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Notice of Decision and Reasons for Decision

Applicant:	'DH5'
Agency:	Victorian WorkCover Authority
Decision date:	24 June 2021
Exemptions considered:	Sections 30(1), 33(1)
Citation:	'DH5' and Victorian WorkCover Authority (<i>Freedom of Information</i>) [2021] VICmr 195 (24 June 2021)

FREEDOM OF INFORMATION – complaint handling – public complaints – Agency officer names

All references to legislation in this document are to the *Freedom of Information Act 1982* (Vic) (**FOI Act**) unless otherwise stated.

Notice of Decision

I have conducted a review under section 49F of the Agency's decision to refuse access to documents requested by the Applicant under the FOI Act.

I am satisfied information in the documents is exempt under sections 30(1) and 33(1). However, my decision on the Applicant's request differs from the Agency's decision in that I have decided to release additional information to the Applicant.

Where I am satisfied it is practicable to provide the Applicant with an edited copy of a document with exempt information deleted in accordance with section 25, I have determined to grant access to a document in part. Where I am not satisfied it is practicable to do so, I have determined to refuse access to a document in full.

A marked-up copy of the documents showing information that I am satisfied is exempt has been provided to the Agency with this decision.

Sven Bluemmel
Information Commissioner

24 June 2021

Reasons for Decision

Background to review

1. The Applicant made a request to the Agency for access to the following documents:

Any documents relating to complaint [reference number] lodged on [date]. I want the original notes taken when I spoke to advisory service. I want all notes made by anyone in relation to this complaint investigation.

2. The Agency identified 14 documents falling within the terms of the Applicant's request to which it refused access to one document in full and 13 documents in part under sections 30(1) and 33(1). The Agency's decision letter sets out the reasons for its decision.

Review

3. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.
4. I have examined copies of the documents subject to review.
5. The Applicant and the Agency were invited to make a written submission under section 49H(2) in relation to the review.
6. I have considered all communications and submissions received from the parties.
7. In undertaking my review, I have had regard to the object of the FOI Act, which is to create a general right of access to information in the possession of the Government or other public bodies, limited only by exceptions and exemptions necessary to protect essential public interests, privacy and business affairs.
8. I note Parliament's intention the FOI Act must be interpreted so as to further the object of the Act and any discretions conferred by the Act must be exercised, as far as possible, so as to facilitate and promote the disclosure of information in a timely manner and at the lowest reasonable cost.

Complaints lodged alongside the Applicant's review

9. Alongside their review application, the Applicant raised concerns regarding the adequacy of the Agency's document searches and delay in providing the Applicant with a copy of the decision letter and documents.
10. In accordance with section 61B(3), OVIC determined to address these concerns as part of this review.
11. OVIC made inquiries with the Agency in relation to each of the Applicant's concerns.
12. On [date], OVIC provided the Applicant with the Agency's response to their concern regarding a delay in providing the Applicant with a decision letter and documents.
13. The Agency made a submission addressing the matters raised in the Applicant's complaint concerning the Agency's document search.
14. Following receipt of the Agency's submission, OVIC made multiple further inquiries with the Agency to confirm no additional documents were in the Agency's possession in accordance with the Applicant's complaint.

15. On the information before me, the Agency has provided a reasonable explanation as to why the documents described by the Applicant were not located in response to the terms of the Applicant's FOI request.
16. OVIC has advised the Applicant of OVIC's finding that, in relation to the documents the Applicant believes should have been located, the Agency has undertaken a thorough and diligent search and OVIC is satisfied no further relevant documents were located.

Attachment in Document 2

17. During the review, OVIC identified an attachment to Document 2 that was not previously identified by the Agency in its decision.
18. OVIC sought confirmation from the Applicant whether they sought access to the attachment and subsequently made inquiries with the Agency.
19. While the Agency is of the view the document does not fall within the scope of the Applicant's request, it agreed to release the document to the Applicant outside of the FOI Act. This document was provided to the Applicant in full on [date].
20. Accordingly, the attachment to Document 2 does not fall within the scope of my review.

