

## Notice of Decision and Reasons for Decision

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Applicant:	Melbourne Activist Legal Support
Agency:	Victoria Police
Decision date:	27 June 2023
Exemptions and provisions considered:	Sections 31(1)(d), 31(1)(e), 33(1) and 25
Citation:	<i>Melbourne Activist Legal Support and Victoria Police (Freedom of Information) [2023] VICmr 71 (27 June 2023)</i>

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FREEDOM OF INFORMATION – training documents – Evidence Gathering team – Public Order response team – powerpoint slides – images of Agency officers – images of third parties – descriptions of methods and procedures – police Operation 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 fresh decision to refuse access documents requested by the Applicant under the FOI Act.

My decision on the Applicant's request differs from the Agency's decision.

I am satisfied the information in the documents is exempt from release under section 31(1)(e). I am satisfied certain information is exempt from release under section 33(1). I am not satisfied information in the documents is exempt under section 31(1)(d).

Where I am satisfied it is practicable to provide the Applicant with an edited copy of the documents with irrelevant and exempt information deleted in accordance with section 25, I have determined to grant access to the documents in part.

The Schedule of Documents in **Annexure 1** sets out my decision in relation to each document.

My reasons for decision follow.

**Sven Bluemmel**  
Information Commissioner  
27 June 2023

# Reasons for Decision

## Background to review

1. The Applicant, as described on the website of their organisation,<sup>1</sup> is:

Melbourne Activist Legal Support (*MALS*) is an all-volunteer organisation that provides training for protest movements, information & resources on the rights to protest in Victoria, and fields Legal Observer Teams that monitor and report on the policing of protest events. We train organisers and activist groups in legal support approaches and strategies, and can help coordinate activist legal support with supportive law firms and community legal centres.
2. On 28 June 2021, the Applicant requested documents from the Agency in relation to the operation of the Evidence Gathering team within the Agency. The Applicant and the Agency engaged in VCAT proceedings in relation to this request, where it was agreed the Applicant would reduce the scope of its request and seek the documents in a series of requests.
3. On 19 July 2022, the Applicant made a request to the Agency seeking access to the following subset of the documents related to the Evidence Gathering Team:
  2. Public Order Counter Tactics (15 pages)
  6. Crowd Psychology & Dynamics (17 pages)
  8. Victoria Police Manual Guidelines – Crowd Control (9 pages)
  13. Public Order Response Team – Operations Response Unit (17 pages)
  15. Deluging (6 pages)
  20. Lesson 3 – Human Rights & Policing (22 pages)
  21. Charter of Human Rights Training (33 pages)
  22. Public Order Response Team Legal Powers Training (29 pages)
  25. Lesson 4 – Public Order Legislation (24 pages)
  26. Lesson 4a – Public Order Legislation (19 pages)
  30. Lesson 6 – Introduction to Commentary (12 pages)
  40. Lesson 11 – Crowd Dynamics – How Crowds Behave (23 pages)
  41. Lesson 11a – Crowd Behaviour (30 pages)
  54. Lesson 18 – Major Scenario Information (7 pages)
  65. Lesson 24a – Situational Awareness (11 pages)
  66. Lesson 24b – Situational Awareness (Amended 06.10.18) (9 pages)
  68. Lesson 26 - Value of Evidence (7 pages)
4. The Agency identified 20 documents falling within the terms of the Applicant’s request.
5. The Agency released 3 documents to the Applicant in full outside of the Act.
6. The Agency released 4 documents in full and 13 documents in part through their formal decision under the FOI Act, refusing access to certain information under sections 31(1)(d), 31(1)(e) and 33(1).
7. The Agency’s decision letter sets out the reasons for its decision.

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<sup>1</sup> <https://mals.au/>

## **Review application**

8. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.

## **Agency's supplementary decision**

9. On 16 December 2022, 10 January 2023 and 16 January 2023, the Agency was provided with initial views and a request for further submissions in relation to certain information found to be exempt under sections 31(1)(e) and 33(1).
10. In response to these enquiries, the Agency informally released additional information to the Applicant through a supplementary decision. I note this determination allowed the Applicant to obtain timely access to additional information where the Agency accepted it was not likely to be exempt from release.
11. The Applicant did not agree with the supplementary decision of the Agency and sought access to further information.

