practice examples, the OAIC is building trust in the FOI system and highlighting its importance to both the Australian community and the public sector.

We received

457

FOI complaints

↑ 35%

increase from 2024–25

We finalised

407

FOI complaints

↑ 19%

increase from 2024–25

Where we do formally investigate complaints, we publish the outcomes as a way of guiding agencies and ministers towards ensuring better outcomes. During the current financial year, 4 complaint investigations were completed. All of them touch on timeliness and not meeting statutory processing requirements. Each investigation incorporated a number of complaints with overlapping concerns.

These investigations involved the Australian Federal Police (AFP), the Department of Veterans Affairs (DVA), the Department of Defence (Defence) and the National Disability Insurance Agency (NDIA). All involved a lack of compliance with s15(5)(a) of the FOI Act as the organisations did not acknowledge FOI requests within the statutory processing timeframe.

Our investigations seek to realise the features of good administration and culture, respect for the law, innovation and proactive release of information.

In 2025–26, 80% of the OAIC's incoming FOI Information Commissioner (IC) review caseload was attributable to agencies' failure to make an initial FOI decision within the statutory timeframe (that is, 'deemed decisions' where the applicant has not received a response to their request). The OAIC prioritised IC reviews of deemed access refusal decisions, given the impact they are having on the overall system and the importance of seeking to ensure applicants received a decision as soon as possible, where not even an agency decision had been made.

Overall, we received a significant increase (42%) in requests for IC reviews in the year. Nearly half involved Home Affairs. The impact that Home Affairs has on the FOI system should not be understated. The OAIC, through ongoing engagement and case management, remains concerned as to Home Affairs administration of the FOI Act. The OAIC has raised these issues with the Department and continues to work closely to seek better administrative and proactive release processes and increased compliance with statutory timeframes.

Unlike previous years, the OAIC was unable to maintain the same level of extremely high productivity gains in IC review finalisation, with the number of IC applications finalised falling by 6% to 2,311. This compares to a 41% increase the previous year, with the decrease due to a range of factors, including an overall increase in the volume of IC reviews to be case managed. An additional pressure on the OAIC's ability to maintain the previous financial year's

case resolution numbers was a significant increase in the number of vexatious applicant declaration applications received.

Although there was a reduction in the number of IC decisions finalised, there were immense improvements in the OAIC's timeliness, with the average time to finalise an IC review falling from 13.5 months to 7 months, and 83% of IC reviews finalised within 12 months compared to 67% the previous year.

During the period, the OAIC also responded effectively to significant increases in the number of extension of time notifications and applications received (41% increase). This resulted in a reduction in the OAIC resources available for IC review functions. The OAIC also invested in process improvements, which realised significant improvements in the timeliness of decision-making on extension of time applications – the agency has now moved to one business day turnaround on extension of time applications that are for a period of less than 30 days (improved timeliness on the previous KPI of 10 business days). The OAIC intends that by improving timeliness in the extension of time application process – with outcomes notified to agencies within one business day in most cases – there will be improvements in the statutory timeliness results of the sector. Supporting agencies to make more decisions within time will also ensure applicants' internal review rights are preserved and should also reduce the percentage of the IC reviews caseload that is attributable to 'deemed decisions' (that is, FOI requests where the applicant has not received a decision from the agency). The intended impacts are already being realised with agency timeliness improving notwithstanding an increased number of FOI requests again being made in 2025–26.

The task ahead

Over the past 2 years, the OAIC has implemented a targeted program of case management improvements to respond to the significant increase in incoming matters across FOI and privacy. The strategies include building an understanding of rights and processes across the community and setting clearer expectations for regulated entities, redesigning case management to sharpen efficiency and deliver impactful outcomes, and investing in the skills and processes which underpin good and timely decision-making¹.

¹ The-Australian-community-s-engagement-with-OAIC-Case-Management-report.PDF

However, our data indicates that actions taken by the OAIC internally, while effective, will need to be accompanied by similar commitments to action from agencies and Ministers if we are to deliver systemic improvements in FOI performance.

In March 2026, the OAIC launched the FOI disclosure log hub, which provides streamlined access to the disclosure logs of over 240 Australian Government agencies. In the face of growing mis and disinformation, the roles of disclosure logs and the Information Publication Scheme are more important than ever, as they provide an important access point for proactively sharing frequently requested information which strengthens the public's understanding of FOI rights and supports more efficient information sharing.

The OAIC's function as an independent regulator and merits review body is most effective when it operates as the avenue of review, rather than the first decision-maker.

The changes we seek are systemic, consistent, sustained and incremental. There is a strong focus

on staff training and using resources effectively and innovatively as a way of delivering a stronger FOI system. This year, the OAIC has taken the opportunity to highlight better practice by agencies that have achieved high rates of timeliness by creating our FOI Leaderboard which highlights:

- The Top 10 FOI entities with 100% timeliness over the 3 years to 2025–26, and
- Top 10 Most improved high volume FOI entities.

Many agencies are already working hard across the system to make it better. I commend them for their commitment and look forward to further engagement as we work together to deliver against the objects of the FOI Act for our community and democracy.



Alice Linacre PSM
FOI Commissioner

Year in review and key developments in 2025–26

FOI Leaderboard

The ‘FOI Leaderboard’ has been created to highlight best practice and encourage all agencies to make continuous improvements toward achieving higher performance on key measures such as timeliness.

While FOI requests and decisions have steadily increased over the last 3-year period, many agencies have maintained 100% timeliness across a 3-year reporting period.

Other agencies have been able to improve timeliness across a 3-year reporting period. For example, the Australian Financial Security Authority and the Defence and Aged Care Quality and Safety Commission have improved the timeliness by over 30% in the last 3 years.

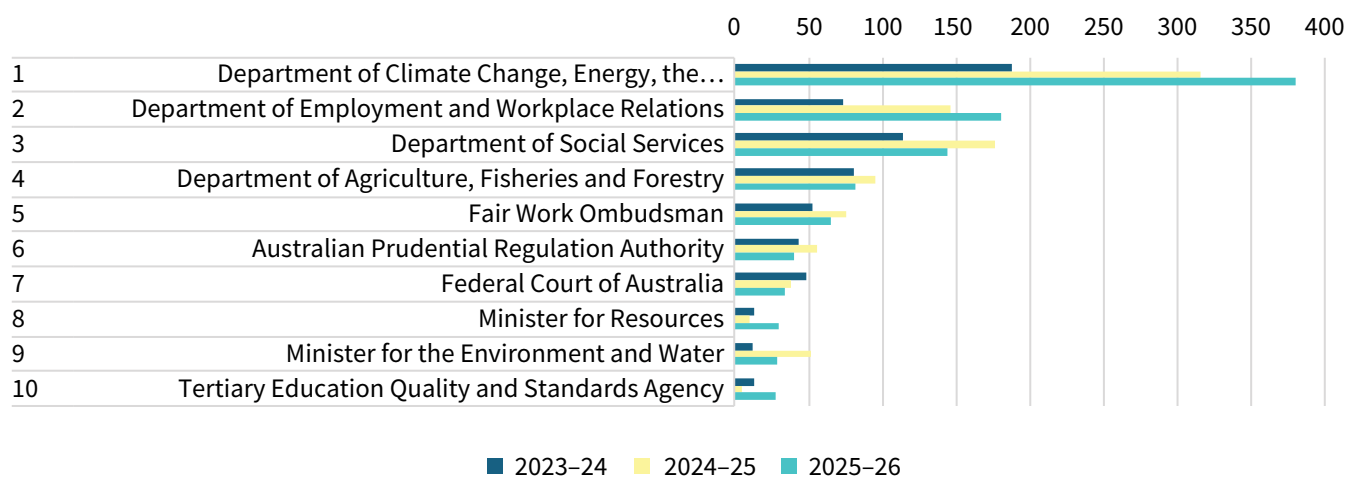
Top 10 FOI entities with 100% timeliness over the 3 years to 2025–26*

Rank	Agency	Number of decisions made			Timeliness		
		2023–24	2024–25	2025–26	2023–24	2024–25	2025–26
1	Department of Climate Change, Energy, the Environment and Water	188	316	380	100.0%	100.0%	100.0%
2	Department of Employment and Workplace Relations	73	146	180	100.0%	100.0%	100.0%
3	Department of Social Services	114	176	144	100.0%	100.0%	100.0%
4	Department of Agriculture, Fisheries and Forestry	81	95	82	100.0%	100.0%	100.0%
5	Fair Work Ombudsman	52	75	65	100.0%	100.0%	100.0%
6	Australian Prudential Regulation Authority	43	56	40	100.0%	100.0%	100.0%
7	Federal Court of Australia	48	38	34	100.0%	100.0%	100.0%
8	Minister for Resources	13	10	30	100.0%	100.0%	100.0%
9	Minister for the Environment and Water	12	51	29	100.0%	100.0%	100.0%
10	Tertiary Education Quality and Standards Agency	13	5	28	100.0%	100.0%	100.0%
Whole of System timeliness**		21,347	25,211	31,367	73.8%	72.6%	70.7%

* A total of 53 agencies reported 100% timeliness in 2023–24, 2024–25, and 2025–26. Each of these agencies decided between 1 and 380 FOI requests in 2025–26.

** Whole of system timeliness figures represent all FOI entities’ timeliness included here for comparison against the top 10 FOI entities’ timeliness

Top 10 FOI entities with 100% timeliness over the 3 years
to 2025–26, by number of decisions made in 2025–26

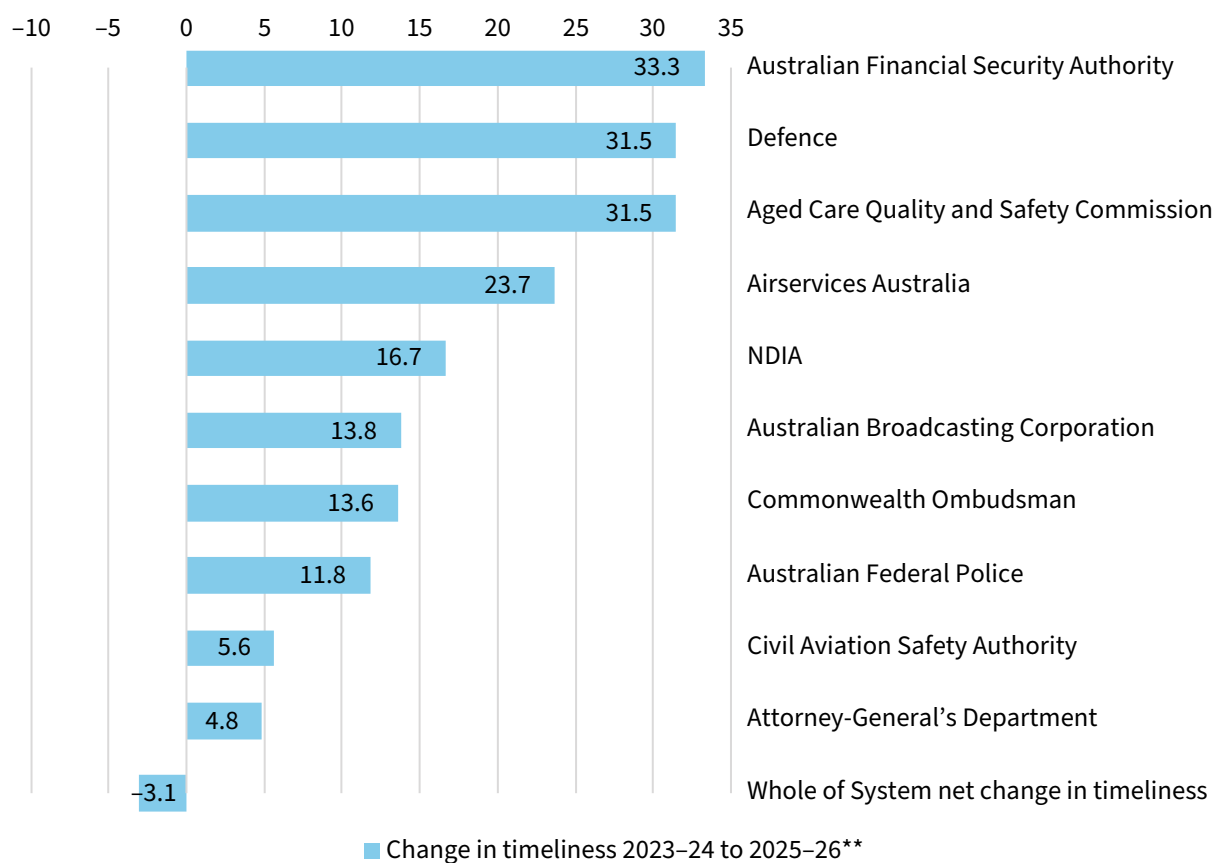


Top 10 Most improved – Significant FOI entities by volume* by change in timeliness, 2023–24 to 2025–26
(Agencies with equal change in timeliness are sorted by most decisions made in 2025–26)

Rank	Agency	Number of decisions made			Timeliness			Change in timeliness 2023–24 to 2025–26**
		2023–24	2024–25	2025–26	2023–24	2024–25	2025–26	
1	Australian Financial Security Authority	18	38	65	66.7%	97.4%	100.0%	+33.3
2	Defence	714	790	854	61.9%	82.8%	93.4%	+31.5
3	Aged Care Quality and Safety Commission	92	118	103	68.5%	98.3%	100.0%	+31.5
4	Airservices Australia	76	65	103	76.3%	86.2%	100.0%	+23.7
5	NDIA	1,346	1,310	3,603	48.7%	33.1%	65.4%	+16.7
6	Australian Broadcasting Corporation	41	90	84	70.7%	65.6%	84.5%	+13.8
7	Commonwealth Ombudsman	101	89	163	85.1%	97.8%	98.8%	+13.6
8	Australian Federal Police	562	706	842	57.1%	61.3%	68.9%	+11.8
9	Civil Aviation Safety Authority	141	150	136	93.6%	76.0%	99.3%	+5.6
10	Attorney-General's Department	269	218	276	84.0%	72.0%	88.8%	+4.8
	Whole of System net change in timeliness	21,347	25,211	31,367	73.8%	72.6%	70.7%	–3.1

*Significant FOI entities are defined, for the purposes of this table, as entities which decided over 50 FOI decisions in 2025–26.