Review of exemptions

Section 30(1) – internal working documents

21. Section 30(1) has three requirements:
 - (a) the document must disclose matter in the nature of opinion, advice or recommendation prepared by an officer or Minister, or consultation or deliberation that has taken place between officers, Ministers or an officer and a Minister;
 - (a) such matter must be made in the course of, or for the purpose of, the deliberative processes involved in the functions of an agency or Minister or of the government; and
 - (b) disclosure of the matter would be contrary to the public interest.
22. The exemption does not apply to purely factual material in a document.¹

Were the documents prepared by an officer of the Agency?

23. The term 'officer of an Agency' is defined in section 5(1). It includes a member of an agency, a member of an agency's staff, and any person engaged by or on behalf of an agency, whether or not that person is subject to the *Public Administration Act 2004* (Vic).
24. The Agency applied section 30(1) to emails between Agency officers, as well as email between the Agency and an external insurance provider that was handling the Applicant's WorkCover claim under direction of the Agency. I am satisfied, in this particular context, the external staff from the insurance provider are 'officers of an agency' for the purposes of section 30(1).

¹ Section 30(3).

Do the documents contain information in the nature of opinion, advice, recommendation, consultation or deliberation?

25. For section 30(1) to be satisfied, a document must also contain matter in the nature of opinion, advice or recommendation prepared by an officer of an agency, or consultation or deliberation between officers.
26. It is not necessary for a document to be in the nature of opinion, advice or recommendation. Rather, it is enough that release of the document would disclose matter of that nature.²
27. Section 30(3) provides purely factual information is not exempt under section 30(1). This provision must be considered in conjunction with section 25, which allows for an edited copy of a document to be released with exempt or irrelevant material deleted, where it is practicable to do so.
28. Having reviewed the information exempted under section 30(1), I am satisfied it contains information in the nature of advice, opinion and recommendations.

Were the documents made in the course of, or for the purpose of, the deliberative processes involved in the functions of the Agency?

29. The term 'deliberative process' is interpreted widely and includes any of the processes of deliberation or consideration involved in the functions of an agency, Minister or government.³
30. In *Re Waterford and Department of Treasury (No.2)*,⁴ the Administrative Appeals Tribunal held:

... "deliberative processes" [is] wide enough to include any of the processes of deliberation or consideration involved in the functions of an agency... In short, ...its thinking processes — the processes of reflection, for example, upon the wisdom and expediency of a proposal, a particular decision or a course of action.
31. Having reviewed the documents, I am satisfied they relate to the Agency's deliberative processes in responding to the Applicant's complaint regarding the suspension of Occupation Rehabilitation services. I am satisfied this deliberative process relates to the Agency's functions under section 492 of the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic), including to:
 - (a) receive, assess, accept or reject claims for compensation; and
 - (b) promote the effective occupational rehabilitation of injured workers and their early return to work.

Would disclosure of the information be contrary to the public interest?

32. Determining whether disclosure of the documents would be contrary to the public interest requires a 'process of the weighing against each other conflicting merits and demerits'.⁵
33. Where information is already known to an applicant, it is more likely its disclosure would not be contrary to the public interest. If the information is sensitive, tentatively expressed or unclear, it is more likely its disclosure would be contrary to the public interest.⁶

² *Mildenhall v Department of Education* (1998) 14 VAR 87.

³ *Brog v Department of Premier and Cabinet* (1989) 3 VAR 201 at 208.

⁴ (1981) 1 AAR 1.

⁵ *Sinclair v Maryborough Mining Warden* [1975] HCA 17; (1975) 132 CLR 473 at [485], adopted in *Department of Premier and Cabinet v Hulls* [1999] VSCA 117 at [30].

⁶ *Thomas v Department of Natural Resources and Environment* [2002] VCAT 533 at [27].

