

Notice of Decision and Reasons for Decision

Applicant:	'FA8'
Agency:	Monash University
Decision date:	21 March 2023
Exemptions and provision considered:	Sections 31(1)(a), 38, 30(1), 32(1), 33(1) and 25
Citation:	'FA8' and Monash University (Freedom of Information) [2023] VICmr 16 (21 March 2023)

FREEDOM OF INFORMATION – student complaint – investigation – internal working documents – legal professional privilege – personal affairs information

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.

My decision on the Applicant's request differs from the Agency's decision in that I have determined to release additional information where I am satisfied the information is not exempt information.

I am satisfied certain documents are exempt from release under sections 30(1), 32(1) and 33(1).

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, access to the document is granted in part. Where it is not practicable to do so, access to the document is refused in full.

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
21 March 2023

Reasons for Decision

Background to review

1. The Applicant made a request to the Agency seeking access to documents, which was subsequently clarified to:

Any documents, emails or correspondence created in [year] in relation to [the Applicant's] complaint allegation of misconduct against [a student], this includes:

Documents or correspondence created by the Monash University [named] division regarding the complaint or investigation.

Documents or records containing the decision or any documents or correspondence directly relevant to or which contain references to the decision to [nature of decision in relation to the specific conduct]

Records of any direction from the Vice-Chancellor to their delegate regarding this decision, any documents, file notes or correspondence which identify the decision maker/delegate and the reasons for their decision.

Record of the Vice-Chancellor delegating their powers and duties under the Chancellor Regulations [...], any documents containing details of any delegation with regard to determining my specific complaint and the decision to [nature of decision in relation to the specific conduct].

2. Following notice of the Agency's intention to refuse to process the request on grounds it would amount to a substantial and unreasonably diversion of its resources, the Applicant agreed to the removal of the following documents from the scope of their request:

- (a) drafts and duplicates;
- (b) emails and text messages from the Applicant or sent to the Applicant; and
- (c) personal affairs information of any person who was not directly involved in the Delegate's decision to allow graduation of the student referred to in the request.

3. The only personal affairs information sought was that of:

- (a) the Vice-Chancellor;
- (b) the delegate who made the decision to [nature of decision in relation to the specific conduct]; and
- (c) person/s who contributed to making the decision, that is, persons directly involved in the decision itself.

4. The Agency identified 125 documents falling within the terms of the Applicant's request and decided to grant access to 23 documents in full, refuse access to 30 documents in part and 72 documents in full under sections 30(1), 32(1) and 33(1). The Agency's decision letter sets out the reasons for its decision.

Review application

5. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.
6. The Agency provided my Office with copies of the documents subject to review, including documents redacted in part, where the decision was to release the document upon the expiration of third party review rights (**Agency's original decision**).
7. During the review, the Agency sought to apply sections 31(1)(a) and 38 of the FOI Act in conjunction with section 4(1A) of the *Judicial Proceedings Reports Act 1958 (Vic)* (**JPR Act**) to all documents that had

not been released to the Applicant, including documents that had been withheld from the Applicant pending third party 60-day review rights.

8. Accordingly, the Schedule of Documents in **Annexure 1** refers to the Agency's original decision, as well as the reconsidered decision made by the Agency during the review.

Review of exemptions

Section 38 - Documents to which secrecy provisions of enactments apply

9. Section 38 provides:

38 Documents to which secrecy provisions of enactments apply

A document is an exempt document if there is in force an enactment applying specifically to information of a kind contained in the document and prohibiting persons referred to in the enactment from disclosing information of that kind, whether the prohibition is absolute or is subject to exceptions or qualifications.

10. Therefore, for a document to be exempt under section 38, three conditions must be satisfied:
 - (a) there must be an enactment in force;
 - (b) the enactment must be formulated with such precision that it specifies the actual information prohibited from disclosure in the document; and
 - (c) the enactment must prohibit persons referred to in the enactment from disclosing the specific kind of information in the document (either absolutely or subject to exceptions or qualifications).

Is there an enactment in force?

11. I am satisfied the JPR Act is an enactment in force for the purposes of section 38.

Does the enactment apply specifically to the kind of information in the documents?

12. For section 38 to apply to an enactment, the enactment must be formulated with such precision that it specifies the actual information sought to be withheld.
13. The Agency applied section 38 of the FOI Act in conjunction with section 4(1A) of the JPR Act, which provides:

A person who publishes or causes to be published any matter that contains any particulars likely to lead to the identification of a person against whom a sexual offence is alleged to have been committed is guilty of an offence, whether or not a proceeding in respect of the alleged offence or offence has commenced, is being conducted or has been finally determined.