**Change is in percentage points, e.g. +100 is a change from 0% in 2023–24 to 100% in 2024–25.



Commonwealth Integrity Strategy – FOI metrics

Integrity in the Commonwealth public sector is vital to our democracy, upholding the law and successful public administration. The Commonwealth Integrity Strategy¹ aims to strengthen integrity across the Commonwealth public sector to ensure the Commonwealth public sector acts with the highest standards of integrity, demonstrating accountability, and fostering a pro-integrity culture.

The Commonwealth Integrity Strategy acknowledges FOI is a key vehicle to both improving transparency and accountability and measuring progress against integrity metrics. FOI promotes human rights and provides a mechanism and framework for sound information governance, which demonstrates the importance of trust, with integrity underpinning the framework. FOI underpins public participation, scrutiny and confidence that decisions are being made for the public good.

To further these objectives, the OAIC developed the following reporting tool. The tool is designed to highlight the Australian Public Service’s efforts to ensure rights preservation, trust and integrity are to the fore, supported by working collaboratively by those subject to the FOI Act. The 2025–26 results are below:

Key activities

The OAIC aims to be a proactive regulator that is responsive to the community’s needs in promoting and upholding information access and privacy rights, and proportionate in our regulatory responses. In 2025–26, the OAIC has continued to undertake proactive work in the information access space, including:

- In October 2025, the OAIC provided a submission to and appeared before the Senate Legal and Constitutional Affairs Committee on the *Freedom of Information Amendment Bill 2025*. The Bill was discharged from the Notice Paper on 5 March 2026.
- In January 2026, the OAIC published a report on automated decision-making (ADM) and public reporting under the FOI Act, which reviewed the websites of 23 government agencies authorised to use ADM and assessed how agencies disclose their use of ADM as ‘operational information’ required to be published under the FOI Act.
 - Of the 23 agencies assessed, 4 disclosed the use of ADM in decision-making in their Information Publication Scheme (IPS). The OAIC has updated Part 13 – IPS of the FOI guidelines so that ADM is expressly included as an example of ‘operational information’.

Integrity outcome	Integrity metric	2025–26 results (baseline)
Transparency and accountability of actions and decisions are improved	% of FOI Act requests finalised within statutory timeframes over a quarterly period	70% (April 2026 – June 2026 (Q4)) Source: Data.gov.au <i>Note: in 2025–26 71% of FOI requests were finalised within the statutory timeframe.</i>
	Australia’s Right to Information Rating	Rating unchanged at 87/150 Source: Right to Information Website – Country Detail Rti Rating
	% of FOI requests refused by Commonwealth agencies over a quarterly period	30% (Q4) Source: Data.gov.au <i>Note: in 2025–26, 28% of FOI requests were refused.</i>
	% of OAIC reviews of FOI decisions and FOI complaints that were finalised over a financial year period	98% of FOI complaints finalised within 12 months (compared to 92% in 2024–25) 83% of FOI reviews finalised within 12 months (compared to 67% in 2024–25) Source: 2025–26 OAIC Annual Report Volume 1

¹ See Commonwealth Integrity Strategy | Attorney-General’s Department

- In May 2026, the Australian National Audit Office (ANAO) released the Auditor-General's independent performance audit, *Administration of the Freedom of Information Act 1982 by selected entities*. The ANAO's report will be a vital tool in shaping the OAIC's regulatory strategy, guidance, priorities, posture, procedures and capabilities.

Ongoing engagement with practitioners and community

The OAIC continues to engage with FOI practitioners and the community to uplift agency capability in the exercise of FOI functions, make FOI compliance easier and promote open government to better serve the Australian community. Activities comprised:

- International Access to Information Day 2025, which included our FOI regulatory update webinar on 30 September 2025, and a range of dedicated events from Office of the Victorian Information Commissioner, Office of the Information Commissioner Queensland and the Information and Privacy Commission New South Wales.
- In the same week, the OAIC also hosted the Association of Information Access Commissioners (AIAC), comprising Information Commissioners and Ombudsmen from Australia and New Zealand, with members calling upon public sector leaders to champion access to information as a driver of innovation by:
 - recognising the value of government-held information and data as a resource to support innovation among governments, private sector actors and civil society to proactively engage with community needs
 - acknowledging the significant benefits of information access tools, digital platforms and technology, to facilitate efficient and effective information access and generate a pro-disclosure culture.
- The release of the cross-jurisdictional Information Access Study in August 2025, which measures the Australian public's awareness of the right to access government information and their experiences and outcomes in exercising that right:
 - An overwhelming 97% of respondents view having an independent regulator report on an agency's performance in meeting the community's right to access information as important.
 - 68% of respondents found Australian Government agencies helpful or quite helpful in providing advice and assistance in response to information requests.
 - Less than half (44%) are confident the FOI Act will allow them access to information about how decisions are made by the federal government and agencies.
- The OAIC hosted 4 regulatory update webinars throughout 2025–26, with over 400 individuals from 68 different government organisations in attendance at the March webinar.
- In February 2026, the FOI Commissioner hosted the inaugural FOI SES Roundtable event for 33 participants across 24 agencies. The event provided an opportunity to provide an update on areas of focus for the coming year and for agencies to share the innovative and practical ways they are navigating, increasing caseloads and the ongoing complexities within the FOI space.
- In March 2026, The FOI Commissioner authored a blog post on her first 6 months as FOI Commissioner. The post highlighted the priority areas of focus for the OAIC in the FOI space, perspectives on key features of good administration, and outlined expectations for steady but sustainable improvement across the FOI space.
- The Australian Information Commissioner and FOI Commissioner have delivered a number of keynote speeches in 2025–26 on topics such as the history of FOI and the role of the OAIC in regulating the FOI system in the Michael Will Address at the Australian Institute of Administrative Law, what good administration looks like in practice, the role of transparency and information access in automated decision-making, how one of the primary purposes of FOI law is to improve government transparency and accountability, and the importance of proactive publication.

Overview

Volume 2 of the OAIC's 2025–26 Annual Report contains information on:

- FOI requests for access to documents
- applications for amendment of personal records
- charges
- disclosure logs
- reviews of FOI decisions
- complaints about agency FOI actions
- the impact of FOI on agency resources
- the impact of the Information Publication Scheme (IPS) on agency resources.

This volume has been prepared using data collected from Australian Government agencies and ministers subject to the FOI Act through FOI statistical returns in which they are required to provide, among other details, information about:

- the number of FOI requests made to them
- the number of decisions they made granting, partially granting or refusing access, and the number and outcome of applications for internal review
- the number and outcome of applications to them to amend personal records
- charges they collected.

The full data provided by ministers and agencies in their FOI statistical returns, including agencies' and ministers' comments, is published on data.gov.au, accessible via the OAIC website.

This volume has also been prepared using comments that agencies and ministers have given to the OAIC to explain certain data provided in their FOI statistical returns, information collected separately from the Administrative Review Tribunal (ART), and records of the OAIC.

In this volume, the term 'FOI request' means a request for access to documents made under s 15 of the FOI Act. Applications for amendment or annotation of personal records under s 48 are discussed separately from FOI requests.

The FOI Act requires agencies and ministers to provide access to documents in response to FOI requests that

meet the requirements of s 15 of the Act. The statistics in this volume do not include requests that did not satisfy those requirements.

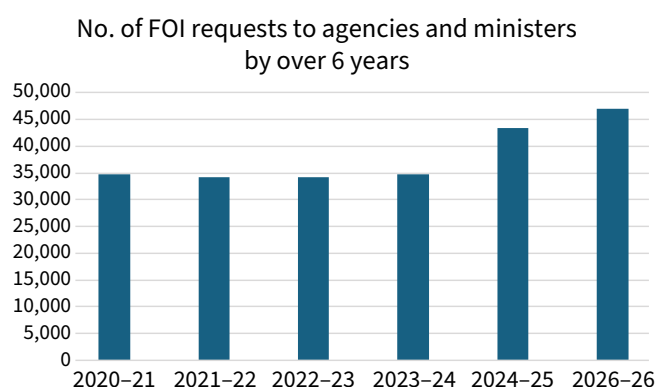
Summary of key statistics

Australian Government agencies and ministers received the highest number of FOI requests on record in 2025–26, totaling 46,933. This is an increase of 8% on the number of FOI requests made in 2024–25 and marks the highest number of requests on record.

Home Affairs accounted for 35% of all FOI requests received in 2025–26 (16,270), which is more than those received by the next 5 Australian Government agencies combined.

Recognising this high proportion, the statistical results summarised below show results for all agencies *including* Home Affairs, and for all agencies *excluding* Home Affairs in both 2024–25 and 2025–26. This is intended to identify instances where Home Affairs FOI results may be obscuring key FOI trends experienced by other agencies and to demonstrate the impact of how one agency's decision-making behaviours can distort overall results.

Comparisons in the analysis below (i.e. 'increased', 'decreased', etc.) are between 2025–26 results and the results from the previous period in 2024–25.

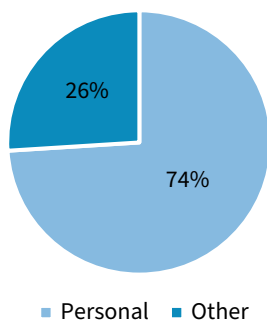


Requests

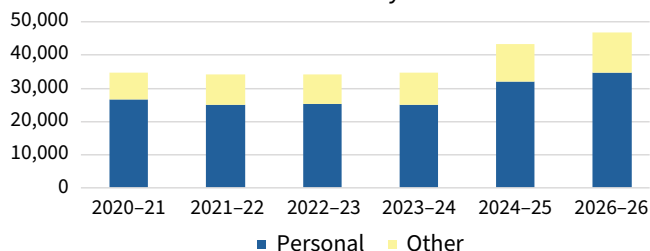
The 20 agencies that received the most FOI requests in 2025–26 accounted for 85% of all requests made to the Australian Government. Excluding Home Affairs data, the top 20 agencies received 51% of all requests.

The proportion of requests seeking access to personal information was 74%, while 26% were for other information. This is consistent with 2024–25 trends. The proportion of requests seeking personal information decreased to 41% when Home Affairs are excluded.

Percentage of requests for personal information compared to other information 2025–26



Requests for personal information compared to other information over 6 years to 2025–26



Decisions

In 2025–26, 18% of requests were granted in full compared to 21% in 2024–25. This decrease is attributable to the s 22 reporting requirements. The OAIC is required to report s 22 decisions under s 31(3) of the AIC Act 2010 as refusals. It is important to note that the purpose of s 22 is to remove irrelevant information from documents such that a release which includes redactions but may still be a full release of the material requested by the applicant.

The percentage of FOI requests granted in part remained at 54% (the same as the 2024–25 period). When Home Affairs figures are excluded, 55% of requests were granted in part (down from 56% in 2024–25).

The percentage of requests refused in full increased to 28% (up from 25%) annually. When Home Affairs figures are excluded, 28% of requests were refused in full, up from 27% in 2024–25).

Practical refusals

Agencies and ministers issued 3,916 notices advising of an intention to refuse a request for a practical refusal reason in 2025–26. This is 37% more than in 2024–25. Of these, 32% of requests were subsequently processed (which is the same as the 2024–25 reporting period).

When Home Affairs figures are excluded, agencies and ministers issued 2,794 practical refusal notices, which was 58% more than in 2024–25. Of these, 34% were subsequently processed (up from 33% in 2024–25).

Exemptions

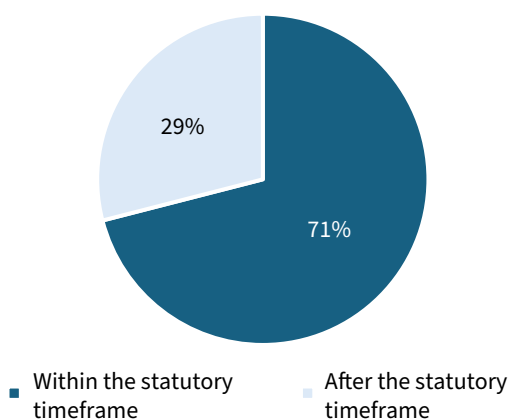
The personal privacy conditional exemption in s 47F of the FOI Act remains the most claimed exemption, at 33% of all exemptions claimed. This is less than 2024–25 (42%).

When Home Affairs figures are excluded, the s 47F exemption was still the most claimed, comprising 29% of all exemptions. This is less than 2024–25 (40%).

Processing times

The percentage of FOI requests decided within the applicable statutory timeframe declined slightly, from 73% to 71%, from the previous year (including Home Affairs). When Home Affairs is excluded, there was no change on the previous year's result, with 85% of requests decided in time (compared with 84% in 2024–25).