34. In *Howard v Treasurer*,⁷ the Commonwealth Administrative Appeals Tribunal held the more sensitive the issues discussed in a communication, the more likely the communication should not be disclosed.
35. In deciding if release is contrary to the public interest, I must consider all relevant facts and circumstances remaining mindful that the object of the FOI Act is to facilitate and promote the disclosure of information. In doing so, I have given weight to the following factors:⁸
- (a) the right of every person to gain access to documents under the FOI Act;
 - (b) the degree of sensitivity of the issues discussed in the documents and the broader context giving rise to the creation of the documents;
 - (c) the stage or a decision or status of policy development or a process being undertaken at the time the communications were made;
 - (d) whether disclosure of the documents would be likely to inhibit communications between Agency officers, essential for the Agency to make an informed and well-considered decision or participate fully and properly in a process in accordance with the agency's functions and other statutory obligations;
 - (e) whether disclosure of the documents would give merely a part explanation, rather than a complete explanation for the taking of a particular decision or the outcome of a process, which the Agency would not otherwise be able to explain upon disclosure of the documents;
 - (f) the impact of disclosing documents in draft form, including disclosure not clearly or accurately representing a final position or decision reached by the agency at the conclusion of a decision or process; and
 - (g) the public interest in the community being better informed about the way in which the agency carries out its functions, including its deliberative, consultative and decision-making processes and whether the underlying issues require greater public scrutiny.
36. I accept there is a public interest in the complaint handling processes of the Agency being as transparent as possible to ensure its compliance with any relevant policies, procedures and statutory obligations.
37. However, in certain circumstances, where an Applicant receives a final outcome following a complaint, it would be contrary to the public interest to disclose further information that led to that decision where it would inhibit decision making processes of the Agency in similar matters in the future.
38. I consider the Agency's internal processes of managing complaints requires officers to discuss relevant issues before providing advice, particularly where a complaint is complex. In such circumstances, it is desirable for Agency officers to seek and exchange opinions in an open, fulsome and constructive manner before determining an appropriate response or course of action to be taken. Disclosure of this type of information would be contrary to the public interest as it would have a detrimental effect on the ability of the Agency to conduct a thorough and considered process, which in turn would compromise the outcome of any process.
39. Having carefully reviewed the documents and considered the particular circumstances of the present matter, I consider the release of preliminary deliberations and consultation in the documents subject

⁷ (Cth) (1985) 7 ALD 626; 3 AAR 169.

⁸ *Hulls v Victorian Casino and Gambling Authority* (1998) 12 VAR 483.

to review would be contrary to the public interest as it could reasonably have a negative impact on the deliberative process of the Agency in the future.

40. I am not persuaded the public interest would be served by further disclosure about the specific way in which the Agency responded to the Applicant's complaint in this instance, noting the information already disclosed to the Applicant.
41. Accordingly, I am satisfied certain information in the documents is exempt under section 30(1).
42. My decision in relation to section 30(1) is outlined in the Schedule of Documents in **Annexure 1**.

Section 33(1) – Documents affecting an individual's personal privacy

43. A document is exempt under section 33(1) if two conditions are satisfied:
 - (a) disclosure of the document under the FOI Act would 'involve' the disclosure of information relating to the 'personal affairs' of a person other than the Applicant;⁹ and
 - (b) such disclosure would be 'unreasonable'.

Do the documents contain personal affairs information?

44. Information relating to an individual's 'personal affairs' includes information that identifies any person or discloses their address or location. It also includes any information from which such information may be reasonably determined.¹⁰
45. A document will disclose a third party's personal affairs information if it is capable, either directly or indirectly, of identifying that person. As the nature of disclosure under the FOI Act is unrestricted and unconditional, this is to be interpreted by reference to the capacity of any member of the public to identify a third party.¹¹
46. The documents subject to review contain the names, position titles, email addresses, telephone numbers, facsimile numbers, gender identifiers and signatures of Agency officers and agents.
47. I am satisfied this information relates to the personal affairs information of individuals other than the Applicant (**third parties**).

Would disclosure of the personal affairs information be unreasonable?

48. The concept of 'unreasonable disclosure' involves balancing the public interest in the disclosure of official information with the interest in protecting an individual's personal privacy in the circumstances of a matter.
49. The Victorian Court of Appeal has held there is 'no absolute bar to providing access to documents which relate to the personal affairs of others'.¹² Further, the exemption under section 33(1) 'arises only in cases of unreasonable disclosure' and '[w]hat amounts to an unreasonable disclosure of someone's personal affairs will necessarily vary from case to case'.