14. 'Publish' means to:

disseminate or provide access to the public or a section of the public by any means, including by—

- (a) publication in a book, newspaper, magazine or other written publication; or
- (b) broadcast by radio or television; or
- (c) public exhibition; or
- (d) broadcast or electronic communication (including but not limited to social media)—
other than for a purpose connected with a judicial proceeding;

15. The term 'sexual offence' has the same meaning as it has in section 4 of the *Criminal Procedure Act 2009* (Vic).
16. The prohibition in section 4(1A) of the JPR Act includes any particulars 'likely to lead to the identification' of the person against whom a sexual offence is alleged to have been committed.
17. In the decision of *Gunawan v DPP*,¹ the Victorian Civil and Administrative Tribunal (VCAT) held section 4(1A) of the JPR Act is a provision which 'applies specifically' within section 38 of the FOI Act.
18. The documents contain information relating to a person against whom a sexual offence was alleged to have been committed. Accordingly, I am satisfied section 4(1A) of the JPR Act applies specifically to the kind of information in the documents.

Does the enactment prohibit persons from disclosing the information in the documents?

19. Section 4(1BB) provides:

It is a defence to a charge under subsection (1A) for the accused to prove, on the balance of probabilities, that—

- (a) the publication was about a victim who had given the accused permission to publish the particulars and was an adult at the time the permission was given; and
- (b) the publication was in accordance with the limits, if any, set by the victim; and
- (c) the victim had decision-making capacity to give permission to publish the particulars.

20. In *Gullquist v Victorian Legal Services Commissioner*,² VCAT decided that where a provision prohibits disclosure of information, but contains an exception for where the person to whom the information relates consents to disclosure, and that person gives consent, section 38 no longer exempts the documents from disclosure under the FOI Act. VCAT further held that in making his FOI application, the applicant consented to the disclosure of information relating to him.
21. I accept the Applicant consents to disclosure of information in the documents relating to themselves, through the making of their FOI request to the Agency. I also accept the Applicant has confirmed their consent in writing via correspondence with my Office and there is no information before me to indicate the Applicant did not have decision-making capacity at the time of providing consent.
22. Accordingly, I am satisfied the defence in section 4(1BB) applies in this particular case and the exemption in section 38, in conjunction with section 4(1A) of the JPR Act, does not apply to exempt any of the documents.

Section 31(1)(a) – Disclosure of documents that would prejudice the enforcement or proper administration of the law

23. Section 31(1)(a) provides:

31 Law enforcement documents

Subject to this section, a document is an exempt document if its disclosure under this Act would, or would be reasonably likely to —

- (a) prejudice the investigation of a breach or possible breach of the law or prejudice the enforcement or proper administration of the law in a particular instance;

¹ (1998) 14 VAR 109.

² (Review and Regulation) [2017] VCAT 764.

24. 'Reasonably likely' means that there is a real chance of an event occurring; it is not fanciful or remote.³
25. 'Prejudice' means to hinder, impair or undermine and includes actual prejudice as well as impending prejudice.⁴
26. 'In a particular instance' does not require a single specific investigation. This phrase can encompass specific, identified aspects of law, administration of law or investigations of breaches or potential breaches of law.⁵
27. The documents concern an investigation into allegations raised by the Applicant regarding another student. [Further details redacted]
28. The Agency submits the term 'law' in this exemption includes the Agency's regulatory structure under its Act, Statutes and Regulations and 'administration of the law' includes the process of upholding or enforcing legal rights or duties and includes statutory regimes dealing with disciplinary matters relating to professionals. It is submitted that this extends to student misconduct proceedings under the Agency's General Misconduct procedure.
29. The Agency further submits that:

...[Details redacted]
30. In relation to the application of section 31(1)(a), I accept the Agency has regulatory obligations relating to disciplinary matters. I also accept the investigation could resume in certain circumstances. However, the Agency has not provided sufficient information to explain how disclosure of the documents identified by the Agency in this matter would, or would be reasonably likely to, prejudice any future investigations or impede the proper administration of its regulatory functions. In addition, having reviewed the documents, I do not consider their disclosure would affect the ability of the Agency to respond to or investigate any allegation in the future.
31. Accordingly, I am not satisfied the documents are exempt under section 31(1)(a).
32. My decision in relation to section 31(1)(a) is set out in the Schedule of Documents at **Annexure 1**.

Section 30(1) – Internal working documents

33. 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;
 - (b) 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
 - (c) disclosure of the matter would be contrary to the public interest.
34. The exemption does not apply to purely factual material in a document.⁶

³ *Bergman v Department of Justice Freedom of Information Officer* [2012] VCAT 363 at [65], quoting *Binnie v Department of Agriculture and Rural Affairs* [1989] VR 836.

⁴ *Ibid*, Bergman at [66], referring to *Sobh v Police Force of Victoria* [1994] VicRp 2; [1994] 1 VR 41 (Nathan J) at [55].

⁵ *Cichello v Department of Justice (Review and Regulation)* [2014] VCAT 340 at [24].

⁶ Section 30(3).