Timeliness of FOI decisions in 2025–26

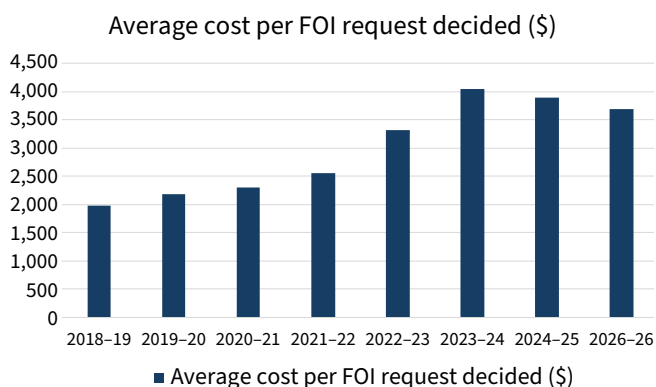


Internal reviews

There was a 61% increase in the number of internal review applications (1,477) in 2025–26. Excluding Home Affairs, the increase in internal review applications was still 61% (1,408), likely due to the unavailability of internal review for deemed decisions.

In 2025–26, internal reviews affirmed the original decision in 55% of matters, compared with 62% affirmed in 2024–25. Excluding Home Affairs, 57% of internal reviews affirmed the original decision, compared with 61% in 2024–25.

FOI costs and charges



The total reported costs attributable to FOI in 2025–26 were \$115.775 million, an 18% increase on 2024–25 (\$97.99 million). When Home Affairs figures are excluded, the total reported costs attributable to FOI in 2025–26 were \$88.96 million, a 16% increase on 2024–25 (\$76.74 million).

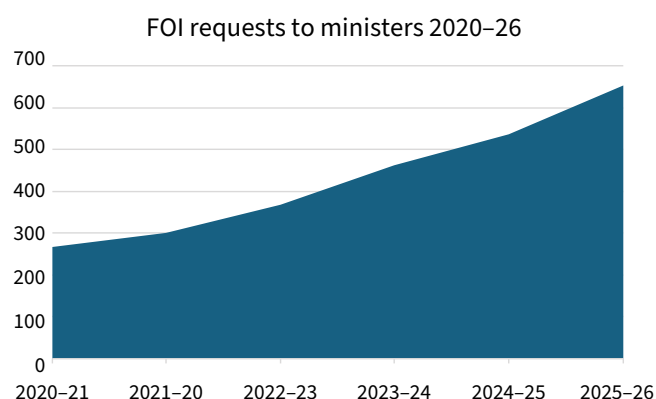
While Home Affairs made up 35% of all FOI requests received in 2025–26, it made up only 23% of the costs of the FOI system. The overall increase seems to be mostly driven by increases in labour costs. The average cost per FOI decision has reduced for the second financial year in a row, despite increases in volume.

The average staff days for each FOI request received in 2025–26 was 3.7 days, compared with 3.6 days in 2024–25. Home Affairs' average staff days for each FOI request received was 2.4 days this year, compared with 1.8 days in 2024–25.

There was a 6% increase in the total charges notified in 2025–26 (\$199,590) compared with 2024–25 (\$187,584). Agencies including Home Affairs collected 19% more in charges (\$77,534) than in 2024–25 (\$65,181).

Requests to ministers

FOI requests to ministers continue to comprise a small proportion of all requests received by Australian Government agencies and ministers. In 2025–26 ministers received 653 requests. This is a 22% increase from 2024–25 (536).



Disclosure logs and the IPS

There were 3,311 new entries added to agency disclosure logs in 2025–26. This was a decrease from 2024–25 (3,363). When Home Affairs figures are excluded, the total number of new entries added to agency disclosure logs in 2025–26 was 2,991, down from 2024–25 (3,118).

The proportion of new documents available directly from agency websites (including Home Affairs) increased in 2025–26 to 83%, compared with 79% in 2023–24. Similar results are evident when Home Affairs numbers are excluded.¹

¹ Personal information is not required to be published on a disclosure log. As such, agencies that decide on large amounts of requests that include personal information will have comparatively low disclosure log entries.

The OAIC's FOI regulatory activities

Against the backdrop of the FOI results summarised above and presented in more detail in the body of this report, the OAIC has undertaken a range of activities to uplift agencies' FOI capabilities, including the following:

Guidance to assist practitioners

As noted in Volume 1 of this annual report, in 2025–26 we published a number of guidance and educational resources to support capability building within agencies:

- Delivery of 4 FOI regulatory update webinars in August 2025, September 2025, March 2026 and June 2026
- Revisions to Parts 1, 2, 3, 4, 6, 7, 10, 11, 12 and 15 of the FOI Guidelines
- Public consultation on draft revisions to Part 13 of the FOI Guidelines (Information Publication Scheme), published May 2026.

These tools and guidance will assist agencies in addressing non-compliance or risks of non-compliance with statutory timeframes prescribed in s 15(5)(b) of the FOI Act.

Thematic investigations and prioritisation of IC reviews of deemed access refusal decisions

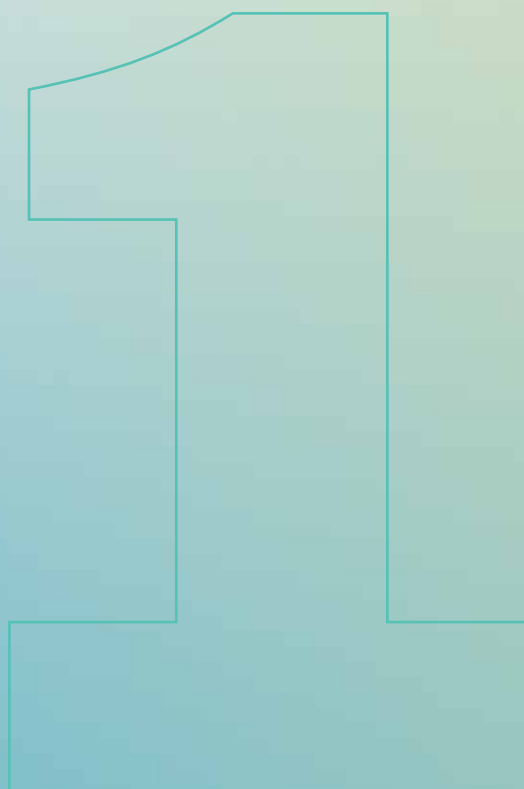
In 2025–26, the OAIC continued its thematic investigations of FOI complaints, undertaking investigations into 4 agencies in response to complaints received about those agencies' compliance with statutory timeframes. The FOI Commissioner finalised all 4 investigations, making a total of 40 recommendations in relation to these investigations.

In conducting IC reviews, the OAIC also prioritised IC reviews of deemed access refusal decisions, noting only 10 agencies account for 95% (2,104) of the applications for IC review of deemed refusal decisions received by the OAIC between 1 July 2025 and 30 June 2026. The rationale for this is to ensure that applicants receive a response to their requests, given they have already experienced some delay in the processing of their requests and have yet to receive a decision.



Part 1

FOI requests for access to documents



FOI requests for access to documents

Number of requests received

Table 1 compares the number of FOI requests received by agencies and ministers in each of the past 7 reporting years, including the percentage increase or decrease from the previous financial year. Of those requests in 2025–26, ministers received a total of 653 requests.

Requests to Home Affairs totalled 16,270, comprising 35% of the total of FOI requests in 2025–26.

Services Australia received the second highest total number of requests (5,999 or 13% of total FOI requests received in 2025–26), and NDIA received the third highest total number of requests (3,723 or 8% of total FOI requests received in 2025–26).

Table 2 ranks the top 20 Australian Government agencies and ministers in terms of the number of FOI requests received in 2025–26 and compares them with the number of requests those agencies received in 2024–25.

Table 1: FOI requests received over the past 7 years

	2019–20	2020–21	2021–22	2022–23	2023–24	2024–25	2025–26
Number of FOI requests received	41,333	34,797	34,236	34,219	34,706	43,456	46,933
% change from the previous financial year	+6	–16	–2	<0,5	+1	+25	+8

Table 2: Agencies by the number of FOI requests received

Agency	2024–25						2025–26					
	Rank	Personal	Other	Total	% of all FOI requests	Rank	Personal	Other	Total	% of all FOI request	Change in total	% change in total
Home Affairs	1	16,678	664	17,342	40	1	15,525	745	16,270	35	–1,072	–6
Services Australia	2	4,899	236	5,135	12	2	5,759	240	5,999	13	864	17
NDIA	3	1,838	493	2,331	5	3	3,194	529	3,723	8	1,392	60
ART	4	2,070	50	2,120	5	4	3,187	50	3,237	7	1,117	53
ATO	5	679	543	1,222	3	5	1,261	237	1,498	3	276	23
AFP	7	724	338	1,062	2	6	793	371	1,164	2	102	10
Defence	6	395	765	1,160	3	7	549	578	1,127	2	–33	–3
Health	9	191	620	811	2	8	273	854	1,127	2	316	39
DVA	8	692	181	873	2	9	624	259	883	2	10	1
DFAT	12	258	409	667	2	10	399	400	799	2	132	20
AUSTRAC	11	327	416	743	2	11	390	294	684	1	–59	8
DCCEEW	15	5	398	403	1	12	45	494	539	1	136	34
AGD	16	80	254	334	1	13	108	318	426	1	92	28
OAIC	13	370	209	579	1	14	245	148	393	1	–186	–32
PMC	19	21	282	303	1	15	19	366	385	1	82	27
ANU	29	28	135	163	<1	16	35	332	367	1	204	125
ASIC	17	120	208	328	1	17	106	245	351	1	23	7
NDIS QSC	21	161	74	235	<1	18	264	87	351	1	116	49
DITRDCSA	18	12	295	307	1	19	16	331	347	1	40	13
Treasury	22	17	214	231	<1	20	27	307	334	1	103	45
Total of current year top 20*		29,565	6,784	36,349	84		32,819	7,185	40,004	86	3,655	10
Others		2,544	4,563	7,107	16		1,892	5,037	6,929	14	–178	–3
Total		32,109	11,347	43,456	100		34,711	12,222	46,933	100	3,477	8

*This is the total of the current year's top 20 only. The composition of the top 20 has changed since 2024–25. The OAC's regulatory engagement with the Department of Home Affairs confirms that some operational changes within the Department may be impacting the reduction in applications for personal information.

Two of the top 3 agencies in the top 20, Services Australia and NDIA, received more FOI requests compared with 2024–25.

Overall, the ‘top 20 agencies’ (based on the number of FOI requests received) have been receiving a consistent proportion of FOI requests each year for the past 3 years:

- 84% of all FOI requests in 2023–24
- 86% of all FOI requests in 2024–25
- 85% of all FOI requests in 2025–26.

All ‘other’ agencies outside the top 20 experienced an increase of 10.51% in the number of FOI requests received, from 6,270 in 2024–25 to 6,929 in 2025–26.

This is a larger increase in FOI requests received than that of the top 20 agencies, which received a 7.6% increase (from 37,186 in 2024–25 to 40,004 in 2025–26).

Requests for personal and other (non-personal) documents

The FOI Statistics Guide, which is issued by the OAIC to help agencies complete their FOI statistical returns, defines a request for personal information as a request in which personal information is the predominant type of information sought. For this purpose, ‘personal information’ includes both an applicant’s own personal information and information about other individuals.

‘Personal information’ is defined in s 4(1) of the FOI Act by reference to the definition in the Privacy Act 1988.

In summary, ‘personal information’ means information or an opinion about an identified individual or an individual who is reasonably identifiable. A request for ‘other’ (non-personal) information means a request for all other documents, such as documents concerning policy development or government decision-making.

In 2025–26, 34,711 FOI requests (74% of all FOI requests received) were for documents containing predominantly personal information. This is the same proportion of all requests received as 2024–25 reporting period.

Home Affairs continues to receive the highest number of requests for documents containing predominantly personal information, with 15,525 requests in 2025–26.

The total of requests for other (non-personal documents) increased by 8%, from 11,347 in 2024–25 to 12,222 in 2025–26.

Home Affairs personal information requests

In 2025–26, Home Affairs continued to receive a significant number of requests for personal information. In the reporting period, personal information requests made up 95% of requests received, similar to the 96% of requests received in 2024–25.

Home Affairs (and its predecessor agencies) have continually failed to comply with the mandatory statutory processing timeframes under the FOI Act. This issue of non-compliance has been consistent and continues to recur¹. In 2025–26, 76% of personal information requests were decided by Home Affairs after the statutory timeframe had expired, compared to 16% across all agencies. Whilst there has been a 5% decrease in applications for personal information lodged under the FOI Act the OAIC’s regulatory engagement with HA confirms that some operational changes within the Department may be impacting the reduction in applications for personal information.

For large departments with high FOI volumes, this is a reminder to ensure that they have sufficient governance arrangements and supporting tools and systems in place. The OAIC’s self-assessment tool for agencies contains questions about governance arrangements covering authorisations, independence, and contractors, and questions about supporting tools and systems covering smart forms, case management systems, and planning for increased FOI workloads. The strategies table, complementing the self-assessment tool, provides short strategies and web links to relevant parts of the FOI Guidelines and other OAIC agency resources such as our guide on managing increased volume of FOI requests.