## **Agency's Fresh Decision**

12. Following the supplementary decision, OVIC staff requested further submissions from the Agency.
13. In response to this request for submissions, the Agency proactively determined to make a fresh decision under section 49M.
14. The Applicant did not agree with the Agency's fresh decision and, as required by section 49MA(2), I proceeded with my review on the basis of the fresh decision.
15. I have examined a copy of the documents subject to review.
16. The Applicant and the Agency were invited to make a written submission under section 49H(2) in relation to the review.
17. I have considered all communications and submissions received from the parties.
18. 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.
19. 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.
20. In conducting a review under section 49F, section 49P requires that I make a new or 'fresh decision'. Therefore, my review does not involve determining whether the Agency's decision is correct, but rather requires my fresh decision to be the 'correct or preferable decision'.<sup>2</sup> This

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<sup>2</sup> *Drake v Minister for Immigration and Ethnic Affairs* (1979) 24 ALR 577 at [591].

involves ensuring my decision is correctly made under the FOI Act and any other applicable law in force at the time of my decision.

## **Review of exemptions**

### ***Section 31(1)(d) – Disclosure of methods for preventing, detecting, investigating breaches of the law***

21. Section 31(1)(d) provides (subject to this section) a document is exempt if its disclosure would, or would be reasonably likely to, 'disclose methods or procedures for preventing, detecting, investigating, or dealing with matters arising out of, breaches or evasions of the law the disclosure of which would, or would be reasonably likely to, prejudice the effectiveness of those methods or procedures'. Section 31(1)(d) is subject to other provisions in section 31.
22. The exemptions in section 31(1) do not apply to widespread and well-known methods and procedures.<sup>3</sup>
23. The information which remains exempt under section 31(1)(d) is an Operation name appearing on page 101 of the documents.
24. I consider the function of Operation names is to enable Agency officers to refer to something they are working on while maintaining the confidentiality of the subject matter of the project. I am satisfied this is a method for preventing, detecting, investigating, or dealing with matters arising out of, breaches or evasions of the law.
25. However, I am satisfied on the face of the documents that the Operation name in the documents is a fictitious one used for the purposes of the exercise. Accordingly, I do not consider the release of the Operation name is not reasonably likely to prejudice the effectiveness of an actual method or procedure.
26. Accordingly, I am not satisfied this information is exempt under section 31(1)(d).

### ***Section 31(1)(e) – Disclosure may endanger the lives or physical safety of persons engaged in law enforcement***

27. Section 31(1)(e) provides (subject to this section) a document is exempt if its disclosure would or endanger the lives or physical safety of persons engaged in or in connection with law enforcement or persons who have provided confidential information in relation to the enforcement or administration of the law.
28. The documents describe formations and actions that Agency officers are trained to take to control crowds and gather evidence. They describe:
  - (a) the intended movements of Agency officers;
  - (b) equipment and materials which may be used; and
  - (c) the timing these matters are to occur in the context of crowd control.

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<sup>3</sup> XYZ v Victoria Police [2010] VCAT 255 at [177].

29. I am satisfied what is described in the documents is intended to be implemented by Agency officers in the course of law enforcement activities, specifically crowd control and evidence gathering.
30. While I am limited in the information I can provide in relation to the exempt information, I note that it:
- (a) is specific;
  - (b) describes the location and intended movements of Agency officers in high pressure situations; and
  - (c) involves the use of materials that carry a high level of risk when implemented improperly.
31. I am satisfied knowledge of this information is reasonably likely to endanger the physical safety of Agency officers.
32. I am not satisfied any exceptions set out in section 31(2) apply in these circumstances.
33. Accordingly, I am satisfied the information is exempt under section 31(1)(e).

***Section 33(1) – Documents affecting personal privacy of third parties***

34. 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 (a **third party**);<sup>4</sup> and
  - (b) such disclosure would be ‘unreasonable’.

*Do the documents contain personal affairs information of individuals other than the Applicant?*

35. Information relating to a person’s ‘personal affairs’ includes information that identifies any person, or discloses their address or location. It also includes any information from which this may be reasonably determined.<sup>5</sup>
36. 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.<sup>6</sup>
37. The documents contain the following personal affairs information:
- (a) images of Agency officers, police officers from other jurisdictions, external Agency officers and community members;

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<sup>4</sup> Sections 33(1) and 33(2).