35. The term 'officer of an Agency' is defined in section 5(1). It includes a member of an agency, a member of the agency's staff, and any person employed or engaged by the agency, whether or not the person is subject to the *Public Administration Act 2004* (Vic).
36. The documents subject to review were created during an investigation into allegations raised by the Applicant in relation to the conduct of another student. I am satisfied the documents were prepared by Agency officers.

Do the documents 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?

37. For section 30(1) to be satisfied, a document must contain matter in the nature of opinion, advice or recommendation prepared by an agency officer, or consultation or deliberation between agency officers.
38. It is not necessary for a document to be in the nature of opinion, advice or recommendation. Rather, the issue is whether release of the document would disclose matter of that nature.⁷
39. Having carefully reviewed the documents, I am satisfied they contain information in the nature of opinion, advice, recommendation and consultation relating to the Agency's internal investigation into the Applicant's allegations and matters arising from and in relation to the investigation. [Further details redacted]

Were the documents 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?

40. The term 'deliberative process' is interpreted broadly and includes any of the processes of deliberation or consideration involved in the functions of an agency, Minister or government.⁸
41. In *Re Waterford and Department of Treasury (No.2)*,⁹ the former Victorian 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.

42. I am satisfied the documents were provided in the course of, and for the purpose of, the Agency's deliberative process involved in the functions of the Agency in handling and conducting an investigation into the Applicant's complaint.

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

43. In determining if disclosure of a document would be contrary to the public interest, I must consider all relevant facts and circumstances remaining mindful the object of the FOI Act is to facilitate and promote the disclosure of information. In doing so, I have considered the following:¹⁰
- (a) the right of every person to gain access to documents under the FOI Act;
 - (a) the degree of sensitivity of the issues discussed in the documents and the broader context giving rise to the creation of the documents;

⁷ *Mildenhall v Department of Education* (1998) 14 VAR 87.

⁸ *Brog v Department of Premier and Cabinet* (1989) 3 VAR 201 at 208.

⁹ [1984] AATA 67; (1984) 5 ALD 588; 1 AAR 1 at [58].

¹⁰ *Hulls v Victorian Casino and Gambling Authority* (1998) 12 VAR 483.

- (b) the stage of a decision or status of policy development or a process being undertaken at the time the communications were made;
 - (c) 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; and
 - (d) 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.
44. Further, I have considered the following factors in determining whether disclosure of certain information would be contrary to the public interest in this case:
- (a) Applicant's personal interest

I acknowledge the Applicant's personal interest in the obtaining access to the requested documents. [Content redacted].

On the information before me, I am satisfied the Applicant was informed about the complaints process and provided the necessary support.
 - (b) Broader public interest relating to investigations

I acknowledge there is a broader public interest shared by the community that contemplates individuals who raise allegations into misconduct should be provided with access to information that would assist them to meaningfully participate in an investigation, understand any investigation findings and recommendations or action to be taken.

I further acknowledge a strong public interest in the Agency's investigative processes regarding allegations of this nature to be as transparent as possible, to ensure a thorough and diligent investigation is conducted in compliance with relevant processes and procedures. However, this does not necessarily equate to a right of access to all documents prepared or obtained by an agency in the course of an investigation.
 - (c) Sensitive nature of the information

I acknowledge an investigation into the allegations made, is sensitive in nature both in relation to the complainant (the Applicant) and the personal subject of the investigation.

In such cases, it is imperative that an agency can thoroughly and effectively investigate and deliberate any allegations made and issues arising from those allegations. Therefore, the 'essential public interests', which limit disclosure of information under the FOI Act, in my view, include an appropriate level of confidentiality of the Agency's information gathering and deliberations so as to maintain the effectiveness and integrity of its investigative processes.
45. Having balanced the Applicant's personal interest in obtaining access to the requested documents with the broader public interest concerns, as set out above, I have decided it would be contrary to the public interest to release certain information, for the following reasons:
- (a) The deliberative information in the documents was recorded during the Agency's investigation at an early point, where Agency officers were being informed about, overseeing and deliberating on potential steps to be taken in response to the Applicant's complaint.

- (b) There is a public interest in ensuring Agency officers involved in responding to complaints of this nature can deliberate, plan and record relevant issues and information in a thorough and considered manner. This includes Agency officers being able to make a written record of the planning and deliberations undertaken with sufficient rigour without concern the inner workings and initial views (which may not reflect an outcome) will be released under the FOI Act.
 - (c) Certain internal deliberations are confidential in nature given they were conducted prior to the Agency officers reaching a final position on the matter and disclosure could mislead the Applicant. I do not consider there is a public interest in disclosing information that would provide the Applicant with a partial understanding of how the Agency's decision was made.
46. However, where information in the documents does not divulge sensitive aspects of the Agency's investigative process or deliberation between Agency officers or includes information that is administrative in nature, I am satisfied this information is not exempt from release under section 30(1) and can be disclosed.
47. The Schedule of Documents in **Annexure 1** sets out my decision in relation to section 30(1).