¹ View the summary of our investigation outcomes on our website: <https://www.oaic.gov.au/freedom-of-information/information-commissioner-decisions-and-reports/freedom-of-information-investigation-outcomes>. See also, for example, the following CII reports (referred to as own motion investigations): FOI at the Department of Human Services, published on 2 December 2014, and Processing of non-routine FOI requests by the Department of Immigration and Citizenship, published on 26 September 2012, on the OAIC website, <https://www.oaic.gov.au/freedom-of-information/foi-reports/>

Largest decreases

In the top 20 agencies, the largest decreases in the percentages of FOI requests received in 2025–26 were seen by:

- OAIC – a 39% decrease, from 579 in 2024–2025 to 393 in 2025–26
- Home Affairs – a 6% decrease, from 17,342 in 2024–25 to 16,270 in 2025–26
- Defence – a 3% decrease, from 1,160 in 2024–25 to 1,127 in 2025–26.

The OAIC said: During February 2026, we reviewed our approach to the classification of these misdirected requests. Previously, the OAIC had counted requests for documents held by state or territory departments and organisations as valid FOI requests. These matters are now excluded on the basis that they are not valid requests under the *FOI Act 1982*. This has resulted in a comparatively smaller but more accurate count of genuine FOI requests in the 2025–26 financial year.

Administrative access

Administrative access means release of government information in response to a specific request outside the processes in the FOI Act. It can offer resource benefits to the agency, and applicants may receive documents within shorter timeframes than under the FOI Act. Administrative access may involve providing information or documents when requested by a member of the public, allowing clients to access and update their personal information through an online portal, or designating an access arrangement for information or documents the agency is commonly asked for. Administrative access may also involve establishing a formal access arrangement for staff seeking their own personnel records. If an agency has established procedures for employees to request their own personnel records, the FOI Act provides that those employees (which include former employees) cannot make an FOI request for their personnel records unless they have already made a request under those established administrative access procedures (s 15A of the FOI Act). For more information, see the OAIC's resource on administrative access on our website.

Largest increases

Of the top 20 agencies, the largest increases in the percentages of FOI requests received in 2025–26 were seen by:

- ANU – a 125% increase, from 163 in 2024–25 to 367 in 2025–26
- NDIA – a 60% increase, from 2,331 in 2024–25 to 3,723 in 2025–26
- ART – a 53% increase, from 2,120 in 2024–25 to 3,237 in 2025–26.

The ANU commented that there has been a significant increase from last year, and 2 additional staff have been employed to improve their FOI process.

The NDIA commented that they experienced significant operational growth and efficiency gains between the 2024–25 and 2025–26 reporting periods, marked by key developments including total requests received increased by over 50%, driven by public interest in the NDIA's core functions.

ART commented the substantial increase in both requests received and finalised can be attributed to the Tribunal's expanding caseload and increased public engagement.

Large increase in requests – other agencies

Some agencies outside the top 20, and therefore not featured in Table 2, received significantly more FOI requests in 2025–26 than in 2024–25. These included:

- **Tertiary Education Quality and Standards Agency (TEQSA) – an increase of 186%, from 14 requests received in 2024–25, to 40 in 2025–26.** This increase is partially attributable to several FOI requests received in relation to TEQSA's compliance assessment of the Australian National University.
- **Reserve Bank of Australia – an increase of 183%, from 42 requests received in 2024–25, to 119 in 2025–26.** FOI requests received this year increased due almost entirely to the actions of one applicant who lodged 74 requests.
- **Australian Bureau of Statistics – an increase of 86%, from 51 requests received in 2024–25, to 95 in 2025–26.** The increase was largely attributable to a single repeat applicant, who

was responsible for approximately 64% of all FOI applications received during the reporting period.

- **Australian Digital Health Agency – an increase of 63%, from 70 requests received in 2024–25, to 114 in 2025–26.** The increase is largely due to a spike in requests for access to My Health Records from members of the public.

FOI requests to ministers

FOI requests to ministers are presented here separately, to distinguish their FOI activity from that of other types of agencies.

In 2025–26, requests to ministers totalled 653, a 22% increase in requests made to ministers in 2024–25 (563). This is in contrast to the 8% overall increase in FOI applications.

The ministers who received the highest numbers of requests in 2025–26 were:

- Prime Minister (81)
- Minister for Industry and Innovation (55)
- Treasurer (48)
- Minister for Health and Ageing (40)
- Minister for Communications (33)
- Minister for the Environment and Water (32)
- Minister for Resources (32)
- Attorney-General (31)
- Minister for Climate Change and Energy (25)
- Minister for Foreign Affairs (23).

These 10 ministers received 61% of all requests made to ministers in 2025–26 (400 of 653 requests).

FOI requests finalised

Table 4 reveals how Australian Government agencies dealt with the FOI requests they received in 2025–26, compared with 2024–25, including whether those requests were withdrawn, transferred to another agency or a minister, or decided.

Agencies and ministers commenced 2025–26 with more FOI requests on hand requiring a decision than the previous financial year (53% more than at the beginning of 2024–25).

Overall the requests received during 2025–26 increased by 8% and the numbers of requests transferred to another agency or a minister (26%) or decided (24%) increased by 26% and 24% respectively.

Decisions on FOI requests

Agencies made 31,367 FOI decisions in 2025–26, 24% more than in 2024–25 when 25,211 decisions were made.

In 2025–26, 73% of all decisions made were in relation to personal information (this was 67% in 2024–25).

Table 5 shows the proportion of decisions made by Australian Government agencies and ministers to grant access to documents in full, in part, or refused in full.

The proportion of FOI requests granted in full was 18% in 2025–26, which is lower than 2024–25 (21%).

The proportion of FOI requests granted in part was 54% in 2025–26, which is the same result at 2024–25, and in 2023–24 this was 55%.

The proportion of FOI requests refused in 2025–26 increased to 28%, compared with 25% in 2024–25. This includes requests refused because the requested documents did not exist or could not be found, or a practical refusal reason existed, as well as when exemptions were applied. This percentage was 24% in 2023–24, 23% in 2022–23, and 19% in 2021–22.

In 2025–26, agencies made 35% more decisions in relation to personal information (22,755 compared to 16,838 in 2024–25). There were 3% more decisions made in relation to other (non-personal) information (8,612 in 2025–26), compared to 8,373 in 2024–25.

Table 3: FOI requests received by Australian government ministers over the past 6 years

	2020–21	2021–22	2022–23	2023–24	2024–25	2025–26
Number of FOI requests received	266	300	367	462	536	653
% change from previous reporting period	–6.3	12.8	22.3	25.9	16	22

Table 4: Overview of FOI requests received and finalised

FOI request processing	2024–25	2025–26	% change
On hand at the beginning of the year ²	7,290	11,128	53
Received during the year	43,456	46,933	8
Requiring decision ³	50,746	58,061	14
Withdrawn	13,353	13,488	1
Transferred	826	1,042	26
Decided ⁴	25,211	31,367	24
Finalised ⁵	39,390	45,897	17
On hand at the end of the year	11,356	12,164	7

Table 5: Outcomes of FOI requests decided in 2025–26 compared with 2024–25

Decision	Personal 2024–25	Other 2024–25	Total 2024–25	%	Personal 2025–26	Other 2025–26	Total 2025–26	%
Granted in full ⁶	4,100	1,295	5,395	21	4,559	1,017	5,576	18
Granted in part ⁷	9,602	3,956	13,558	54	13,164	3,891	17,055	54
Refused	3,136	3,122	6,258	25	5,032	3,704	8,736	28
Total	16,838	8,373	25,211	100	22,755	8,612	31,367	100

The decline in the percentage of requests granted in full could be somewhat attributed to the OAIC's clarification in December 2022 that if an agency redacts material in documents on the basis that the scope of the request does not include that material, and is therefore irrelevant (s 22 of the FOI Act), the agency should report the decision as 'granted in part' (see s 31(3) of the AIC Act).

The OAIC expected the new guidance to result in fewer FOI decisions being reported as granted in full, and more FOI decisions being reported as granted in part. That expectation has been realised in the full reporting years after December 2022. The percentage of FOI decisions granting access in full has decreased from

21% in both 2023–24 and 2024–25 to 18% in 2025–26, and the percentage granting access in part has increased from 23% in 2022–23 to 24% in 2023–24, and 25% in both 2024–25 and 2025–26. This change has no bearing on the refusal rates reported by agencies. It is difficult to assess how many of the refusal decisions have met the applicant's scope, but applied section 22 redactions over irrelevant material and thus been reported as refusals in part.

Table 6 lists the top 20 agencies by the number of FOI decisions made in 2025–26, and differences in outcomes of FOI requests compared with other agencies.

² Agencies and ministers can ask the OAIC to change the number of FOI requests on hand at the beginning of a reporting year if the number carried over from the previous year is incorrect.

³ Total of FOI requests on hand at the beginning of this reporting period and requests received during this reporting period.

⁴ Covers access granted in full, part or refused.

⁵ The sum of requests withdrawn, transferred, and decided.

⁶ The release of all documents within the scope of the request, as interpreted by the agency or minister.

⁷ A document is granted in part when a part, or parts, of a document have been redacted to remove any irrelevant, exempt or conditionally exempt matter.

In 2025–26, agencies in the top 20 (ranked by the number of decisions made) granted access in full to 19% of all the FOI decisions made; the remaining agencies granted 13% of all requests in full. In 2024–25, agencies in the top 20 granted access in full in 22% of all FOI decisions; the remaining agencies granted 17% of all requests in full.

In 2025–26, agencies in the top 20 granted access in part in 55% of all FOI decisions made; this was 49% for

the agencies outside the top 20. In 2024–25, agencies in the top 20 granted access in part in 55% of FOI decisions made; this was 47% for the agencies outside the top 20.

In 2025–26, 14 agencies in the top 20 refused access to documents at rates higher than the average of all agencies (which is 28%).

Table 6: The top 20 agencies by the number of FOI decisions made in 2025–26

Agency	Granted in Full	%	Granted in Part	%	Access refused	%	Total	Rank
Home Affairs	1,540	20	4122	52	2217	28	7,879	1
Services Australia	393	8	3535	75	765	16	4,693	2
NDIA	1,213	34	1660	46	730	20	3,603	3
ART	1,029	36	1619	57	202	7	2,850	4
ATO	266	23	633	54	269	23	1,168	5
Defence	13	2	382	45	459	54	854	6
AFP	25	3	402	48	415	49	842	7
Health	103	13	378	48	302	39	783	8
AUSTRAC	14	2	413	60	260	38	687	9
DVA	59	12	282	57	150	31	491	10
DFAT	19	5	249	59	153	36	421	11
DCCEEW	72	19	203	53	105	28	380	12
ASIC	45	16	101	35	143	49	289	13
AGD	17	6	146	53	113	41	276	14
DITRDCSA	15	6	145	55	104	39	264	15
PMC	15	6	115	45	125	49	255	16
OAIC	16	7	94	39	128	54	238	17
Treasury	37	16	64	28	125	55	226	18
eSafety	28	13	93	42	99	45	220	19
ANU	23	11	113	53	76	36	212	20
Total top 20	4,942	19	14,749	55	6,940	26	26,631	
Others	634	13	2306	49	1796	38	4,736	
Total	5,576	18	17,055	54	8,736	28	31,367	

To clarify the OAIC's percentage of access refusal decisions, the OAIC notes a proportion of access refusals arise because applicants request documents from the OAIC that appear to be held by state or territory departments and organisations. While we directed applicants to the appropriate organisations, a number still choose to seek a formal decision from our agency resulting in an access refusal decision.

Agencies receiving high proportions of requests for access to personal information that granted full access to documents in high proportions in 2025–26 included:

- ART – 36% (1,029 decisions to grant access in full out of 2,850 decisions)
- NDIA – 34% (1,213 decisions to grant access in full out of 3,603 decisions made).
- ATO – 23% (266 decisions to grant access in full out of 1,168 decisions made).

Services Australia also had a high proportion of requests for access to personal information (5,759 requests out of 5,999 or 96% of all requests in 2025–26) but granted access in full in only 8% of its total decisions made (making 393 decisions to grant access in full out of a total of 4,693 decisions made). That lower proportion of decisions to grant access in full may be attributable to Services Australia having an established administrative access scheme, allowing persons to access their personal information outside of the FOI Act⁸.

Use of exemptions

Table 7 shows how Australian Government agencies and ministers claimed exemptions under the FOI Act when processing FOI requests in 2025–26. More than one exemption may be applied in processing an FOI request. Exemptions were not claimed or were not relevant⁹ in 6,992 FOI requests decided in 2025–26 (22%) compared to 31% of all requests in 2024–25.

There was very little change in the application of exemptions claimed in 2025–26 compared with previous years. The personal privacy conditional exemption (s 47F) remains the most claimed. It

was applied in 42% of all FOI decisions in which an exemption was claimed in 2024–25, the same as 2024–25.

The next most claimed exemptions were:

- s 47E (certain operations of agencies) 31%, up from 26% in 2024–25
- s 47C (deliberative processes) 5%, the same as in 2024–25
- s 47G (business affairs exemption) 5%, the same as in 2024–25
- s 38 (documents to which secrecy provisions apply) 5%, the same as in 2024–25.

'BAA' and Australian Broadcasting Corporation (Freedom of information) [2026] AICmr 26 (6 May 2026)

This decision discusses the application of s 47E(d) of the FOI Act to material that was removed from a court file following an order by the Federal Court of Australia (the Court). It finds that disclosure of the relevant material would have a significant adverse effect on the operations of the Court, particularly in the context where an agreement was reached by the parties in those proceedings and the Court's overarching purpose of facilitating the just resolution of disputes according to law as quickly, inexpensively and efficiently as possible. This decision demonstrates that the exemption in s 47E(d) can protect the operational interests of an agency other than the agency holding the documents at issue.