<sup>5</sup> Section 33(9).

<sup>6</sup> *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].

- (b) names, position titles and email addresses of Agency officers;
- (c) the name and registration number of a police officer from another jurisdiction; and
- (d) information about police categorisation of community members named as ‘persons of interest’.

*Would disclosure of the personal affairs information be unreasonable?*

38. The concept of ‘unreasonable disclosure’ involves balancing the public interest in the disclosure of official information with the personal interest in privacy in the particular circumstances of a matter.
39. In *Victoria Police v Marke*,<sup>7</sup> the Victorian Court of Appeal held there is ‘no absolute bar to providing access to documents which relate to the personal affairs of others’. 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’.<sup>8</sup> The Court further held, ‘[t]he protection of privacy, which lies at the heart of [section] 33(1), is an important right that the FOI Act properly protects. However, an individual’s privacy can be invaded by a lesser or greater degree’.<sup>9</sup>
40. In determining whether disclosure of the personal affairs information would be unreasonable in the circumstances, I have considered the following factors:
- (a) the nature of the personal affairs information and the circumstances in which the information was obtained;
  - (b) the applicant’s interest in the information and whether their purpose for seeking the information is likely to be achieved;
  - (c) whether any public interest would be promoted by release of the personal affairs information;
  - (d) the likelihood of disclosure of information, if released;
  - (e) whether the individuals to whom the information relates object, or would be likely to object, to the release of the information; and
  - (f) whether disclosure of the information would or would be reasonably likely to endanger the life or physical safety of any person.<sup>10</sup>

*Applicant’s purpose in seeking the documents*

41. Given the public facing nature of the organisation, I am satisfied disclosure of the information to the Applicant is likely to mean the information, or parts of it, will become widely available.

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<sup>7</sup> [2008] VSCA 218 at [76].

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid* at [79].

<sup>10</sup> Section 33(2A).

42. I have considered the impacts this further dissemination would have on both the public interest in community education as to the Agency's activities, as well as the public interest in the personal privacy of third parties.

*Publicly available images*

43. The documents contain a large number of images, with the context and content of each image varying.

44. I am satisfied the following images are, or have been publicly available online:

- the image on page 4;
- the image on page 5;
- the image on page 6;
- the image on page 91;
- the image on page 96;
- the image on page 99;
- the image on page 113;
- the image on page 115;
- the images on page 130;
- the image on page 135;
- the image on page 159;
- the image on page 165;
- the image on page 181;
- the image on page 218;
- the image on page 232;
- all images on page 235;
- the image on page 243;
- the image on page 247;
- the image on page 249;
- the image on page 251; and
- the image on page 254.

45. It appears that many of these images have been obtained from the internet for the purpose of illustrating a particular matter associated with the teaching slides.
46. Accordingly, although I acknowledge their inclusion in this resource carries some sensitivity, I consider that overall the fact that these images have at some point been publicly available reduces their sensitivity and the impacts on personal privacy of the third parties should they be released.

*Personal affairs information of community members*

47. I am satisfied the third party community members did not consent to their personal affairs information being used in police training materials.
48. In their decision letter, the Agency stated that it would be unreasonable to consult with the third parties named in the documents. I am satisfied it would not be practicable to consult the third party community members, and accept that at least some would likely object to the release of their personal affairs information in the documents.
49. In some circumstances, the documents containing images of community members have no identifiable relevance to police operations, and I consider they have been included to show certain landmarks in Victoria for the purposes of the presentation. I consider these images are of limited use to the Applicant and consider they would be unreasonable to release.
50. The documents also contain images of community members having interactions with police and receiving medical care. The documents also contain details recorded by the Agency in relation to certain community members flagged as 'persons of interest'. I accept this personal affairs information is relevant to the Applicant's purposes, and I acknowledge the organisation's intention to assist the community with it.
51. However, these are inherently sensitive and personal circumstances and there is a strong public interest in the protection of the privacy of these individuals.
52. Accordingly, in the circumstances of this matter I am satisfied it would be unreasonable to release any personal affairs information of a community member where it is not publicly available.

