

## Statutory Review of the *Data Availability and Transparency Act 2022*

---

Professor Jenny Seddon  
Deputy Vice Chancellor Research  
James Cook University  
Cairns – Singapore – Townsville

T [REDACTED]  
E [REDACTED]  
W [www.jcu.edu.au](http://www.jcu.edu.au)  
May 2025

James Cook University (JCU) is pleased to provide comment on the *Statutory Review of the Data Availability and Transparency Act 2022* (the DAT Act).

---

### Has the operation of the DAT Act advanced its objects?

The DAT Act is important and has laudable goals. It is vital to unlock the “vast quantities of public sector data are generated every day” for research to address the challenges and opportunities the nation faces, and this is particularly important in the regions, where spatial data, demographic data, health data, land and environmental data are key to addressing regional needs and advancement.

However, given the \$40M investment and that to date there have been only 30 data sharing requests and 8 data sharing agreements under the DATA Scheme since the DAT Act commenced, it might be considered that the DAT Act has had limited success in achieving its objectives. Consideration should be given as to how the Act can be strengthened to encourage greater sharing and use of public sector data for research, and to understand the potential missing gaps of data which are neither shared under the DAT Act or other arrangements, but which would be useful for research. Data sharing agreements could be streamlined. Another option might be to provide a funding scheme for projects that use existing data, to help kickstart the data ecosystem.

JCU is currently undergoing the accreditation process because we agree with the potential opportunities for addressing Australia’s challenges by tapping these public sector databases. However, we note the significant time investment from multiple areas of the university required to undergo the accreditation process. We fully appreciate the need for assurance regarding data governance, storage and accessibility, but ask that the process accommodate the different organisational structures that operate within universities. The accreditation process could be streamlined to allow a base level of

accreditation, whilst the institution continues to alter processes and gather required information for a higher level of accreditation.

### Does the DAT Act improve information flows between public sector bodies and accredited entities?

Improving data flows between public sector bodies is crucial to developing a modern data-based society; however, the Act has had limited success in doing so. For research uses of data, data citation metrics in papers, grants applications and research student theses could be used, noting that many of these are lag indicators. Key to this is to devise mechanisms to ensure data are cited, and to use these measures as success indicators for data providers. Mechanisms are needed to make data use important to data providers. Metrics could also be used for data custodians to share data and have it used.

Facilitating two-way data sharing agreements is important given the volume of data held by the States and Territories. Ensuring such data are FAIR and data sharing agreements are easy to create are vital so that data can be aggregated to provide whole of nation data.

It can be difficult for universities to have full visibility on the (re)use of data by researchers from external sources. We anticipate that one of the benefits of being an accredited organisation under the DAT Act will be improved visibility to the institution of who is requesting and using data. This visibility is easily applied to the whole platform to provide an understanding of national use of data; including what types of data are being accessed and by whom.

JCU anticipates that our use of data will increase as an accredited organisation due to the increased visibility of public data that is available to be used in research via the DataPlace platform and the reduced administrative burden to access this data as an accredited organisation.

### How does the DAT Act add value in the wider data sharing context?

The collation of data within the DATA Scheme is a sensible idea which reduces administrative burden for both the data provider and the entity seeking to access the data. Additionally, the concept of accreditation, where the entity has already been assessed and deemed to meet the required governance, storage and accessibility thresholds to handle the data should add value by reducing administrative burden.

It would be advantageous for data to be considered a key output of government activities including any partnerships involving government with NGOs or industry, and for these partnerships to adhere to the Act. For example, where an NGO provides healthcare or environmental management in tandem with government, data arising

from the activity should be subject to the Act and shared, thereby supporting research and further opportunities and insights.

### What changes could be made to the DAT Act or the DATA Scheme to make it more effective in facilitating access to, sharing and use of public sector data?

Data sharing principles set the context for data sharing, but the culture of data sharing goes beyond the Act. Greater onus needs to be put on data custodians to share data. Data sharing could be made a KPI for managers and key output for projects and services to help unlock the potential of data. Currently Data Custodians have no duty to share data. This requires a cultural change for all organisations and is part of a partnership model of government with other bodies.

### Should the DAT Act be allowed to sunset?

We believe the DAT Act should be kept, to allow a greater time period for assessment of its usefulness and benefits. Possible amendments to the Act to make sharing easier and to allow other parties to be part of sharing agreements could be considered. The main issue to address is the lack of uptake of the Act rather than the Act itself.

Consideration should be given as to how greater sharing through more agreements can be achieved, perhaps through policy requiring government projects and services to share or explicitly consider the value of data sharing, particularly for research and innovation, and as part of their remit. Publishing and sharing data needs to become the norm, rather than being optional.