Bachelard and Australian Federal Police (Freedom of information) [2025] ARTA 2416 (7 November 2025)

This decision considers the application of s 47F of the Act. Section 47F outlines conditional exemption for documents disclosure of which would involve the unreasonable disclosure of personal information about any person (including a deceased person).

'BAE' and Department of Home Affairs (Freedom of information) [2026] AICmr 27 (6 May 2026)

This decision discusses the application of ss 37, 47E and 47F of the FOI Act. This decision also includes discussion about two recent Administrative Review Tribunal (the Tribunal) decisions concerning the definition of 'personal information' in the context of public sector employees; *Bachelard and Australian*

⁸ Refer to Services Australia's webpage: Personal information releases - Accessing our services - Services Australia

⁹ As well as decisions granting access to documents in full, this also includes decisions made under s 24 of the FOI Act (practical refusal) and s 24A (documents do not exist or cannot be found).

Table 7: Use of exemptions in FOI decisions in 2025–26

FOI Act reference	Exemption	Personal	Other	Total	% of all exemptions applied ¹⁰
s 33	Documents affecting national security, defence or international relations	209	474	683	2
s 34	Cabinet documents	58	262	320	1
s 37	Documents affecting enforcement of law and protection of public safety	457	244	701	3
s 38	Documents to which secrecy provisions of enactments apply	1,195	111	1,306	5
s 42	Documents subject to legal professional privilege	239	419	658	2
s 45	Documents containing material obtained in confidence	57	255	312	1
s 46	Documents disclosure of which would be contempt of Parliament or contempt of court	15	13	28	0
s 47	Documents disclosing trade secrets or commercially valuable information	53	344	397	1
s 47A	Electoral rolls and related documents	22	0	22	0
s 47B	Commonwealth-state relations	174	153	327	1
s 47C	Deliberative processes	378	895	1,273	5
s 47D	Financial or property interests of the Commonwealth	96	69	165	1
s 47E	Certain operations of agencies	6,689	1,881	8,570	31
s 47F	Personal privacy	9,401	2,128	11,529	42
s 47G	Business affairs	368	900	1,268	5
s 47H	Research	1	1	2	0
s 47J	The economy	0	3	3	0
Total		19,412	8,152	27,564	100

Federal Police (Freedom of information) [2025] ARTA 2416 (7 November 2025) and *Madden; Secretary, Services Australia (Freedom of Information)* [2026] ARTA 423 (20 March 2026). This decision provides useful guidance on the principles set out in the aforementioned Tribunal decisions, particularly with respect to the question of when information relating to public servants would be found to be ‘about an individual’. In their FOI statistical returns, agencies and ministers report on all exemptions applied for each FOI request decided. The top agencies that reported

applying the personal privacy exemption (s 47F) in their decisions were:

- Home Affairs – applied in 4,042 decisions (35% of all decisions in which s 47F was applied in 2025–26)
- Services Australia – applied in 1,679 decisions (15% of all decisions in which s 47F was applied in 2025–26)
- NDIA – applied in 1,426 decisions
- ART – applied in 1,005 decisions
- AFP – applied in 270 decisions.

¹⁰ Percentage of decisions in which the exemption has been applied by all agencies and ministers in 2025–26

The top agencies that reported applying the certain operations of agencies exemption (s 47E) in their decisions were:

- Home Affairs – 2,569 decisions
- ART – 1,471 decisions
- Services Australia – 1,109 decisions
- ATO – 465 decisions
- AFP – 414 decisions.

The top agencies that reported applying the deliberative processes exemption (s 47C) in their decisions were:

- Home Affairs – 180 decisions
- Health – 89 decisions
- ART – 61 decisions
- DCCEEW – 58 decisions
- PMC – 55 decisions.

The top agencies that reported applying the business affairs exemption (s 47G) were:

- Health – 153 decisions
- Home Affairs – 143 decisions
- DVA – 58 decisions
- DCCEEW – 57 decisions
- Defence – 53 decisions
- ASIC – 50 decisions.

The top agencies that reported applying the secrecy provisions exemption (s 38) were:

- Services Australia – 622 decisions
- ATO – 477 decisions
- Home Affairs – 61 decisions
- ART – 34 decisions
- Health – 18 decisions
- DSS – 14 decisions.

Use of practical refusal

Section 24AB of the FOI Act provides that a ‘request consultation process’ must be undertaken if a ‘practical refusal reason’ exists (s 24AA). A practical refusal reason exists if the work involved in processing the FOI request would substantially and unreasonably divert the agency’s resources from its other operations, or if the FOI request does not adequately identify

the documents sought. In the case of a minister, a practical refusal reason would exist if the work involved in processing the request would substantially and unreasonably interfere with the performance of the minister’s functions.

The request consultation process involves the agency or minister sending a written notice to the FOI applicant advising them of an intention to refuse the request and providing details of how the FOI applicant can consult the agency or minister (a practical refusal notice). The FOI Act imposes an obligation on the agency or minister to take reasonable steps to help the FOI applicant revise their request so that the practical refusal reason no longer exists.

William Rae and Department of Defence (Freedom of information) [2025] AICmr 183 (14 November 2025)

This decision focuses on Defence’s failure to identify a particular spreadsheet as being within the scope of the request and discusses whether the Department took all reasonable steps to search for documents relating to a referral to the Australian Federal Police, before refusing access to them on the basis that they cannot be found or do not exist (s 24A). It also highlights that ‘receiving agencies’ for the purposes of the transfer of requests under s 16 of the FOI Act, should ensure that the documents are either in its possession or that the subject matter is more closely connected with its functions. Failure to do so is inconsistent with the application of s 16 and results in the delay to access to information.

Table 8 provides information about how agencies and ministers engaged in request consultation processes under s 24AB of the FOI Act in 2025–26, and the outcome of those processes.

Agencies and ministers sent 3,916 practical refusal notices in 2025–26, 37% more than in 2024–25 when 2,858 notices were sent.

Some agencies sent significantly more practical refusal notices in 2025–26 than in 2024–25. These agencies included:

- DFAT, which sent 91% more practical refusal notices in 2025–26 (141) than in 2024–25 (74), in the context of a 20% increase in total FOI requests.
- The AFP, which sent 179% more practical refusal notices in 2025–26 (95) than in 2024–25 (34), in the context of a 10% increase in total FOI requests.

- ATO, which sent 252% more practical refusal notices in 2025–26 (81) than in 2024–25 (23), in the context of a 23% increase in total FOI requests.
- DEWR, which sent 245% more practical refusal notices in 2025–26 (69) than in 2025–25 (20), in the context of a 55% increase in total FOI requests.
- Defence, which sent 209% more practical refusal notices in 2025–26 (346) than in 2024–25 (112), in the context of a 3% reduction in total FOI requests. The Department explains the increase in the use of practical refusal provisions was primarily attributable to a single applicant submitting 197 FOI requests on one day shortly before the end of the 2024–25 financial year.

‘AZV’ and Commonwealth Ombudsman (Freedom of information) [2026] AICmr 18 (2 March 2026)

This decision discusses the application of ss 24A and 47E(d) of the FOI Act to documents about an Ombudsman investigation into the handling of a Public Interest Disclosure (PID) by the Department of Home Affairs, under s 8 of the *Ombudsman Act 1976*. In affirming the Ombudsman’s decision, the FOI Commissioner found that the Ombudsman had taken all reasonable steps to locate documents relevant to the applicant’s request and that the disclosure of PID investigation material and witness material provided to the Ombudsman by the Department for the purposes of investigating a complaint would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of the Ombudsman. The FOI Commissioner also found that the disclosure of the material at issue may frustrate the Ombudsman’s ability to meet its statutory obligations and could be likely to call into question the integrity of the Ombudsman.

Some agencies and ministers issued a high proportion of notices of an intention to refuse a request for a practical refusal reason, as a percentage of all the FOI requests they decided during 2025–26. These agencies included:

- ACCC – 78% (59 notices issued)
- Norfolk Island Regional council had 59% (19 notices issued)
- Treasurer had 68% (19 notices issued)
- Assistant Treasurer had 89% (8 notices issued).

Previous years’ annual reports have commented on the percentage of FOI requests refused after a practical refusal notice is issued. However, agencies and ministers are not asked to report this information (only the number subsequently processed, other than by confirming the practical refusal or withdrawal by the applicant). The percentage refused was calculated by subtracting the number of requests subsequently processed from the number of practical refusal notices sent.

Table 8: Use of practical refusal in 2025–26

Practical refusal processing step	Personal	Other	Total	%
Notified in writing of intention to refuse request	1,865	2,051	3,916	8 ¹¹
Request was subsequently processed (other than by confirming the practical refusal or withdrawal of the request)	546	720	1,266	32 ¹²

In 2025–26, 32% of all FOI requests for which a practical refusal notice was sent were subsequently processed (other than by confirming the practical refusal). In 2024–25, 32% were also subsequently processed.

Although fairly equal numbers of practical refusal notices were issued with respect to personal and other (nonpersonal) requests, notices were issued for 5% of all personal requests decided compared with 17% for all other (non-personal) requests decided in 2025–26.

The request consultation process for other (non-personal) FOI requests is more likely to result in requests subsequently being processed (other than by confirming the practical refusal reason). In 2025–26, 35% of all other (non-personal) FOI requests were subsequently processed; only 29% of personal FOI requests were subsequently processed.

¹¹ Notices sent advising of an intention to refuse a request for a practical refusal reason expressed as a percentage of all the FOI requests received in 2025–26.

¹² Percentage of the total number of notices sent advising of an intention to refuse a request for a practical refusal reason.

Home Affairs issued 29% of all notices of an intention to refuse a request for a practical refusal reason in 2025–26 (1,122 notices). It subsequently processed 308 of these requests (27%). This is slightly less in percentage terms than 2024–25, when Home Affairs processed 29% of the requests for which a practical refusal notice was issued.

For all other agencies, the percentage of FOI requests subsequently processed after a practical refusal notice was issued was 34%, which is higher than 2024–25 when 33% were subsequently processed.

Time taken to respond to FOI requests

Under the FOI Act, agencies and ministers have 30 days to make a decision in response to an FOI request. The FOI Act allows for that timeframe to be extended in certain circumstances. If a decision is not made on an FOI request within the statutory timeframe (including any extension period), s 15AC of the FOI Act provides that a decision refusing access is deemed to have been made. Nonetheless, agencies may continue to process a request that has been deemed to be refused.

In 2025–26, 71% of all FOI requests were processed within the applicable statutory timeframe: 65% of all personal information requests and 86% of all other (non-personal) requests. The timeliness of decision-making for personal information requests further declined from 67% in 2024–25 to 65% in 2025–26, while the timeliness of decision-making for ‘other’ requests increased from 85% in 2024–25 to 86% in 2025–26.

Accordingly, there was an overall minor deterioration (2%) of FOI requests processed within the applicable statutory timeframe (71% in 2025–26 compared with 73% in 2024–25).

Generally, timeliness of decision-making has declined since 2017–18, when 85% of all FOI requests were decided within the relevant statutory timeframe (85% of all requests for access to personal information and 86% of all other (non-personal) requests).

In 2025–26, 5 agencies and 5 ministers decided less than 50% of their FOI requests within the statutory timeframe. The agencies that decided more than one request during the year with less than 50% compliance with statutory timeframes included:

- Home Affairs – 27% (2,135 of 7,789 requests decided in time)
- Australian National University – 30% (64 of 212 requests)
- Special Broadcasting Service – 40% (6 of 15 requests).

The Australian National University explained that there has been a significant increase in requests from last year, and there were staffing changes during the period which caused delays in finalising FOI matters.

The Special Broadcasting Service explained that although the number of requests received was less, they involved large volume of documents, third-party consultations, internal consultations.

During the year, 4 ministers decided more than one request with less than 50% compliance with statutory timeframes.

- The Deputy Prime Minister decided 33% of requests within the statutory timeframe, 33% of requests up to 30 days after the expiry of the statutory time period, and 33% of requests 90 or more days after the expiry of the statutory time period.
- The Minister for Veterans Affairs decided 33% of requests within the statutory timeframe and 67% of requests in 31-60 days after the expiry of the statutory time period.
- The Minister for Home Affairs decided 42% of requests within the statutory timeframe, 33% of requests up to 30 days after the expiry of the statutory time period, 17% of requests in 31-60 days after the expiry of the statutory time period, and 8% of requests 90 or more days after the expiry of the statutory time period.
- The Minister for Skills and Training decided 100% of requests 90 or more days after the expiry of the statutory time period.