*Personal affairs information of persons acting in a professional capacity*

53. The documents contain the personal affairs information of Agency officers, police from other jurisdictions, medical staff who I am satisfied are employed by a Victorian agency and a Minister.
54. In their decision letter, the Agency stated that it would be unreasonable to consult with the third parties named in the documents. I am satisfied it would not be practicable to consult the third parties acting in a professional capacity, and accept they would likely object to the release of their personal affairs information in the documents.
55. I am satisfied it would be unreasonable to release the direct email addresses of Agency officers in the documents due to the potential impacts on their personal privacy.
56. On balance, I am also satisfied it would be unreasonable to release the images of medical staff attending to community members:



- (a) to protect the personal privacy of the third party receiving medical care to the greatest extent possible;
  - (b) given the image depicts medical staff speaking with a community member, I consider it is less relevant to the Applicant with a focus on the activities of police.
57. I am not satisfied it would be unreasonable to release the personal affairs of the other persons acting in a professional capacity as:
- (a) I am satisfied these persons were acting in a professional capacity when the images were taken or their personal affairs information was recorded;
  - (b) I consider the portrayal of Agency officers and their activities through images is relevant to the purposes of the Applicant's request, and serves the public interest in transparency around public facing police operations;
  - (c) in relation to the images which were captured in a public place, the likelihood these persons were visible to the general public when the images were taken;
  - (d) in relation to the names and position titles of persons involved in preparing slides, I consider these details contribute to the Applicant's understanding of the documents;
  - (e) in relation to the name and registration number of a police officer from another jurisdiction, I consider it adds the Applicant's understanding of the sources drawn upon by the Agency in preparing the training materials; and
  - (f) in relation to the image on page 235, its apparent age which reduces the sensitivity of it.
58. Accordingly, I am not satisfied this personal affairs information would be unreasonable to release.

***Section 25 – Deletion of exempt or irrelevant information***

59. Section 25 requires an agency to grant access to an edited copy of a document where it is practicable to delete exempt or irrelevant information and the applicant agrees to receiving such a copy.
60. Determining what is 'practicable' requires consideration of the effort and editing involved in making the deletions 'from a resources point of view'<sup>11</sup> 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.<sup>12</sup>
61. I have considered the effect of deleting exempt information from the documents. In my view, it is practicable for the Agency to delete certain information, because it would not require substantial time and effort, and the edited documents would retain meaning.

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<sup>11</sup> *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].

<sup>12</sup> *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], [155].

62. I consider the main challenge associated with editing these documents is to edit images which contain exempt images of community members, and images of Agency officers which I have determined for release.
63. I have considered the practicability of editing each image individually, in order to maximise the release of information where the edited image would retain meaning. I have set out the determinations on each image in the Schedule of Documents below.

### **Conclusion**

64. On the information before me, I am satisfied certain information in the documents is exempt from release under sections 31(1)(e) and 33(1).
65. Where it is practicable to provide the Applicant with an edited copy of the documents with exempt information deleted in accordance with section 25, access is granted in part.

### **Review rights**

66. If either party to this review is not satisfied with my decision, they are entitled to apply to the Victorian Civil and Administrative Tribunal (**VCAT**) for it to be reviewed.<sup>13</sup>
67. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.<sup>14</sup>
68. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.<sup>15</sup>
69. Information about how to apply to VCAT is available online at [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au). Alternatively, VCAT may be contacted by email at [admin@vcat.vic.gov.au](mailto:admin@vcat.vic.gov.au) or by telephone on 1300 018 228.
70. 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.<sup>16</sup>

### **Third party review rights**

71. As I have determined to release documents that contain the personal affairs information of persons other than the Applicant, if practicable, I am required to notify those persons of their right to seek review by VCAT of my decision within 60 days from the date they are given notice.<sup>17</sup>
72. In the circumstances, I have decided notifying the relevant third parties of their review rights is not practicable as I am of the view notifying the relevant third parties would be an unnecessary intrusion for the following reasons:

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<sup>13</sup> The Applicant in section 50(1)(b) and the Agency in section 50(3D).

<sup>14</sup> Section 52(5).

<sup>15</sup> Section 52(9).

<sup>16</sup> Sections 50(3F) and 50(3FA).

<sup>17</sup> Sections 49P(5), 50(3).

- (a) in relation to the publicly available images, the fact that these images are or have been available widely;
- (b) the nature of the information, being that I have only determined to release information associated with those acting in a professional capacity; and
- (c) the practicability of notifying third parties identified only by their image or residing overseas.