⁹ Sections 33(1) and (2).

¹⁰ Section 33(9).

¹¹ *O'Sullivan v Department of Health and Community Services (No 2)* [1995] 9 VAR 1 at [14]; *Beauchamp v Department of Education* [2006] VCAT 1653 at [42].

¹² *Victoria Police v Marke* [2008] VSCA 218 at [76].

50. I consider the following factors are relevant in determining whether disclosure would be unreasonable in the circumstances of this matter:

(a) The nature of the personal affairs information and the circumstances in which it was obtained

In relation to the personal affairs information of agency officers, the Victorian and Civil Administrative Tribunal (VCAT) has accepted there is nothing particularly sensitive about matters concerning or arising out of the course of one's official duties.¹³

In this matter, I acknowledge the Applicant is reasonably likely to be aware of the identity of any Agency officers and its agents whose information appears in the documents, having corresponded directly with them. However, even in circumstances where a person named in a document is known to an applicant, it may still be unreasonable to release such information under the FOI Act.¹⁴

Subject to an agency demonstrating that special circumstances apply, I consider it would not be unreasonable to disclose the name and position title of an agency officer, regardless of their seniority where a document sought is an official document of the agency and provides a record of agency officers carrying out their usual employment duties and responsibilities within a professional context. The nature of such information is to be contrasted with personal affairs information relating to an agency officer in their personal or private capacity.

The documents subject to review are official documents of the Agency and provide a record of Agency officers and its agents carrying out their usual employment duties and responsibilities within a professional context, namely the handling of complaints by members of the public. The personal affairs information does not concern those persons in their private or personal capacity. In my view, the personal affairs information of the Agency officers and agents is not particularly sensitive in the circumstances of the matter.

(b) The likelihood of further disclosure of the information, if released under the FOI Act, which provides for the unrestricted and unconditional release of document.

The nature of disclosure under the FOI Act is unconditional and unrestricted, which means an applicant is free to disseminate widely or use a document as they choose once it is released.¹⁵

Accordingly, I have considered the likelihood of the personal affairs information in the documents being further disseminated, if disclosed, and the effects broader disclosure of this information would have on the privacy of the relevant third parties.

Having considered the nature of the information and the circumstances of this matter, I consider the likelihood of the Applicant widely disseminating such information is low.

(c) Whether the individuals to whom the information relates object, or would be likely to object, to the release of their personal affairs information in the documents

The Agency did not consult with third parties to obtain their views regarding the potential release of their personal affairs information on the basis it would cause those individuals undue stress. Having considered the Agency's submission, I accept the Agency's explanation as to why consultation was not practicable in the circumstances of this matter.

¹³ *Milthorpe v Mt Alexander Shire Council* (1997) 12 VAR 105.

¹⁴ *AB v Department of Education and Early Childhood Development* [2011] VCAT 1263 at [58]; *Akers v Victoria Police* [2003] VCAT 397.

¹⁵ *Victoria Police v Marke* [2008] VSCA 218 at [68].

However, it does not necessarily follow that disclosure of personal affairs information of those third parties is unreasonable in the circumstances.

I have considered whether third parties would be likely to consent to disclosure of personal affairs information in the documents. In my view, I consider most third parties involved in managing the Applicant's complaint are unlikely to object to the disclosure of their names to the Applicant, given the documents indicate they had direct contact with the Applicant. However, I accept those staff may be apprehensive to consent to disclosure of their direct contact details where those have not otherwise been provided to the Applicant during the handling of the complaint.

- (d) The Applicant's interest in the information, and whether their purpose for seeking the information is likely to be achieved through disclosure.

The FOI Act provides a general right of access that can be exercised by any person, regardless of their motive or purpose for seeking access to a document. However, the reasons why an applicant seeks access to a document is a relevant consideration in determining whether disclosure would be unreasonable.¹⁶

The Applicant seeks access to the information in full to determine how their complaint was handled and for further investigation by a relevant oversight body into the management of the claim.