Table 9: FOI request response times for 2024–25 and 2025–26

Response time	2024–25				2025–26			
	Personal	Other	Total	% of total requests decided	Personal	Other	Total	% of total requests decided
Within applicable statutory time period	11,208	7,088	18,295	73	14,713	7,448	22,161	71
Up to 30 days over applicable statutory time period	1,700	587	2,287	9	2,168	510	2,678	9
31–60 days over applicable statutory time period	1,128	259	1,387	6	1,437	192	1,629	5
61–90 days over applicable statutory time period	613	159	773	3	678	135	813	3
More than 90 days over applicable statutory time period	2,189	280	2,469	10	3,759	327	4,086	13
Total	16,838	8,373	25,211	100	22,755	8,612	31,367	100

Table 10: Agencies deciding 5% or more of FOI requests more than 90 days after the expiry of applicable statutory period in 2025–26

Agency	Total requests decided	FOI requests decided >90 days after expiry of statutory period	% of requests decided >90 days after expiry of statutory period (as % of all requests decided)
Minister for Skills and Training	5	5	100
Department of Home Affairs	7,879	3,069	39
NAA	20	8	40
Deputy Prime Minister	3	1	33
ANU	212	59	28
NDIA	3,603	686	19
DVA	491	84	17
Repatriation Medical Authority	12	2	17
AFP	842	103	12
ABC	84	8	10
Screen Australia	10	1	10
PMC	255	20	8
Minister for Home Affairs	12	1	8
Bureau of Meteorology	44	3	7
Total decided (agencies deciding 5% or more of FOI requests more than 90 days after the expiry of applicable statutory period)	13,472	4,050	30
Total decided (all agencies and ministers)	31,367¹³	4,086¹⁴	13

¹³ Total of all FOI requests decided by Australian Government agencies and ministers in 2025–26

¹⁴ Total of all FOI requests decided by Australian Government agencies and ministers more than 90 days after the expiry of the statutory timeframe in 2025–26.

There was an increase the number of FOI requests decided more than 90 days over the applicable statutory time limit in 2025–26 compared with the previous year. In 2025–26, 4,086 FOI requests were decided more than 90 days after the statutory time had expired; in 2024–25 this was 2,469. Accordingly, in 2025–26, 13% of all requests decided by all agencies and ministers (totalling 31,367) were decided more than 90 days after the expiry of the statutory processing period, an increase on 2024–25. It is worth noting that in 2018–19, only 2% of requests were decided more than 90 days after the statutory time had ended.

Home Affairs accounted for 75% of all requests decided more than 90 days after the expiry of the statutory time period in 2025–26 (3,069 of 4,086 requests decided). Overall, 39% of all the FOI decisions made by Home Affairs were made more than 90 days after the statutory time period; 42% of personal requests and 2% of other (non-personal) requests. This is a decrease in performance from 2024–25 when Home Affairs counted for 74% of all requests decided more than 90 days over time and when 29% of its decisions were made more than 90 days over time (32% of personal information requests and 3% of other (non-personal) requests).

In 2024–25, the NDIA made 274 decisions more than 90 days after the statutory time period had expired (21% of all decisions made that year); this increased to 686 decisions made more than 90 days over time in 2025–26 (19% of all decisions made) against a 60% increase in applications.

The AFP also experienced increases in the number and percentage of requests decided more than 90 days over time in 2025–26. In 2025–26, the AFP made 103 decisions over 90 days late (12% of all decisions), an increase from 2024–25, when the AFP made 77 decisions over 90 days late (11% of all decisions made).

Stronger performance

Some agencies and ministers received more than 50 FOI requests in 2025–26 and decided them all within the statutory timeframe. These agencies included:

- DCCEEW – 380 decisions
- DEWR – 180 decisions
- Comcare – 150 decisions
- DSS – 144 decisions
- AMSA – 108 decisions
- Aged Care Quality and Safety Commission – 103 decisions
- Airservices Australia – 103 decisions
- ACMA – 91 decisions
- Department of Education – 84 decisions
- DAFF – 82 decisions
- ACCC – 76 decisions
- AFSA – 65 decisions
- Fair Work Ombudsman – 65 decisions
- ACIC – 56 decisions.

Also see the FOI Leaderboard in the ‘Year in Review and Key developments in 2025–26’ section at the front of this report.



Part 2

Applications for amendment of personal records



Applications for amendment of personal records

Section 48 of the FOI Act confers a right on a person to apply to an agency or minister to amend or annotate a document to which lawful access has been granted, if the document contains personal information about the applicant:

- that is incomplete, incorrect, out of date or misleading, and
- has been used, is being used, or is available for use by the agency or minister for an administrative purpose.

In 2025–26, 16 agencies received 2,744 amendment applications (no amendment applications were received by ministers). This represents a 33% increase in amendment applications compared with 2024–25, when 2,057 amendment applications were received.

The increase in amendment applications is due to Home Affairs receiving more amendment applications in 2025–26 (2,675) than in 2024–25 (1,981), which is a 35% increase. Defence received 29 amendment applications in 2025–26. Services Australia received 16 amendment applications in 2025–26.

Table 11 shows that agencies made 3,148 decisions on these amendment applications, and whether the decisions were to amend, annotate, or amend and annotate the record of personal information about the applicant.

Time taken to respond to amendment applications

Agencies and ministers are required to notify an applicant of a decision on their application to amend personal records as soon as practicable, but in any case, not later than 30 days after the day the request is received, or a longer period as extended under the FOI Act.

In 2025–26, 38% of all amendment applications were decided within the applicable statutory timeframe, which is 10% higher than in 2024–25, however, lower than 2023–24 (70%) and 2022–23 (87%).

Table 11: Decisions on amendment applications 2024–25 and 2025–26

Decision	2024–25	% of total	2025–26	% of total	% change ¹
Granted	1,344	87	2,892	92	115
Amend record	1,248	80	2,401	76	92
Annotate record	1	0	0	17	–100
Amend and annotate record	95	6	491	16	417
Refused	209	13	256	8	22
Total	1,553	100	3,148	100	103

¹ Percentage increase or decrease compared with 2024–25.

In 2025–26, 20% of all amendment applications were decided up to 30 days after the expiry of the statutory timeframe (this was 9% in 2024–25). In 2025–26, 42% were decided more than 30 days after the timeframe expired (improving from 57% in 2024–25).

The overall timeliness of decision-making for amendment applications directly reflects timeliness of decision-making within the Department of Home Affairs. Home Affairs accounts for 98% of all amendment applications decided. Home Affairs decided 37% of all amendment applications within the statutory timeframe, 20% were decided up to 30 days after the expiry of the applicable processing period, and 43% were decided more than 30 days after the processing period expired.

Excluding Home Affairs, agencies decided 87% of all amendment applications within the statutory timeframe, 8% were decided up to 30 days after the expiry of the applicable processing period, and 5% were decided more than 30 days after the processing period expired.



Part 3

Charges



Charges

Section 29 of the FOI Act provides that an agency or minister may impose charges in respect of FOI requests, except requests for access to personal information, and sets out the process by which charges are assessed, notified and adjusted. Charges may only be imposed for requests relating to other (non-personal) information.

Table 12 shows the amounts collected by the 20 agencies that collected the most in charges under the FOI Act in 2025–26. These top 20 agencies are responsible for 99.8% of all charges collected by agencies and ministers under the FOI Act during the reporting period.

Of note:

- Agencies issued fewer charges notices in 2025–26 (517) than in 2024–25 (540).
- Agencies notified more in charges in 2025–26 (\$199,590) compared to 2024–25 (\$187,584). Agencies only collected \$77,534 in charges in total in 2025–26.
- Although agencies notified slightly less in charges in 2025–26, they collected a higher percentage of the charges notified than in previous years (39% compared with 35% in 2024–25).

Some agencies collected much larger amounts of charges than in previous years. These agencies included:

- ASIC – a 506% increase, up from \$1,076 in 2024–25 to \$6,523 in 2025–26
- Civil Aviation Safety Authority – a 395% increase, up from \$564 in 2024–25 to \$2,793 in 2025–26
- NOPSEMA – a 244% increase, up from \$714 in 2024–25 to \$2,456 in 2025–26.

Home Affairs did not collect any charges in 2025–26 which reflects the same as the 2024–25 reporting period. Previously, Home Affairs collected \$221 in charges in 2023–24 and \$9,487 in charges in 2022–23.

Table 12: Top 20 agencies by charges collected in 2025–26

Agency	Rank	Requests received	Requests where charges notified	Total charges notified (\$)	Total charges collected (\$)	% of charges notified that were collected
DCCEEW	1	539	125	44,775	24,795	56
DISR	2	293	54	24,385	8,781	36
Health	3	1,127	85	21,954	8,071	37
ASIC	4	351	29	17,724	6,523	37
ARC	5	26	9	9,331	6,354	68
DAFF	6	123	39	11,755	4,998	43
NCA	7	29	14	8,088	3,680	45
CASA	8	184	14	5,863	2,793	48
NOPSEMA	9	34	11	2,880	2,456	85
Education	10	171	32	10,724	1,966	18
Defence Housing Australia	11	26	4	5,911	1,877	32
ACCC	12	117	25	4,419	1,015	23
Treasury	13	334	20	7,141	817	11
AFMA	14	7	5	1,565	684	44
ABC	15	165	4	2,295	608	26
NIAA	16	40	7	1,335	481	36
Great Barrier Reef Marine Park Authority	17	19	4	2,191	420	19
IP Australia	18	184	1	410	410	100
Austrade	19	19	1	788	242	31
DEWR	20	300	3	2,005	241	12
Total top 20		4,088	486	185,539	77,392	42
Others		42,845	31	14,051	142	1
Total		46,933	517	199,590	77,534	39



Part 4

Disclosure Logs



Disclosure logs

All Australian Government agencies and ministers subject to the FOI Act are required to maintain an FOI disclosure log on a website. The disclosure log lists information that has been released to FOI applicants, subject to some exceptions (such as personal or business information). Information about agency and ministerial compliance with disclosure log requirements has been collected since 2012–13.

Australian Government agencies and ministers reported 3,311 new entries on disclosure logs during 2025–26, including 2,760 new entries for which documents are available for download directly from the agency's or minister's website (83% of all new disclosure log entries), 38 new entries for which documents are available from another website (1% of all new entries), and 513 new entries for which the documents are available by another means, usually upon request (15% of all new listings).

The total number of new entries published on disclosure logs in 2025–26 is slightly lower than in 2024–25, when 3,363 new entries were added.

There was a slight increase in the proportion of new documents that members of the public can access directly from agency websites in 2025–26 (83%) compared to 79% in 2024–25.

Each quarter, in addition to providing the number of new entries added to their disclosure logs, agencies are asked to provide – where these statistics are collected in relation to disclosure log webpages – the number of unique visitors to their disclosure log, and the number of webpages viewed ('page views') from their disclosure logs. Only 16% of agencies registered on the FOI statistics database (48 out of 298) report that they collect statistics on unique visitors and page views.

In 2025–26, agencies and ministers reported 111,712 unique visitors to disclosure logs and 297,505 page views, which represents a 9% increase in unique visitors from 2024–25 (when it was 102,080), and a 25% increase in total page views (when it was 237,516).

The number of unique visitors to Home Affairs' disclosure log comprises the highest proportion (31%) of the total of unique visitors to Australian Government agency disclosure logs. DITRDCSA comprises the second highest proportion (9%) of total unique visitors to those disclosure logs.

The number of page views reported by Home Affairs (145,881) comprises 49% of total page views from Australian Government agency disclosure logs (297,505).

Part 5

Review of FOI decisions



Review of FOI decisions

Under the FOI Act, a person who is dissatisfied with a decision made by an agency or minister in response to their initial FOI request has the below avenues of review. The applicant can seek:

- internal review with the agency (except if the FOI request is deemed to have been refused because a decision was not made within the statutory time period)
- external merits review by the Information Commissioner (IC review)
- review of Information Commissioner decisions under s 55K of the FOI Act by the ART, and
- appeal of ART decisions on a question of law to the Federal Court.

In addition, a person can complain at any time to the Information Commissioner about actions taken by an agency under the FOI Act.

Third parties consulted during the FOI process also have review rights if an agency or minister decides to release documents contrary to their submissions. Consultation requirements apply for state governments (s 26A), commercial organisations (s 27) and private individuals (s 27A).

The FOI Act also provides for internal review, IC review and ART review of decisions made in relation to applications for amendment of personal records.

Internal review of FOI decisions

The Information Commissioner recommends and encourages FOI applicants to apply for an internal review before applying for IC review.

In 2025–26, 1,477 applications were made for internal review of an FOI decision, 61% more than in 2024–25 (when 915 internal review applications were received). In 2025–26, 5% of all FOI requests decided led to applications for internal review, slightly higher than the 4% proportion in 2024–25.

Of the 1,477 applications for an internal review, 596 (40%) sought review of decisions made in response to requests for personal information and 881 (60%) were for review of decisions on other (non-personal) information requests. As 74% of all FOI decisions

made in 2025–26 related to requests for access to personal information, this indicates that FOI applicants seeking access to personal information are less likely to seek internal review than those seeking to access other (non-personal) information. Agencies finalised 1,264 internal reviews in 2025–26, 56% more than in 2024–25. This reflects the larger number of applications for internal review made during 2025–26. The outcomes of these applications, including a comparison with outcomes in 2024–25, are:

- 810 (64%) affirmed the original decision (60% in 2024–25)
- 61 (5%) set aside the original decision and granted access in full (5% in 2024–25)
- 285 (23%) granted access in part (24% in 2024–25)
- 2 (0.2%) granted access after deferment (0.2% in 2024–25)
- 8 (1%) granted access in another form (2% in 2024–25)
- 27 (2%) resulted in lesser access (3% in 2024–25)
- 66 (5%) were withdrawn by applicants without concession by the agency (5% in 2024–25)
- 5 (0.3%) reduced the charges levied (1% in 2024–25).

Internal review of amendment decisions

In 2025–26, 9 applications for internal review of amendment decisions were received by 3 agencies. Of these, 7 applications were made to Home Affairs (which received 7 in 2024–25), and one each to NDIA and the Australian Centre for International Agricultural Research.

During the reporting year, 6 internal review decisions were made (compared with 11 in 2024–25). Of these 6 internal review decisions, 5 decisions granted the requested amendment or annotation (83%), and one decision refused the requested alteration (17%).