**When this decision takes effect**

73. My decision does not take effect until the Agency's 14 day review period expires. If a review application is made to VCAT, my decision will be subject to any VCAT determination.

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
1.	Undated	Powerpoint slides – Public Order Counter Tactics	15	Released in part Section 33(1)	<p><b>Release in part</b> Sections 33(1), 25</p> <p>The document is to be released except for the following information which is exempt under section 33(1) and is to be deleted in accordance with section 25:</p> <ul style="list-style-type: none"> <li>on page 3, the image on the left hand side of the page; and</li> <li>on page 13, the redacted image.</li> </ul>	<p><b>Section 33(1):</b> The document contains images of third parties. I am satisfied these images are personal affairs information.</p> <p>I am satisfied the following images are or have been available publicly and would therefore not be unreasonable to release:</p> <ul style="list-style-type: none"> <li>the image on page 4;</li> <li>the image on page 5; and</li> <li>the image on page 6.</li> </ul> <p>Of the remaining images, I am not satisfied it would be unreasonable to release images of those acting in a professional capacity, and that it would be unreasonable to release images of third party community members, for the reasons outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
2.	Undated	Powerpoint slides – Crowd Psychology and Dynamics	17	Released in full	Not subject to review	
3.	14/08/2018	Victoria Police Manual Guidelines – Crowd Control	9	Released in full	Not subject to review	
4.	Undated	Powerpoint slides – Public Order Response Team – Operations Response Unit	17	Released in part Sections 31(1)(e), 33(1)	Release in part Sections 31(1)(e)  The document is to be released except for the following information which is exempt under section 31(1)(e) and is to be deleted in accordance with section 25: <ul style="list-style-type: none"> <li>The information which the Agency found to be exempt under section 31(1)(e) in the Fresh Decision.</li> </ul>	Section 31(1)(e): I note the Agency released page 52 of the documents to the Applicant in full in the course of this review.  In relation to other information the Agency claims to be exempt under section 31(1)(e), I am satisfied disclosure of that information would be reasonably likely to endanger the lives or physical safety of persons engaged in or in connection with law enforcement for the reasons outlined in my Notice of Decision above.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
						<p><b>Section 33(1):</b> There is one image in this document which is not on the pages I have found to be exempt under 31(1)(e), an image of several Agency officers. I am satisfied it is the personal affairs information of these Agency officers.</p> <p>I am satisfied this image is not publicly available.</p> <p>However, I am not satisfied it would be unreasonable to release this image of persons acting in a professional capacity for the reasons outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>
5.	Undated	Powerpoint slides – Degluing	6	Released in part Section 33(1)	Release in part Section 33(1)  The document is to be released except for the following information which is exempt under section	<p><b>Section 33(1):</b> The document contains images of third parties. I am satisfied these images are personal affairs information.</p> <p>I am satisfied none of the images in this document are publicly available.</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					<p>33(1) and is to be deleted in accordance with section 25:</p> <ul style="list-style-type: none"> <li>on page 59, the redacted image;</li> <li>on page 60, the part of the image showing a third party who is not an Agency officer, and any parts of Agency officers which overlap with their image;</li> <li>on page 62, the image redacted on the left hand side of the slide;</li> <li>on page 62, from the image redacted on the right hand side of the slide, the part of the image showing a third party, and any parts of Agency officers which overlap with the image of the third party; and</li> <li>on page 63, the redacted images.</li> </ul>	<p>I am satisfied it would not be unreasonable to release the images of the Agency officers for the reasons outlined in my Notice of Decision above.</p> <p>However, I am satisfied it would be unreasonable to release the images of the third party and external Agency officers (paramedics) for the reasons outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> With the exception of the parts of images of Agency officers overlapping with the third party community member, I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>
6.	Undated	Powerpoint slides – Human	22	<b>Released in part</b> Section 33(1)	<b>Release in part</b> Section 33(1)	<b>Section 33(1):</b> The document contains one image of a third party. I am