Section 32(1) – Documents affecting legal proceedings

48. Section 32(1) provides a document is an exempt document 'if it is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege'.

Legal professional privilege

49. A document will be subject to legal professional privilege and exempt under section 32(1) where it contains a confidential communication:¹¹
- (a) between the client (or their client's agent) and the client's professional legal advisers, that was made for the dominant purpose of obtaining or providing legal advice or is referable to pending or contemplated litigation;
 - (b) between the client's professional legal advisers and third parties, that was made for the dominant purpose of pending or contemplated litigation; or
 - (c) between the client (or the client's agent) and third parties that was made for the purpose of obtaining information to be submitted to the client's professional legal advisers for the dominant purpose of obtaining advice on pending or contemplated litigation.

Client legal privilege

50. A document will be subject to client legal privilege where it contains a 'confidential communication' between:
- (a) the client (or the client's agent) and the client's professional legal advisers, that was made for the dominant purpose of obtaining or providing legal advice;¹² or
 - (b) the client and another person, which was made for the dominant purpose of the client being provided with professional legal services relating to a proceeding in which the client is or was a party.¹³

¹¹ *Graze v Commissioner of State Revenue* [2013] VCAT 869 at [29]; *Elder v Worksafe Victoria* [2011] VCAT 1029 at [22]. See also section 119 of the *Evidence Act 2008* (Vic).

¹² Section 118 of the *Evidence Act 2008* (Vic).

¹³ Section 119 of the *Evidence Act 2008* (Vic).

51. For convenience, I refer to 'legal professional privilege' and 'client legal privilege' as 'legal privilege' in this decision.
52. The High Court of Australia has held the purpose of legal professional privilege or client privilege ensures a client can openly and candidly discuss legal matters with their legal representative and seek legal advice:

The rationale of this head of privilege, according to traditional doctrine, is that it promotes the public interest because it assists and enhances the administration of justice by facilitating the representation of clients by legal advisers, the law being a complex and complicated discipline. This it does by keeping secret their communications, thereby inducing the client to retain the solicitor and seek his advice, and encouraging the client to make a full and frank disclosure of the relevant circumstances to the solicitor.¹⁴

53. The dominant purpose for which a confidential communication was made will determine whether the exemption applies.¹⁵ Where mixed purposes exist, the paramount purpose of the communication is used.¹⁶
54. Legal privilege extends to communications between a government agency and its inhouse lawyers, so long as the Agency's lawyers are sufficiently independent.¹⁷
55. In relation to the application of section 32(1), the Agency submits the following in its decision letter:

... some of the documents comprise confidential email communications or records of communication between the University staff and its lawyers (including in-house lawyers) and are exempt under s 32 of the FOI Act.
56. I accept the Applicant's complaint was escalated to the Agency's internal legal team for advice and to the Agency's external lawyers.
57. On the information before me, I am satisfied certain documents are 'legal privileged information' as they demonstrate communications between Agency staff, their internal legal team and external lawyers created for the dominant purpose to obtain or provide legal advice.
58. However, where internal legal advisers are only copied into certain correspondence and I do not consider the dominant purpose of the communication to be for the provision of legal advice, I have determined it is not exempt under section 32(1).
59. The Schedule of Documents in **Annexure 1** sets out my decision in relation to section 32(1).

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

60. 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**);¹⁸ and
 - (b) such disclosure would be 'unreasonable'.

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

¹⁴ *Grant v Downs* (1976) 135 CLR 674 at [19].

¹⁵ *Thwaites v DHS* [1998] VCAT 580 at [22]-[24].

¹⁶ *Martin v Melbourne Health (Review and Regulation)* [2019] VCAT 1190 at [35].

¹⁷ *Waterford v The Commonwealth* [1987] HCA 25 at [4] (per Mason and Wilson JJ) and at [5] to [6] (per Brennan J).

¹⁸ Sections 33(1) and 33(2).

61. 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.¹⁹
62. 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.²⁰
63. As noted above, the Applicant only seeks access to personal affairs information relating to:
 - (a) the Vice-Chancellor;
 - (b) the delegate who made the decision to [nature of decision in relation to the specific conduct]; and
 - (c) person/s who contributed to making the decision, that is, persons directly involved in the decision itself.
64. The personal affairs information subject to review is a telephone number, email address, signature and names of certain individuals noted in paragraph 64 above.
65. Although the Applicant narrowed the scope of their request to certain personal affairs information as noted above, I am not satisfied their agreement expressly out scoped other personal affairs information relating to a third party. I am satisfied the documents include personal affairs information of a third party such as their name and other information relating to their personal affairs.

Would disclosure of the personal affairs information be unreasonable?