IC review

There were 3,025 applications for IC review in 2025–26 (a 42% increase from 2,135 in 2024–25). This is the

highest number of IC review applications received by the OAIC in a one-year period.

There was a 6% decrease in the number of IC reviews finalised by the OAIC in 2025–26 (2,311), compared with 2024–25 when 2,470 were finalised.

IC review applications

Agencies that received the most FOI requests generally had the most IC review applications lodged against their decisions. Table 13 provides an agency breakdown of IC review applications received by the OAIC in 2025–26 (for the top 20 agencies and overall).

In 2025–26, 17 of the top 20 agencies by IC review received are also in the top 20 agencies for the number of FOI requests received.

However, some agencies that did not receive large numbers of FOI requests were the subject of a comparatively large number of IC review applications given their FOI caseload. In 2025–26, the agencies with a large number of IC reviews lodged, expressed as a proportion of the total number of FOI requests received included:

- Commonwealth Ombudsman (18%)
- Department of Industry Science and Resources (DISR) (9%)
- Comcare (6%).

When an agency fails to make a decision on an FOI request within the statutory timeframes in the FOI Act, the request is deemed to have been refused, and the applicant may apply for an IC review. The FOI Act does not allow for internal review of a deemed access refusal decision.

In 2025–26, 80% of all IC review applications involved deemed access refusal decisions (2,415 IC review applications for review of deemed decisions out of a total of 3,025 IC review applications received), an increase of 1% from 2024–25 (when 79% of all IC review applications involved deemed access refusal decisions).

More than 50% of all IC review applications for 9 agencies involved deemed access refusal decisions. These agencies were:

- Home Affairs – 1,397 of 1,425 IC review applications related to deemed access refusal decisions (98% of all IC review applications that named Home Affairs as the respondent)
- DVA – 210 of 218 applications (96%)
- NDIA – 184 of 207 applications (89%)
- AFP – 102 of 135 applications (76%)
- Services Australia – 89 of 122 applications (73%)
- Defence – 52 of 91 applications (57%)
- DFAT – 18 of 29 applications (62%).

IC reviews finalised

IC reviews may be finalised by way of various outcomes under the FOI Act. The review parties may reach an agreement (s 55F), the IC review applicant may withdraw their application (s 54R), or the Commissioner may decide not to undertake an IC review or not to continue to undertake an IC review (s 54W of the FOI Act).

If an IC review is not finalised by way of those outcomes, the Commissioner must make a decision after a merits review of the IC review application under s 55K of the FOI Act. The Commissioner has 3 options:

- to affirm the respondent's decision (s 55K(1)(a))
- to vary the respondent's decision (s 55K(1)(b)), or
- to set aside the respondent's decision and make a fresh decision (s 55K(1)(c)).

Table 14 provides a breakdown of the outcomes of the IC reviews that were finalised in 2025–26. In 2025–26, 114 IC review decisions were made under s 55K of the FOI Act (a 54% decrease compared with 2024–25, when 248 s 55K decisions were made).

Decisions under s 55K of the FOI Act comprised 5% of all IC reviews finalised in 2025–26.

Of the 114 IC review decisions made under s 55K, 71% of those decisions 'set aside' the decisions under review. The high set-aside rate indicates there is more work to do to embed a pro-disclosure approach and an uplift in decision-making capabilities.

Table 13: Information Commissioner review – top 20 agencies ranked by the number of IC review applications received in 2025–26

Agency/Minister	Rank	Requests received	Access grant applications	Access refusal applications	Total IC review applications	% of agency's FOI requests
Home Affairs	1	16,720		1,424	1,425	9
DVA	2	883		218	218	25
NDIA	3	3,723		207	207	6
AFP	4	1,164		135	135	12
Services Australia	5	5,999		122	122	2
Defence	6	1,127		91	91	8
Health	7	1,127	28	53	81	7
ATO	8	1,498		41	41	3
Cth Ombudsman	9	205		37	37	18
DFAT	10	799	3	26	29	4
AGD	11	426		29	29	7
DISR	12	293		25	25	9
Comcare	13	225		24	24	11
PMC	14	385	1	23	24	6
DCCEEW	15	539	3	20	23	4
ANU	16	367		23	23	6
ASIC	17	351		21	21	6
ART	18	3,237		20	20	0.6
Treasury	19	334		19	19	6
OAIC	20	393	1	13	14	4
Total top 20		39,795	36	2,571	2,608	7
Others		7,138			417	
Total		46,933			3,025	6

Table 14: Information Commissioner review outcomes

Information Commissioner decisions	2024–25	% of 2024–25 total	2025–26	% of 2025–26 total
Section 54N – out of jurisdiction	232	9	316	14
Section 54R – withdrawn	909	37	958	41
Section 54R – withdrawn/conciliated	40	2	36	2
Section 54W(a)(i) – frivolous, vexatious, misconceived, lacking in substance, or not in good faith	171	7	79	3
Section 54W(a)(ii) – failure to cooperate	3	0	13	1
Section 54W(a)(iii) – lost contact	32	1	27	1
Section 54W(b) – refer ART	166	7	111	5
Section 54W(c) – failure to comply	669	27	656	28
Section 55F – set aside by agreement	0	0	0	0
Section 55F – varied by agreement	0	0	1	0
Section 55F – affirmed by agreement	0	0	0	0
Section 55K – affirmed by IC	74	3	24	1
Section 55K – set aside by IC	154	6	81	4
Section 55K – varied by IC	20	1	9	0
Total	2,470	100	2,311	100

In 2025–26, 119 IC reviews were declined under s 54W(a) (lacking in substance, failure to cooperate, or lost contact), comprising 5% of the total reviews finalised, compared to 206 in 2024–25 (8% of the total).

The number of IC reviews declined under s 54W(c) (failure to comply with a direction of the Information Commissioner) decreased from 669 in 2024–25 (27% of the total finalised) to 656 (28% of the total finalised in 2025–26). The continued use of s 54W(c) reflects a practice of using that section, rather than s 54W(a)(iii) (lost contact) to decline to undertake a review (this practice was codified in the Procedure Directions issued by the Information Commissioner on 1 July 2024) as well as requiring responses to be made within certain timeframes.

There were 111 IC reviews declined under s 54W(b) (decision finalised in order that the applicant may

seek review by the ART) compared with 166 in 2024–25 (a 33% decrease on 2024–25). Declines under s 54W(b) comprised 5% of all the IC reviews finalised in 2025–26 (111 of 2,311).

Of the 111 IC reviews declined under s 54W(b), 7 (5%) related to FOI decisions made by the OAIC. Part 10.88 of the FOI Guidelines states that the Information Commissioner may decline to undertake a review under s 54W(b) if there may be a perceived or actual conflict of interest in the Commissioner undertaking review, including where the FOI request under review was made to, or decided by, the Information Commissioner or the Information Commissioner's delegate.

In total, 958 IC reviews were closed under s 54R as withdrawn (41% of the total finalised), which is largely consistent with 2024–25 when 909 were withdrawn (37% of the total finalised).

In 2025–26, 672 of the IC review applications that were withdrawn followed the agency or minister making a revised decision to provide further access to documents under s 55G of the FOI Act, an increase of 30% from 515 in 2024–25.

Of the 672 IC review applications withdrawn following a s 55G decision in 2025–26, 95% (640) involved applications for IC review of a deemed access refusal decision.

Review by the ART

An application can be made to the ART for review of the following FOI decisions:

- a decision of the Information Commissioner under s 55K
- an IC reviewable decision (that is, an original decision or an internal review decision), but only

if the Information Commissioner decides, under s 54W(b), that the interests of the administration of the FOI Act make it desirable that the decision be considered by the ART directly.

Table 15 provides a breakdown, by agency, of applications to the ART for review of FOI decisions in 2025–26. This data has been provided by the ART. In 2025–26, 85 applications for review of FOI decisions were filed with the ART. This is an 8.6% decrease from 2024–25, when 93 applications were made to the ART. As noted above, in the section on IC review applications, the Information Commissioner will decline to undertake an IC review of an FOI decision made by the OAIC due to a perceived or actual conflict of interest in reviewing a decision made by the Information Commissioner or the Information Commissioner’s delegate. As a result, the only review option for these applicants lies with the ART.

Table 15: ART review by agency (respondent)

Respondent	Applications ¹	Respondent	Applications
Health	17	APC	1
DISR	12	APSC	1
OAIC	10	ASA	1
Services Australia	7	Clean Energy Finance Corporation	1
Home Affairs	5	Cth Ombudsman	1
NEMA	5	DCCEEW	1
ACIC	3	Defence	1
DFAT	3	DSS	1
ACCC	2	PM&C	1
AFP	2	OPC	1
ASIC	2	Safety, Rehabilitation and Compensation Commission	1
NDIA	2	Other (appeals by agencies against IC review decisions)	4
ANSTO	1	Total	86²

¹ These applications may be made in relation to a decision by the Information Commissioner under s 55K of the FOI Act, or they may be the result of the Information Commissioner exercising the discretion in s 54W(b) of the FOI Act to allow the decision to be considered by the ART.

² Total respondent agency lodgements and applicant agency lodgements exceed total lodgements by 1 because 1 review had an applicant and a respondent that were both an agency or other government entity.

In 2025–26, 4 agencies sought ART review of decisions made by the Information Commissioner under s 55K of the FOI Act. The AFP, Australian Postal Corporation, Defence and Department of Health, Disability and Ageing each made one application.

At the end of 2025–26, 117 applications remained outstanding with the ART. This is an approximately 2% increase on the number of applications outstanding at the end of 2024–25, when there were 115.

Table 16 shows the outcomes of applications to the ART for review of FOI decisions in 2025–26, compared with the previous reporting year. The ART provided this data.

In 2025–26, 16 of the 83 reviews finalised by the ART involved applications made by agencies against decisions made by the Information Commissioner under s 55K of the FOI Act. Six were varied/set aside/remitted by decision, 9 were varied/set aside/remitted by consent, and one was finalised as invalid.

Table 16: Outcomes of applications to the ART for review of FOI decisions

ART outcomes	Number in 2024–25	% of total 2024–25	Number in 2025–26	% of total 2025–26
Affirmed by consent	4	5	4	5
Varied/set aside/remitted by consent	18	22	18	22
Dismissed by consent	5	6	5	6
Withdrawn by applicant	19	23	19	23
Decision affirmed	14	17	14	17
Decision varied/set aside	14	17	14	17
Dismissed	1	1	1	1
Dismissed – non-reviewable decision/no jurisdiction	8	10	8	10
Total	83	100	83	100



Part 6

Complaints about agency FOI actions



Complaints about agency FOI actions

The OAIC continues to receive a large volume of FOI complaints about agencies' compliance with statutory processing timeframes (timeliness).

The OAIC received 457 complaints in 2025–26, a 35% increase compared to 2024–25 (339). The most raised issue was timeliness.

As at 30 June 2026, the top 3 agencies with the highest volume of FOI complaints were Home Affairs at 32% (145 complaints), the NDIA at 12% (53 complaints), and the DVA at 5% (23 complaints).

Agencies' compliance with statutory timeframes under s 15(5)(b) of the FOI Act has been the subject of various investigations, including 2 Commissioner initiated investigations into Home Affairs since the commencement of the OAIC.

The OAIC finalised the thematic investigations of FOI complaints into the timeliness of the AFP, DVA, and Defence in 2025–26. In 2025–26 we also undertook an investigation into FOI complaints about the NDIA in relation to its noncompliance with statutory timeframes for processing FOI requests under the FOI Act, as well as its compliance with the disclosure log requirements set out in s 11C(3) of the FOI Act.

Part 7

Impact of FOI on agency resources



Impact of FOI on agency resources

To assess the impact on agency resources of compliance with the FOI Act, agencies are asked to estimate the hours their staff spent on FOI matters and the non-labour costs directly attributable to FOI, such as legal and FOI training costs. Agencies submit these estimates annually. Agency estimates may also include FOI processing work undertaken on a minister's behalf.

Agencies are also asked to report their costs of compliance with the IPS. To facilitate comparison with information in previous annual reports, IPS costs are not included in the analysis of the cost of agency compliance with the FOI Act but are discussed separately.

The total cost attributable to processing FOI requests in 2025–26 was \$115.78 million, an 18% increase from the 2024–25 period (\$98 million).

The 18% increase in total FOI costs in 2025–26 occurred in the context of Australian Government agencies and ministers receiving and finalising significantly higher numbers of FOI requests compared to previous years.

Staff costs

Agencies provide estimates of the number of staff hours spent on FOI to enable the calculation of salary costs directly attributable to FOI request processing. The OAIC then adds an additional 60% related costs, which covers overheads such as computers, electricity and stationery.

The total staff hours devoted to FOI in 2025–26, as reported by agencies and ministers, was 1,313,395 hours which is a 12% increase from 2024–25 (1,171,890 hours).

The average staff days for each FOI request received in 2025–26 was 3.7 days which is a 3% increase on 2024–25 when it was 3.6 days.

A summary of staff costs is provided in Table 18, based on information provided by agencies and ministers, and is calculated using the following median base annual salaries from the APSC's Remuneration Report for 2025¹:

- FOI contact officer (officers whose duties included FOI work): \$92,324²
- Other officers involved in processing requests:
 - Senior Executive Service (SES) officers (or equivalent): \$253,804³
 - APS Level 6 and Executive Levels (EL) 1–2: \$135,701⁴
 - Australian Public Service (APS) Levels 1–5: \$72,951⁵
- Minister's office:
 - Minister and advisers: \$168,064⁶
 - Minister's support staff: \$72,951⁷

In 2025–26, staff costs were 19% higher than in 2024–25 (\$110.22 million, compared with \$92.51 million in 2024–25).