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
		Rights and Policing			<p>The document is to be released except for the following information which is exempt under section 33(1) and is to be deleted in accordance with section 25:</p> <ul style="list-style-type: none"> <li>on page 79, the redacted image.</li> </ul>	<p>satisfied these images are personal affairs information.</p> <p>I am satisfied this image is not publicly available.</p> <p>I am satisfied this image would be unreasonable to release for the reasons outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>
7.	Undated	Powerpoint slides – Charter of Human Rights Training	33	<b>Released in part</b> Section 31(1)(d), 33(1)	<p><b>Release in part</b> Section 33(1)</p> <p>The document is to be released except for the following information which is exempt under section 33(1) and is to be deleted in accordance with section 25:</p> <ul style="list-style-type: none"> <li>on page 111, the redacted image; and</li> </ul>	<p><b>Section 31(1)(d):</b> I am satisfied Operation names are, generally speaking, a method or procedure for preventing, detecting, investigating, or dealing with matters arising out of, breaches or evasions of the law.</p> <p>For the reasons outlined in my Notice of Decision above, I am not satisfied the disclosure of the Operation name in this document would be reasonably likely to, prejudice the effectiveness of a</p>



Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					<ul style="list-style-type: none"> <li>on page 119, the direct email addresses of Agency officers.</li> </ul>	<p>method or procedure in these circumstances.</p> <p><b>Section 33(1):</b> The document contains the names, position titles and direct email addresses of Agency officers involved in preparing the materials, and images of Agency officers and third parties. I am satisfied this is personal affairs information.</p> <p>I am satisfied it would be unreasonable to release the direct email addresses of the Agency officers, however I am not satisfied it is unreasonable to release their names and position titles. The reasons for this are outlined in my Notice of Decision above.</p> <p>The document also contains images of third parties. I am satisfied these images are personal affairs information.</p> <p>I am satisfied the following images are or have been available publicly and would therefore not be unreasonable to release:</p> <ul style="list-style-type: none"> <li>the image on page 91;</li> <li>the image on page 96;</li> <li>the image on page 99;</li> </ul>

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						<ul style="list-style-type: none"> <li>• the image on page 113; and</li> <li>• the image on page 115</li> </ul> <p>I am satisfied the remaining image on page 111 is not publicly available. I am not satisfied it would be unreasonable to release the images of the Agency officers for the reasons outlined in my Notice of Decision above.</p> <p>However, I am satisfied the images of third party community members on page 111 would be unreasonable to release for the reasons outlined in my Notice of Decision above, and note the images of Agency officers completely overlap with those of third parties in this image.</p> <p><b>Section 25:</b> With the exception of the image on page 111, I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>
8.	29	Powerpoint slides – Public Order Response	29	<b>Released in part</b> Section 33(1)	<b>Release in part</b> Section 33(1)	<b>Section 33(1):</b> The document contains images of third parties. I am satisfied

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		Team Legal Powers Training			<p>The document is to be released except for the following information which is exempt under section 33(1) and is to be deleted in accordance with section 25:</p> <ul style="list-style-type: none"> <li>on page 141, the part of the image showing a third party community member, and any parts of Agency officers which overlap with the image of the third party.</li> </ul>	<p>these images are personal affairs information.</p> <p>I am satisfied the following images are or have been available publicly and would therefore not be unreasonable to release:</p> <ul style="list-style-type: none"> <li>the images on page 130; and</li> <li>the image on page 135.</li> </ul> <p>In relation to the image on page 141, I am satisfied it would not be unreasonable to release the images of the Agency officers, and unreasonable to release the image of the third party community member, for the reasons outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>
9.	Undated	Powerpoint slides – Public Order Legislation	24	<b>Released in part</b> Section 33(1)	<b>Release in full</b>	<b>Section 33(1):</b> I am satisfied the document contains images of Agency officers and third parties. I am satisfied

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						<p>this information is personal affairs information.</p> <p>However, I am satisfied the following images are or have been available publicly and would therefore not be unreasonable to release:</p> <ul style="list-style-type: none"> <li>• the image on page 159; and</li> <li>• the image on page 165.</li> </ul>
10.	Undated	Powerpoint slides – Public Order Legislation part 2	19	<b>Released in part</b> Section 33(1)	<p><b>Release in part</b> Section 33(1)</p> <p>The document is to be released except for the following information which is exempt under section 33(1) and is to be deleted in accordance with section 25:</p> <ul style="list-style-type: none"> <li>• on page 194, the image of the third party community member.</li> </ul>	<p><b>Section 33(1):</b> The document contains images of third parties. I am satisfied these images are personal affairs information.</p> <p>I am satisfied the following images are or have been available publicly and would therefore not be unreasonable to release:</p> <ul style="list-style-type: none"> <li>• the image on page 181; and</li> <li>• the image on page 185.</li> </ul> <p>In relation to the image on page 194, I am satisfied it would not be unreasonable to release the images of the Agency officers, and unreasonable to release the image of the third party community member, for the reasons</p>