In my view, disclosure of the personal affairs information in the documents is unlikely to assist the Applicant in understanding how their complaint was handled.

I also accept it is not necessary for the Applicant to know the identity of persons involved in the handling of their complaint and related matters in order to raise any concerns about the conduct of those persons, or the handling of their complaint, either to the Agency or a relevant oversight body. The relevant oversight body would be able to obtain such information directly from the Agency as part of its investigation.

- (e) Whether any public interest would be promoted by release of the information

I am not satisfied the public interest would be promoted by release of the personal affairs information in the document to the Applicant.

- (f) Whether the disclosure of information would be, or be reasonably likely to endanger the life or physical safety of any person.¹⁷

In deciding whether disclose of personal affairs information is unreasonable, I must consider whether disclosure of information would, or would be reasonably likely to endanger the life or physical safety of any person in accordance with section 33(2A). There is no information before me to indicate this is a relevant factor in the circumstances of this matter.

51. One balance, I am satisfied it would be unreasonable to disclose the personal affairs information of third parties who had minimal involvement in the handling of the Applicant's complaint.
52. However, I am satisfied it would not be unreasonable to disclose the personal affairs information of third parties who had a substantial role in handling the Applicant's complaint, who corresponded

¹⁶ Ibid at [104].

¹⁷ Section 33(2A).

directly with the Applicant during the handling of the complaint and whose personal affairs information was disclosed to the Applicant during the handling of the complaint.

53. Certain direct contact details of persons who were involved in handling the complaint, such as email addresses and telephone numbers, that were not disclosed to the Applicant during the handling of the complaint would be unreasonable to disclose under the FOI Act in the circumstances. Such information will not further the Applicant's understanding of the handling of their complaint and there is no public interest in the disclosure of this information.
54. My decision in relation to section 33(1) is set out in the Schedule of Documents in **Annexure 1**.

Section 25 – Deletion of exempt or irrelevant information

55. Section 25 requires an agency to grant access to an edited copy of a document when it is practicable to delete exempt or irrelevant information and the applicant agrees to receiving such a copy.
56. Determining what is 'practicable' requires consideration of the effort and editing involved in making the deletions 'from a resources point of view'¹⁸ and the effectiveness of the deletions. Where deletions would render a document meaningless, they are not 'practicable', and release of the document is not required under section 25.¹⁹
57. I have considered whether it is practicable to provide the Applicant with an edited copy of the document with exempt information deleted in accordance with section 25. I am satisfied it is practicable to do so, as it would not require substantial time and effort and the edited document would retain meaning.

Conclusion

58. I am satisfied the documents contain information that is exempt under sections 30(1) and 33(1). However, I have decided to release additional information in the documents to the Applicant.
59. Where I am satisfied it is practicable to delete exempt information in a document in accordance with section 25, I have determined to grant access to that document in part. Where I am not satisfied it is practicable to do so, I have determined to refuse access to a document.
60. The Schedule of Documents in **Annexure 1** outlines my decision on each document.
61. A marked-up copy of the documents showing information that I am satisfied is exempt has been provided to the Agency with this decision.

Review rights

62. If either party to this review is not satisfied with my decision, they are entitled to apply to VCAT for it to be reviewed.²⁰
63. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.²¹

¹⁸ *Mickelborough v Victoria Police (General)* [2009] VCAT 2786 at [31]; *The Herald and Weekly Times Pty Limited v The Office of the Premier (General)* [2012] VCAT 967 at [82].

¹⁹ *Honeywood v Department of Human Services* [2006] VCAT 2048 at [26]; *RFJ v Victoria Police FOI Division (Review and Regulation)* [2013] VCAT 1267 at [140] and [155].

²⁰ The Applicant in section 50(1)(b) and the Agency in section 50(3D).

²¹ Section 52(5).

64. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.²²
65. Information about how to apply to VCAT is available online at www.vcat.vic.gov.au. Alternatively, VCAT may be contacted by email at admin@vcat.vic.gov.au or by telephone on 1300 018 228.
66. The Agency is required to notify the Information Commissioner in writing as soon as practicable if either party applies to VCAT for a review of my decision.²³

Third party review rights

67. If I determine to disclose the personal affairs information of a third party, which was originally exempted by an agency under section 33(1), if practicable, I must notify a third party of their right to apply to VCAT for review of my decision.²⁴
68. In considering the meaning of 'practicable' in relation to other sections of the FOI Act, VCAT has stated the following:

The use of the word 'practicable' in the legislation to my mind connotes a legislative intention to apply common sense principles. 'Practicable' is not a term of art or a term of precise meaning.

.... The use of the word indicates there should be imported into the process the exercise of judgment by the agency concerned. It does not allow for the conclusion that because a task is possible, it must, ergo, be undertaken.²⁵

69. VCAT also considers the possibility of an unnecessary intrusion into the lives of third parties is relevant when assessing the practicability of notifying them.²⁶
70. As I am satisfied it is practicable to notify most of the third parties of their review rights, they will be notified of my decision and their right to apply to VCAT for a review²⁷ within 60 days from the date they are given notice of my decision.²⁸
71. I have decided it is not practicable to notify certain third parties of their review rights, where their personal affairs information is contained only in correspondence sent to or from the Applicant.

When this decision takes effect

72. For that reason, my decision does not take effect until the 60-day third party review rights expire.
73. If a review application is made to VCAT, my decision will be subject to any VCAT determination.

²² Section 52(9).

²³ Sections 50(3F) and (3FA).

²⁴ Sections 49P(5) and 50(3).

²⁵ *Re Schubert and Department of Premier and Cabinet* (2001) 19 VAR 35 at [45].

²⁶ *Coulston v Office of Public Prosecutions Victoria* [2010] VCAT 1234 at [42].

²⁷ Section 50(3).

²⁸ Section 52(3).

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of Pages	Agency's Decision	OVIC Decision	OVIC Comments
1.	[Date]	Complaint record tracking	8	Release in part Section 33(1)	Release in part Sections 33(1), 25 This document is to be released with information that is exempt under section 33(1), as recorded in the marked-up version provided to the Agency, deleted in accordance with section 25.	Section 33(1): I am not satisfied it would be unreasonable to disclose certain personal affairs information in this document for reasons outlined above in the Notice of decision. Section 25: I am satisfied it is practicable to edit the document to delete exempt information in accordance with section 25.
2.	[Date]	Email chain	6	Release in part Section 33(1)	Release in part Section 33(1), 25 This document is to be released with information that is exempt under section 33(1), as recorded in the marked-up version provided to the Agency, deleted in accordance with section 25.	Section 33(1): See comments for Document 1. Section 25: See comments for Document 1. The attachments: One of the attachments to this email chain is Document 3. See comments for Document 3. The attachment to the email dated [date] (located on page 6 of the document) was released to the Applicant outside of the FOI Act.
3.	[Date]	Attachment to Document 2	3	Refused in full Section 30(1)	Refuse in full Section 30(1)	Section 30(1): I am satisfied the document contains information in the nature of advice and consultation

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of Pages	Agency's Decision	OVIC Decision	OVIC Comments
						<p>between the Agency and its agent, to which disclosure would be contrary to the public interest, for the reasons outlined in above in the Notice of decision.</p> <p>Section 25: I am not satisfied it would be practicable to edit the document to delete exempt information in accordance with section 25 as it would render the document meaningless.</p>
4.	[Date]	Email	2	<p>Release in part</p> <p>Section 33(1)</p>	<p>Release in part</p> <p>Sections 33(1), 25</p> <p>This document is to be released with information that is exempt under section 33(1), as recorded in the marked-up version provided to the Agency, deleted in accordance with section 25.</p>	<p>Section 33(1): See comments for Document 1.</p> <p>Section 25: See comments for Document 1.</p>
5.	[Date]	Email chain	12	<p>Release in part</p> <p>Sections 30(1) and 33(1)</p>	<p>Release in part</p> <p>Sections 30(1), 33(1), 25</p> <p>This document is to be released with information that is exempt under sections 30(1) and 33(1), as recorded in the marked-up</p>	<p>Section 30(1): I am satisfied the document contains consultation and deliberation between Agency officers to which disclosure would be contrary to the public interest for the reasons outlined above in the Notice of Decision.</p>