Non-labour costs

Non-labour costs directly attributable to FOI in 2025–26 are summarised in Table 19, including the percentage change from the previous financial year.

Total non-labour costs were \$5.55 million in 2025–26, which is 1.3% more than the previous financial year (when total non-labour costs were \$5.48 million).

¹ Because salary levels differ between agencies, median salary levels have been used. These are published by the APSC in its Remuneration Data 2025. These median levels are as at 31 December 2025.

² APS Level 5 base salary median

³ SES Band 1 base salary median

⁴ Executive Level 1 base salary median

⁵ APS Level 3 base salary median

⁶ Executive Level 2 base salary median

⁷ APS Level 3 base salary median

Table 17: Total FOI staff hours across all Australian Government agencies

Staffing	2020–21	2021–22	2022–23	2023–24	2024–25	2025–26
Total staff hours	855,498	851,290	903,492	1,087,650	1,171,890	1,313,395
% change in total staff hours	–4	<0.5	6	20	8	12
Total staff years ⁸	427.75	425.65	451.75	543.83	585.95	656.70
% change in total staff years	–4	<0.5	6	20	8	12

Table 18: Estimated staff costs of FOI in 2025–26 compared to 2024–25

Type of staff	Staff years 2024–25	Total staff costs 2024–25 (\$)	Staff years 2025–26	Total staff costs 2025–26 (\$)	% change in total staff costs
FOI contact officers	464.12	66,049,743	520.08	76,825,902	16
SES	28.04	10,952,432	37.20	15,104,790	38
APS Level 6 and EL 1-2	49.74	10,350,530	63.35	13,754,653	33
APS Levels 1-5	42.30	4,737,873	33.62	3,923,888	–17
Minister and advisers	1.52	393,336	2.15	577,871	47
Minister's support staff	0.22	24,867	0.30	35,192	42
Total	585.94	92,508,781	656.70	110,222,297	19

Table 19: Identified non-labour costs of FOI 2020–21 to 2025–26

Costs	2020–21	2021–22	2022–23	2023–24	2024–25	2025–26	% change ⁹
General legal advice costs	834,454	1,087,999	1,095,140	1,371,054	1,964,642	2,213,729	13
Litigation costs	1,254,301	2,077,876	1,908,662	2,571,507	2,829,880	2,859,315	1
Total legal costs	2,088,755	3,165,875	3,003,802	3,942,561	4,794,522	5,073,044	6
General administrative costs	94,678	91,920	159,855	110,007	221,835	153,958	–31
Training	276,042	293,624	268,237	311,403	391,887	230,779	–41
Other	348,097	447,345	1,554,017	214,424	73,473	95,433	30
Total non-labour costs*	2,807,572	3,998,764	4,985,911	4,578,395	5,481,717	5,553,214	1

* Total non-labour cost is the sum of Total legal costs, general administrative cost, training, and other costs.

⁸ The FOI statistics guide explains that calculating staff hours can be based on the assumption that 100% of time during a year is 2,000 hours (this is the figure built into the portal).

⁹ Percentage change from 2024–25 to 2025–26.

Total legal expenditure (general legal advice and litigation), training costs and general administrative costs in 2025–26 was \$5,457,781, while ‘other’ costs were \$95,433.

Although notably training costs reduced by 41% this year. This could reflect cheaper training and shared training across the APS or a reduction in training due to the prioritisation of staff time into processing increased numbers of access requests. This trend will be closely monitored to ensure that the efficiencies and good administrative practices that can be achieved through training and capability uplift remain a priority for processing agencies.

Overall, legal expenditure (general legal advice and litigation) was 6% higher in 2025–26 than the previous year. Litigation expenses increased 1%, from \$2,829,880 in 2024–25 to \$2,859,315 in 2025–26. General legal advice costs increased 13%, from \$1,964,642 in 2024–25 to \$2,213,729 in 2025–26.

ASIC, the AFP and DISR all reported increased legal expenditure due to matters before the ART:

- ASIC – a 1110% increase in non-labour expenditure, \$69,863 in 2025–26 from \$5,773 in 2024–25
- The AFP – an 89% increase in non-labour expenditure, \$286,948 in 2025–26 from \$152,053 in 2024–25
- DISR – an 80% increase in non-labour expenditure, \$271,888 in 2025–26 from \$151,186 in 2024–25.

Services Australia reported the largest spend in the Australian Government on FOI litigation with

\$455,249 (74% more than in 2024–25 when it reported \$261,781). The AFP had the next highest litigation spend with \$276,337 (a 100% increase from 2024–25 when it reported \$138,413 in litigation expenses).

The RBA had the highest general legal advice spend at \$362,025 (an increase on 2024–25 when it spent \$0). The RBA commented that it had received an increase in FOI requests from one applicant who lodged 74 requests, with most of the legal costs connected to those matters.

The Norfolk Island Health and Residential Aged Care Service spent the next highest amount on general legal advice at \$255,000 in their first year of reporting.

Defence, which consistently spends the most of any agency on FOI training, spent \$72,290 in 2025–26 (a 52% reduction on 2024–25 when it incurred \$149,128 on FOI training). The Aged Care Quality and Safety Commission had the next highest FOI training spend at \$28,000 (a 280% increase on 2024–25 when it incurred \$7,360 on FOI training).

Average cost per FOI request

The overall average cost per request decided was \$3,691 which is a 5% decrease on 2024–25 (\$3,387).

Table 20 sets out the average cost per FOI request decided (granted in full, in part or refused) for the last 8 years.

Table 21 shows the agencies whose decisions on FOI requests had an average cost of more than \$10,000 per request decided in 2025–26.

Table 20: Average cost per request decided

Year	Requests decided	Total cost (\$)	Total cost (% change)	Average cost/ request decided (\$)	Change in average cost/ request decided (%)
2025–26	31,367	115,775,511	18	3,691	–5
2024–25	25,211	97,990,498	14	3,887	–4
2023–24	21,347	86,235,699	23	4,040	22
2022–23	21,228	70,328,374	9	3,313	30
2021–22	25,303	64,559,531	5	2,551	11
2020–21	26,680	61,484,795	–4	2,305	6
2019–20	29,358	63,906,111	7	2,177	10
2018–19	30,144	59,844,953	15	1,985	20

Table 21: Agencies with an average cost per FOI request decided more than \$10,000

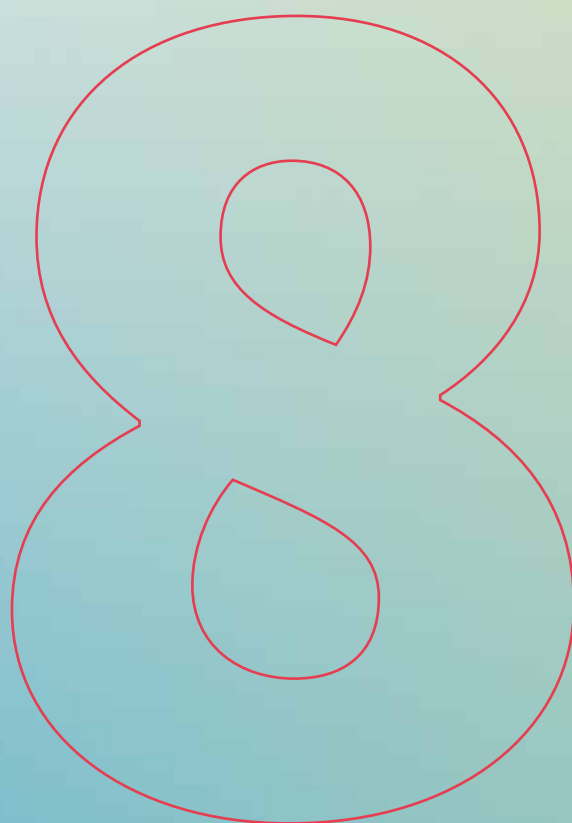
Agency	Requests decided	Average cost per request (\$)
AFSA	65	46,394
Australian Curriculum, Assessment and Reporting Authority	3	28,817
Norfolk Island Health and Residential Aged Care Service	20	27,125
Agrifutures	1	23,120
Australian Submarine Agency	22	20,459
Australian Radiation Protection and Nuclear Safety Agency	6	19,966
Digital Transformation Agency	27	18,434
Inspector-General of Water Compliance	0 ¹⁰	15,976
National Library of Australia	6	14,345
National Indigenous Australians Agency	32	13,799
National Archives of Australia	20	13,526
Australian Nuclear Science and Technology Organisation	13	11,763
Coal Mining Industry (Long Service Leave Funding) Corporation	1	10,270
Total	216	20,307

¹⁰ 2 requests were withdrawn



Part 8

Impact of the IPS on agency resources



Impact of the IPS on agency resources

Agencies are required to provide information about the costs of meeting their obligations under the IPS.

The total cost attributable to compliance with the IPS in 2025–26 was \$1,633,658, which is a 31% decrease from 2024–25 (\$2,365,434)¹.

Staff costs

Table 22 shows the total reported IPS staffing – staff numbers and staff hours – across Australian Government agencies compared with 2024–25.

These staff hours are used by the OAIC to calculate the staff costs of the IPS. Table 23 shows components of the OAIC's calculation of those staff costs, resulting in total staff costs attributable to compliance with the IPS in 2025–26 of \$1,633,257.83.

Non-labour IPS costs

Reported IPS non-labour costs for all agencies totalled \$400 in 2025–26, a 96% decrease on expenditure to 2024–25, when non-labour costs were reported as \$9,800. Only one agency reported any non-labour expenditure on their IPS during 2025–26 with \$400 attributed to general administrative costs by the National Reconstruction Fund Corporation.

No costs were reported in relation to legal advice, litigation, IPS training or other expenses in 2025–26.

¹ The previously reported figure for 2024–25 was \$5,990,361. Due to a reporting error from the Department of Veterans Affairs, this figure has now been revised.

Table 22: Total IPS staffing – 2024–25 and 2025–26

Staffing	2024–25	2025–26	% change
Staff numbers: 75-100% time on IPS matters	20	6	–70
Staff numbers: less than 75% time on IPS matters	401	375	–6
Total staff hours spent on IPS	31,601 ²	21,188	–33
Total staff years ³	15.8 ⁴	10.6	–33

Table 23: Estimated staff costs in relation to the IPS in 2025–26

Type of staff	Staff hours	Salary costs (\$)	Related costs (\$) (60%)	Total staff costs (\$)
IPS contact officers	18,702	863,322	517,993	1,381,315
SES	249	31,599	18,959	50,558
APS Level 6 and EL 1-2	1,411	95,737	57,442	153,179
APS Levels 1-5	826	30,129	18,077	48,206
Total	21,188	1,020,786	612,472	1,633,258

² The previously reported figure for 2024–25 was 72,961 hours. Due to a reporting error from the Department of Veterans Affairs, this figure has now been revised.

³ The OAIC calculates the total staff years based on the assumption that 100% of time during a year is 2,000 hours (this is the figure built into the portal).

⁴ The previously recorded figure for 2024–25 was 36.5 total staff years spent on IPS. Due to a reporting error from the Department of Veterans Affairs, this figure has now been revised.

Shortened forms

ABC	Australian Broadcasting Corporation
ABS	Australian Bureau of Statistics
ACARA	Australian Curriculum, Assessment and Reporting Authority
ACCC	Australian Competition and Consumer Commission
ACIC	Australian Criminal Intelligence Commission
ACMA	Australian Communications and Media Authority
ACQSA	Aged Care Quality and Safety Commission
AFP	Australian Federal Police
AFSA	Australian Financial Security Authority
AGD	Attorney-General's Department
AIAC	Association of Information Access Commissioners
ANSTO	Australian Nuclear Science and Technology Organisation
ANU	Australian National University
APRA	Australian Prudential Regulation Authority
APSC	Australian Public Service Commission
ART	Administrative Review Tribunal
ASA	Australian Staffing Agency
ASIC	Australian Securities and Investments Commission
ATO	Australian Taxation Office
AUSTRAC	Australian Transaction Reports and Analysis Centre
Austrade	Australian Trade and Investment Commission
CASA	Civil Aviation Safety Authority
DAFF	Department of Agriculture, Fisheries and Forestry
DCCEEW	Department of Climate Change, Energy, the Environment and Water
Defence	Department of Defence
DEWR	Department of Employment and Workplace Relations
DFAT	Department of Foreign Affairs and Trade



DISR	Department of Industry, Science and Resources
DITRDCA	Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts
DSS	Department of Social Services
DVA	Department of Veterans Affairs
Education	Department of Education
eSafety	Office of the eSafety Commissioner
Health	Department of Health, Disability and Ageing
Home Affairs	Department of Home Affairs
IC	Information Commissioner
NEMA	National Emergency Management Agency
NAA	National Archives of Australia
NDIA	National Disability Insurance Agency
NDIS Commission	NDIS Quality and Safeguards Commission
NIAA	National Indigenous Australians Agency
NOPSEMA	National Offshore Petroleum Safety and Environmental Management Authority
OAIC	Office of the Australian Information Commissioner
OCO	Office of the Commonwealth Ombudsman
OPC	Office of Parliamentary Counsel
PMC	Department of the Prime Minister and Cabinet
Treasury	Department of the Treasury

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