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Australian Government

Office of the Australian Information Commissioner

Signal of the Times: Legal Implications for Using Private Messaging Apps in Government Practice

2025 Government Law Conference
15 October 2025

Elizabeth Tydd

Australian Information Commissioner
Office of the Australian Information Commissioner

*I'd like to begin by acknowledging
the Traditional Owners of the land
on which we meet today,
the Nggunnawal people
and pay my respects
to Elders past and present.*

The foundation of effective governance is trusted, accessible and well-governed information.

Information governance is not just a technical necessity, but a critical enabler of integrity, transparency, accountability, effective decision-making and public trust.

Threats include



Misinformation
and
disinformation



Unequal
access to
information



Advances
in technology



Distrust and a
lack of
alignment with
community
expectations

- 1 Preserve the right to access information
- 2 Ensure provenance of data sources
- 3 Promote administrative decision-making capabilities
- 4 Establish a central register of AI in use by government
- 5 Require notification of harm or unintended consequences
- 6 Notification of harm to regulators
- 7 Ensure a data-informed, collaborative regulatory approach
- 8 Advocacy



Transparency

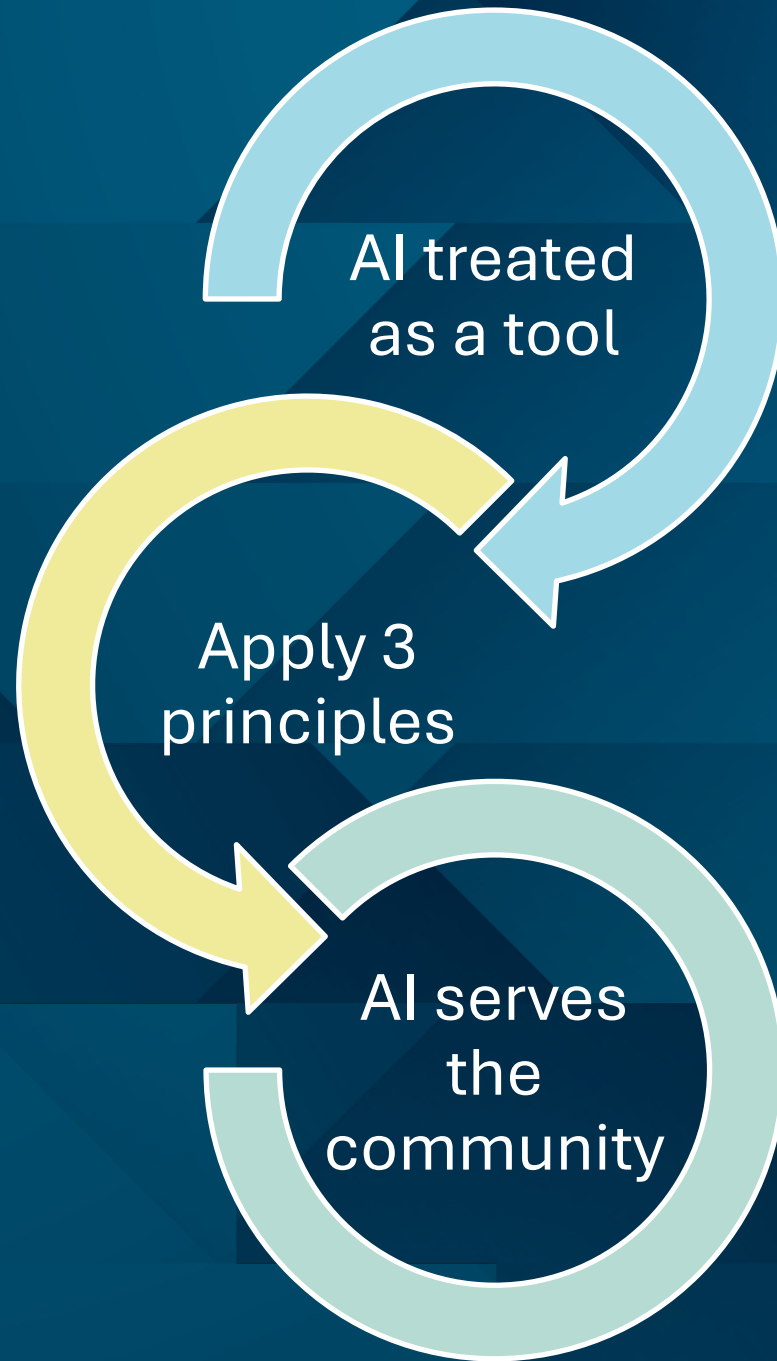


Regulatory
cohesion



Regulatory
effectiveness

3 steps



Report summary

This report by the Australian Information Commissioner examines the prevalence and use of messaging apps by Australian Government agencies.

It describes a review of the policies and practices of 22 Australian Government agencies.



22

agencies' policies and practices were reviewed

Messaging apps – such as Signal, WhatsApp, Facebook Messenger and Telegram – are an established feature of personal and professional communication. A common function of these messaging apps is the ability to send messages that disappear after a specified period.



Agency use of messaging apps

Messaging apps are an established feature of digital communications in the Australian Public Service.



16

(73%)

of the 22 agencies
permitted messaging
apps for work purposes



3

(14%)

of the 22 agencies did not
have a position



3

(14%)

of the 22 agencies
prohibited their use

Agency policies and practices around messaging apps

The use of messaging apps is not well supported with policies and procedures that reflect statutory obligations in the *Freedom of Information Act 1982*, *Privacy Act 1988* and *Archives Act 1983*.



8 (50%)

of the 16 of agencies that permitted the use of messaging apps had policies/procedures to support their use

Agency policies and practices around messaging apps

Of the 7 agencies that provided their policies or procedures:



5

did address essential security classification requirements



6

did not address essential archive requirements



5

did not adequately address FOI search requirements



5

did not require the use of official accounts or devices when using messaging apps for work purposes

Recommendations



Agencies should review existing policies or develop a policy to clearly set out whether or not they permit the use of messaging apps for work purposes.



Agencies that permit the use of messaging apps should have policies and procedures that adequately address information management, FOI, privacy and security considerations.



Agencies should examine the features of messaging apps needed to support official work. They should conduct appropriate due diligence on apps, consider the implications for communications with other agencies, and develop policies and procedures for individual apps.



Agencies that permit the use of messaging apps should conduct due diligence to ensure any preferred messaging app collects and handles personal information appropriately. This may be achieved through a privacy threshold assessment.

Our commitments



Work with
National Archives to
support agencies to
understand
recordkeeping, FOI
and privacy obligations



Revisit in 2 years to
understand how use of
messaging apps in the
APS has evolved



Australian Government

Office of the Australian Information Commissioner

Thank you



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