66. In relation to section 33(1), the concept of 'unreasonable disclosure' involves determining whether the public interest in the disclosure of an individual's 'personal affairs information' in an official document is outweighed by the interest in protecting the personal privacy of an individual in the circumstances.
67. In *Victoria Police v Marke*,²¹ 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'.²² 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'.²³
68. The Agency consulted with certain individuals in relation to the disclosure of their information. Copies of the Agency's consultation and third party responses have been provided for my consideration.
69. Broadly, I accept there is nothing particularly sensitive about disclosing the identity of Victorian public sector staff, or other professionals, where such information merely concerns or represents those individuals performing their ordinary professional duties. However, in this matter, the personal affairs information was obtained or generated by the Agency in the context of responding to a serious complaint lodged by the Applicant and I therefore consider the sensitive context in which the information was obtained to be a particularly relevant factor.

¹⁹ Section 33(9).

²⁰ *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].

²¹ [2008] VSCA 218 at [76].

²² *Ibid.*

²³ *Ibid* at [79].

70. Having considered the information before me, and the circumstances in which the information was obtained, I am satisfied it would be unreasonable to release certain information in the documents for the following reasons:
- (a) I acknowledge the Applicant's personal interest in obtaining access to this information. However, I consider the Applicant is able to read and interpret the documents without the inclusion of specific names, signature and direct contact information such as a telephone number and email address. Further, the personal affairs information does not add any material value to the documents.
 - (b) There is a strong public interest in investigations of complaints being as transparent as possible to ensure investigations undertaken are conducted in a fair and thorough manner. However, I am of the view this does not extend to disclosure of all personal affairs information where release would not add any material value to the documents.
 - (c) I consider certain information concerning a third party is highly sensitive and personal in nature. I confirm this information extends beyond a name or contact details and includes any personal information capable of identifying a person other than the Applicant.
 - (d) As noted above, the Agency consulted with most third parties whose information appears in the documents. Of the third parties consulted, I have taken into account whether they objected to disclosure of their personal affairs information. I note, however, their view on disclosure of their personal affairs information is not determinative.
71. Having considered the above factors, I am satisfied it would be unreasonable to disclose the personal affairs information of a third party and University staff, obtained as a result of the Agency's investigation into the Applicant's complaint.
72. The Schedule of Documents in **Annexure 1** outlines my decision in relation to section 33(1).

Section 25 – Deletion of exempt or irrelevant information

73. 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.
74. Determining what is 'practicable' requires consideration of the effort and editing involved in making the deletions 'from a resources point of view'²⁴ 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 25.²⁵
75. I have considered whether it is practicable to provide the Applicant with an edited copy of the documents with exempt and irrelevant information deleted in accordance with section 25. I am satisfied it is practicable as to do so would not require substantial time and effort, and the edited document would retain meaning.
76. With respect to documents that are exempt in full, I am satisfied it is not practicable to delete exempt information in accordance with section 25, as the documents would be rendered meaningless.

Conclusion

77. On the information before me, I am satisfied the documents contain information that is exempt under sections 30(1), 32(1) and 33(1).

²⁴ *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].

²⁵ *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].

78. However, I have decided to release additional information in the documents to the Applicant where I am not satisfied the information is exempt.
79. I am not satisfied documents are exempt under sections 31(1)(a) and 38 in conjunction with section 4(1A) of the JPR Act.
80. Where I am satisfied it is not practicable to provide an edited copy of a document with exempt information deleted in accordance with section 25, I have refused access to a document in full.
81. The Schedule of Documents in **Annexure 1** outlines my decision in relation to each document.

Review rights

82. 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.²⁶
83. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.²⁷
84. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.²⁸
85. 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.
86. 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.²⁹

When this decision takes effect

87. 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.

²⁶ The Applicant in section 50(1)(b) and the Agency in section 50(3D).

²⁷ Section 52(5).

²⁸ Section 52(9).

²⁹ Sections 50(3F) and (3FA).

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of pages	Agency's Original Decision	Agency reconsidered decision via submission to OVIC	OVIC Decision	OVIC Comments
1.	[date]	Text Messages (pages 1-2)	2	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38, 32(1)	Refuse in full Section 32(1) Agree with the Agency's original decision the document is exempt under section 32(1)	<p>Section 38: For the reasons outlined in the Notice of Decision above, I am not satisfied the document is exempt from release under section 38 in conjunction with section 4(1A) of the JPR Act.</p> <p>Section 31(1)(a): Based on the information before me, I am not satisfied disclosure of the document would prejudice the investigation of a breach or possible breach of the law or prejudice the enforcement or proper administration of the law in a particular instance. This document is not exempt under section 31(1)(a).</p> <p>Section 32(1): This document is a communication between an Agency staff member and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to seek legal advice. Accordingly, I am satisfied this information is exempt under section 32(1).</p>