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of Pages	Agency's Decision	OVIC Decision	OVIC Comments
					version provided to the Agency, deleted in accordance with section 25.	<p>Section 33(1): See comments for Document 1.</p> <p>Section 25: See comments for Document 1.</p>
6.	[Date]	email	1	<p>Release in part</p> <p>Section 33(1)</p>	<p>Release in part</p> <p>Sections 33(1), 25</p> <p>This document is to be released with information that is exempt under section 33(1), as recorded in the marked-up version provided to the Agency, deleted in accordance with section 25.</p>	<p>Section 33(1): See comments for Document 1.</p> <p>Section 25: See comments for Document 1.</p>
7.	[Date]	Email chain	2	<p>Release in part</p> <p>Sections 30(1) and 33(1)</p>	<p>Release in part</p> <p>Sections 30(1), 33(1), 25</p> <p>This document is to be released with information that is exempt under sections 30(1) and 33(1), as recorded in the marked-up version provided to the Agency, deleted in accordance with section 25.</p>	<p>Section 30(1): I am satisfied it would be contrary to the public interest to disclose the opinion in the email dated [date] for the reasons outlined above in the Notice of Decision.</p> <p>Section 33(1): See comments for Document 1.</p> <p>Section 25: See comments for Document 1.</p>
8.	[Date]	Email chain	2	Release in part	Release in part	Section 30(1): I am satisfied information

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of Pages	Agency's Decision	OVIC Decision	OVIC Comments
				Sections 30(1) and 33(1)	Sections 30(1), 33(1), 25 This document is to be released with information that is exempt under sections 30(1) and 33(1), as recorded in the marked-up version provided to the Agency, deleted in accordance with section 25.	in the document is exempt under section 30(1) for reasons outlined above in the Notice of Decision. Section 33(1): See comments for Document 1. Section 25: See comments for Document 1.
9.	[Date]	Email chain	4	Release in part Sections 30(1) and 33(1)	Release in part Sections 30(1), 33(1), 25 This document is to be released with information that is exempt under sections 30(1) and 33(1), as recorded in the marked-up version provided to the Agency, deleted in accordance with section 25.	Section 30(1): See comments for Document 8. Section 33(1): See comments for Document 1. Section 25: See comments for Document 1.
10.	[Date]	Email chain	3	Release in part Section 33(1)	Release in part Sections 33(1), 25 This document is to be released with information that is exempt under section 33(1), as recorded	Section 33(1): See comments for Document 1. Section 25: See comments for Document 1.

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of Pages	Agency's Decision	OVIC Decision	OVIC Comments
					in the marked-up version provided to the Agency, deleted in accordance with section 25.	
11.	[Date]	Email chain	5	Release in part Sections 30(1) and 33(1)	Release in part Sections 30(1), 33(1), 25 This document is to be released with information that is exempt under sections 30(1) and 33(1), as recorded in the marked-up version provided to the Agency, deleted in accordance with section 25.	Section 33(1): See comments for Document 1. Section 30(1): I am satisfied the information exempted by the Agency under section 30(1) in the emails dated [date] is exempt for reasons outlined above in the Notice of Decision. Section 25: See comments for Document 1.
12.	[Date]	Attachment to Document 11 – Letter to the Applicant	2	Release in part Section 33(1)	Release in full	Section 33(1): This is a draft of Document 14. The personal affairs information deleted by the Agency is the same as the information deleted from Document 14. See comments for Document 14, below.
13.	[Date]	Email	1	Release in part Section 33(1)	Release in full	Section 33(1): This is an email sent to the Applicant. Accordingly, all personal affairs information in this document is known to the Applicant and in their possession. It would not be unreasonable to release the personal affairs information in these

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of Pages	Agency’s Decision	OVIC Decision	OVIC Comments
						circumstances.
14.	[Date]	Attachment to Document 13 – Letter to the Applicant	2	Release in part Section 33(1)	Release in full	Section 33(1): This is a letter attached to Document 13. See comments for Document 13.