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						<p>outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>
11.	Undated	Powerpoint slides – Introduction to Commentary	12	<b>Released in part</b> Section 33(1)	<p><b>Release in part</b> Section 33(1)</p> <p>The document is to be released except for the following information which is exempt under section 33(1) and is to be deleted in accordance with section 25:</p> <ul style="list-style-type: none"> <li>• on page 204, the redacted image;</li> <li>• on page 207, the redacted images;</li> <li>• on page 208, the image of the third party community member;</li> <li>• on page 209, the images of third party community members,</li> </ul>	<p><b>Section 33(1):</b> The document contains images of third parties. I am satisfied these images are personal affairs information.</p> <p>I am satisfied it would not be unreasonable to release the images of the Agency officers, and unreasonable to release the image of the third party community members, for the reasons outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>

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					<p>and any part of an Agency officer that overlaps with these images; and</p> <ul style="list-style-type: none"> <li>on page 210, the redacted image.</li> </ul>	
12.	Undated	Powerpoint slides – Crowd Dynamics	23	<b>Released in part</b> <b>Section 33(1)</b>	<p><b>Release in part</b> <b>Section 33(1)</b></p> <p>The document is to be released except for the following information which is exempt under section 33(1) and is to be deleted in accordance with section 25:</p> <ul style="list-style-type: none"> <li>on page 236, the redacted images.</li> </ul>	<p><b>Section 33(1):</b> I am satisfied the document contains images of Agency officers and third parties. I am satisfied this information is personal affairs information.</p> <p>I am satisfied the following images are or have been available publicly and would therefore not be unreasonable to release:</p> <ul style="list-style-type: none"> <li>the image on page 218;</li> <li>the image on page 232; and</li> <li>all images on page 235, except for the first image in the second row.</li> </ul> <p>In relation to the remaining image on page 235, and the images of Agency officers on page 236, I am not satisfied it would be unreasonable for the reasons outlined in my Notice of Decision above.</p>

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						<p>I am satisfied it would be unreasonable to release the images of third party community members on page 236 for the reasons outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> I am not satisfied it is practicable to provide the Applicant with an edited copy of the images of Agency officers on page 236. Otherwise, I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>
13.	Undated	Powerpoint slides – Crowd behaviour	30	<b>Released in part</b> Section 33(1)	<b>Release in part</b> Section 33(1)  The document is to be released except for the following information which is exempt under section 33(1) and is to be deleted in accordance with section 25: <ul style="list-style-type: none"> <li>on page 253, the redacted image;</li> </ul>	<p><b>Section 33(1):</b> I am satisfied the document contains images of Agency officers and third parties. I am satisfied this information is personal affairs information.</p> <p>On the information before me, it appears the third party on the right hand side of the image on page 265 is a community member.</p> <p>I am satisfied the following images are or have been available publicly and</p>

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					<ul style="list-style-type: none"> <li>• on page 265, the image of the third party on the right hand side;</li> <li>• on page 268, the redacted information;</li> <li>• on page 269, the redacted information;</li> <li>• the images on page 293;</li> <li>• on page 294, the image on the left hand side of the page; and</li> <li>• on page 294, from the image on the right hand side of the page, the images of third party community members, and any part of an Agency officer that overlaps with these images.</li> </ul>	<p>would therefore not be unreasonable to release:</p> <ul style="list-style-type: none"> <li>• the image on page 243;</li> <li>• the image on page 247;</li> <li>• the image on page 249;</li> <li>• the image on page 251; and</li> <li>• the image on page 254.</li> </ul> <p>I am satisfied it would not be unreasonable to release the images, names and registration numbers of the Agency officers and other public officials, and unreasonable to release the image of the third party community member, for the reasons outlined in my Notice of Decision above.</p> <p><b>Section 25:</b> I am not satisfied it is practicable to provide the Applicant with an edited copy of the images of Agency officer on page 253. Otherwise, I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and/or irrelevant information deleted in accordance with section 25.</p>