Document No.	Date of Document	Document Description	No. of pages	Agency's Original Decision	Agency reconsidered decision via submission to OVIC	OVIC Decision	OVIC Comments
							Section 25: I am not satisfied it would be practicable to edit this document to delete exempt information in accordance with section 25 as it would render the document meaningless.
2.	[date]	Text Messages (pages 3- 12)	10	Released in part Sections 30(1), 32(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 32(1), 33(1), 30(1)	Release in part Sections 33(1), 25 This document is to be released, in accordance with the Agency's original decision, with the following additional information to be released: <ul style="list-style-type: none">• the information deleted on pages 5, 6, 7 under section 30(1), as it is not exempt under section 30(1);• the information deleted on page 6 under section 32(1),	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): I am not satisfied the dominant purpose of the communication in this document was to obtain or provide legal advice, nor does the document reveal confidential legal advice. I consider the dominant purpose of the communication was to inform an Agency officer of particular action taken by the Agency. It is not exempt from release under section 32(1). Section 30(1): I am not satisfied the exempted information meets the first two limbs of the exemption. In any case, I do not consider the document contains information of a substantive nature, and therefore its

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						as it is not exempt under section 32(1).	<p>disclosure would not be contrary to the public interest. Accordingly, I am not satisfied the document is exempt under section 30(1).</p> <p>Section 33(1): The Agency exempted a name under section 33(1) on pages 8, 9 and 10. I am of the view it would be unreasonable to disclose the personal affairs information of a third party. I consider the privacy of the third party outweighs the Applicant's interest in the information. I am satisfied this information is exempt under section 33(1).</p> <p>Section 25: I am satisfied with the Agency's decision to delete certain information as irrelevant to the Applicant's FOI request. I am also satisfied it is practicable to edit this document to delete exempt and irrelevant information in accordance with section 25.</p>
3.	[date]	Text Messages	5	Refused in full	Refused in full	Refuse in full	Sections 38 and 31(1)(a): See

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		(pages 13 - 17)		Sections 30(1), 33(1), 25	Sections 31(1)(a), 38, 30(1), 33(1), 25	Sections 30(1), 25	<p>comments for Document 1.</p> <p>Section 30(1): I am satisfied the document contains matter in the nature of opinion, advice or recommendations prepared for the deliberative processes of the Agency. I am satisfied it would be contrary to the public interest to release this document and it is therefore exempt under section 30(1) for the reasons outlined in the Notice of Decision above.</p> <p>Section 25: I am not satisfied it is practicable to release an edited copy of this document with exempt information deleted in accordance with section 25, as to do so would render the remaining information meaningless.</p>
4.	[date]	Email (pages 18 to 21)	3	Released in full Section 25	Same as original decision- document has been released to the Applicant	Not subject to review	

Document No.	Date of Document	Document Description	No. of pages	Agency's Original Decision	Agency reconsidered decision via submission to OVIC	OVIC Decision	OVIC Comments
5.	[date]	Call record (page 22)	1	Released in full Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted under section 25.	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: I am satisfied with the Agency's decision to delete certain information as irrelevant to the Applicant's FOI request. I am also satisfied it is practicable to edit this document to delete irrelevant information in accordance with section 25.
6.	[date]	Meeting invitation (page 23)	1	Released in full Section 25	Same as original decision- document has been released to the Applicant	Not subject to review	
7.	[date]	Call record (page 24)	1	Released in part Sections 30(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 25	Release in part Sections 30(1), 25 Agree with the Agency's original decision to release the document with irrelevant and exempt information deleted under section 25	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 2.

Document No.	Date of Document	Document Description	No. of pages	Agency's Original Decision	Agency reconsidered decision via submission to OVIC	OVIC Decision	OVIC Comments
8.	[date]	Call record (page 25)	1	Released in part Sections 30(1), 25 (Subject to third party review rights)	Refused in full Sections 30, 33(1), 31(1)(a), 38	Release in part Sections 30(1), 25 Agree with the Agency's original decision to release the document with irrelevant and exempt information deleted under section 25	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 2.
9.	[date]	Call record (page 26)	1	Released in part Sections 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 33(1), 25	Release in part Sections 33(1), 25 Agree with the Agency's original decision to release the document with irrelevant and exempt information deleted under section 25	Sections 38 and 31(1)(a): See comments for Document 1. Sections 33(1) and 25: See comments for Document 2.
10.	[date]	[document description] (page 27)	1	Refused in full Sections 30(1), 25	Refused in full Sections 31(1)(a), 38, 30(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Sections 30(1) and 25: See comments for Document 3.
11.	[date]	Email	1	Released in part	Refused in full	Release in part	Sections 38 and 31(1)(a): See

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		(page 28)		Sections 30(1), 25 (Subject to third party review rights)	Section 31(1)(a), 38, 30(1), 25	Sections 30(1), 25 Agree with the Agency's original decision to release the document with irrelevant and exempt information deleted under section 25	comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 2.
12.	[date]	Email (pages 29 to 34) *page 34 blank page	6	Released in part Sections 30(1), 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 33, 25	Release in part Sections 30(1), 33(1), 25 Agree with the Agency's original decision to release the document with irrelevant and exempt information deleted under section 25	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): Information is exempt under section 33(1). See comments in Document 2. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 2.
13.	[date]	Email (page 35 – 39)	5	Released in part Sections 30(1), 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 33, 25	Release in part Sections 30(1), 25 Agree with the Agency's original decision to release the document with	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): Information is exempt under section 33(1). See comments for Document 2. Section 30(1): Information is

Document No.	Date of Document	Document Description	No. of pages	Agency's Original Decision	Agency reconsidered decision via submission to OVIC	OVIC Decision	OVIC Comments
						irrelevant and exempt information deleted under section 25	exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 2
14.	[date]	Email (pages 40 – 45)	6	Released in part Sections 30(1), 33(1), 25 (Subject to third party review rights)	Refused in full Section 31(1)(a), 38, 30(1), 33(1), 25	Release in part Sections 30(1), 25 This document is to be released, in accordance with the Agency's original decision, with the following additional information to be released: <ul style="list-style-type: none">the information deleted on page 40 under section 30(1), as it is not exempt under section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): Information is exempt under section 33(1). See comments for Document 2 Section 30(1): I am satisfied parts of the document contain matter in the nature of opinion, advice or recommendations prepared for the deliberative processes of the Agency. I am satisfied it would be contrary to the public interest to release the information on page 43 of the document for the reasons outlined in the Notice of Decision. However, I am not satisfied it would be contrary to the public interest to release the information on page 40 of the document. Accordingly, this information is not exempt under

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							section 30(1). Section 25: See comments for Document 2
15.	[date]	Email (pages 46 – 51) *page 51 blank page	6	Released in part Sections 30(1), 33(1), 25 (Subject to third party review rights)	Refused in full Section 31(1)(a), 38, 30(1), 33(1), 25	Release in part Sections 30(1), 25 Agree with the Agency's original decision to release the document with irrelevant and exempt information deleted under section 25	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): Information is exempt under section 33(1). See comments in Document 2 Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 2.
16.	[date]	Email (pages 52 – 59) *page 59 blank page	7	Released in part Sections 30(1), 32(1) 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 32(1), 30(1), 33(1)	Release in part Sections 30(1), 33(1) 25 This document is to be released, in accordance with the Agency's original decision, with the following additional information to be released:	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): I am not satisfied the dominant purpose of the communication in this document was to obtain or provide legal advice. It is not exempt from release under section 32(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for

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						<ul style="list-style-type: none"> the information deleted on pages 52 and 53, as it is not exempt under sections 30(1) or 32(1) 	<p>Document 2.</p> <p>Section 30(1): I am satisfied parts of the document contain matter in the nature of opinion, advice or recommendations prepared for the deliberative processes of the Agency. I am satisfied it would be contrary to the public interest to release the information on page 56 of the document for the reasons outlined in the Notice of Decision. However, I am not satisfied it would be contrary to the public interest to release the information on pages 52 and 53 of the document. Accordingly, this information is not exempt under section 30(1).</p> <p>Section 25: See comments for Document 2.</p>
17.	[date]	Email (pages 60 – 65)	6	Released in part Sections 30(1), 32(1) 33(1), 25 (Subject to third party review	Refused in full Section 31(1)(a), 38, 32, 30(1), 33(1), 25	Refuse in part Sections 30(1), 33(1), 25 Agree with the Agency's original	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 30(1): I am satisfied parts of the document contain matter in the nature of opinion, advice or recommendations</p>

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				rights)		decision to release the document with irrelevant and exempt information deleted under section 25	<p>prepared for the deliberative processes of the Agency. I am satisfied it would be contrary to the public interest to release the information on pages 60 and 62 of the document for the reasons outlined in the Notice of Decision. This information is exempt under section 30(1).</p> <p>It is not necessary for me to discuss the application of section 32(1), as I have decided the information is exempt under section 30(1).</p> <p>Section 33(1): See comments for Document 2.</p> <p>Section 25: See comments for Document 2.</p>
18.	[date]	Email (pages 66 – 69) *page 69 blank page	4	Released in full Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted under section	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 25: See comments for Document 5.</p>

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						25	
19.	[date]	Email (pages 70 – 75) *page 75 blank page	6	Released in part Sections 30(1), 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1), 25	Release in part Sections 30(1), 33(1), 25 Agree with the Agency's original decision to release the document with irrelevant and exempt information deleted under section 25	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
20.	[date]	Notification from resolver (page 76-77) *page 77 blank page	2	Released in full Section 25 (Subject of third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted under section 25	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.
21.	[date]	Notification from googledrive	1	Released in part Sections 30(1),	Refused in full Sections 31(1)(a),	Release in full Section 25	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am not satisfied

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		(page 78)		25	38, 30(1), 25	<p>This document is to be released, in accordance with the Agency's original decision, with the following additional information to be released:</p> <ul style="list-style-type: none"> information deleted under section 30(1), as it is not exempt under section 30(1) 	<p>the exempted information meets the first two limbs of the exemption. The information is a name of a document. The information is not exempt under section 30(1).</p> <p>Section 25: I am satisfied with the Agency's decision to delete certain information as irrelevant to the Applicant's FOI request. I am also satisfied it is practicable to edit this document to delete irrelevant information in accordance with section 25.</p>
22.	[date]	Email (pages 79 – 86) *page 86 blank page	8	Refused in full Sections 32(1), 33(1)	Refused in full Sections 32(1), 33(1)	Refuse in full Section 32(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32(1): This document is a communication between an Agency staff member and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to seek legal advice. Accordingly, I am satisfied this information is exempt under section 32(1).</p> <p>Section 25: See comments for</p>

Document No.	Date of Document	Document Description	No. of pages	Agency's Original Decision	Agency reconsidered decision via submission to OVIC	OVIC Decision	OVIC Comments
							Document 3.
23.	[date]	Meeting invitation (page 87)	1	Released in full Section 25	Same as original decision- document has been released to the Applicant	Not subject to review	
24.	[date]	Record of meeting (page 88)	1	Refused in full Section 32(1)	Refused in full Section 31(1), 38, 32	Refuse in full Section 32(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32(1): This document is a record of a meeting between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to obtain or provide legal advice. I am satisfied this information is exempt under section 32(1).</p> <p>Section 25: See comments for Document 3.</p>
25.	[date]	Emails (pages 89 – 100)	12	Refused in full Sections 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 32(1), 33(1), 25	Refuse in full Section 32(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am</p>

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							satisfied the dominant purpose of the communication was to obtain or provide legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
26.	[date]	Email (pages 101 – 110) *110 blank page	10	Refused in full Sections 32(1), 30(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to obtain or provide legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
27.	[date]	Email (pages 111- 112)	2	Refused in full Section 30(1)	Refused in full Sections 31(1)(a), 38, 30(1)	Release in part Section 25 This document is to be	The document is an email containing two attachments. The referred attachments are Document 12 and Document 112

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						<p>released with the following information to be deleted as irrelevant in accordance with section 25:</p> <ul style="list-style-type: none"> all personal affairs information included in the document 	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 30(1): I am not satisfied the information is exempt under section 30(1) for the reasons outlined in the Notice of Decision.</p> <p>Section 25: See comments for Document 5.</p>
28.	[date]	Email (pages 113 – 116) *page 116 blank page	4	Refused in full Sections 32(1), 30(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32	Refuse in full Section 32(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32: This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to obtain or provide legal advice. I am satisfied this information is</p>

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							exempt under section 32(1). Section 25: See comments for Document 3.
29.	[date]	Email (pages 117 – 120)	4	Refused in full Section 32(1), 30(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for Document 28. Section 25: See comments for Document 3.
30.	[date]	Email (pages 121 – 126)	6	Refused in full Sections 32(1), 33(1) 30(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for Document 28. Section 25: See comments for Document 3.
31.	[date]	Email (pages 127 – 136) *page 136 blank page	9	Refused in full Sections 32(1), 33(1) 30(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for Document 28. Section 25: See comments for Document 3.

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32.	[date]	Email (pages 137 – 138)	2	Released in part Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted under section 25	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.
33.	[date]	Meeting invitation (pages 139 – 140)	2	Released in full Section 25	Same as original decision- document has been released to the Applicant	Not subject to review	
34.	[date]	Meeting record (pages 141)	1	Released in part Sections 30(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 25	Release in part Section 25 This document is to be released, in accordance with the Agency's original decision, with the following additional information to be released:	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am not satisfied the information is exempt under section 30(1) for the reasons outlined in the Notice of Decision. Section 25: See comments for Document 5.

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						<ul style="list-style-type: none"> information deleted under section 30(1), as it is not exempt under section 30(1). 	
35.	[date]	Meeting invitation update (pages 142- 145)	3	Released in full Section 25	Same as original decision- document has been released to the Applicant	Not subject to review	
36.	[date]	Email (pages 146 – 149) *page 149 blank page	4	Refused in full Sections 30(1), 33(1)	Refused in full Sections 30(1), 33(1), 31(1)(a), 38	Refuse in full Sections 30(1), 33(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 30(1): Information is exempt under section 30(1). See comments in Document 3.</p> <p>Section 33(1): See comments for Document 2.</p> <p>Section 25: See comments for Document 3.</p>
37.	[date]	Email (pages 150 – 151)	2	Released in part Sections 33, 25 (Subject to third	Refused in full Sections 31(1)(a), 38, 33(1), 25	Release in part Sections 33(1), 25 Agree with the Agency's original	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 33(1): See comments in Document 2.</p>

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				party reviews)		decision to release the document with irrelevant and exempt information deleted under section 25	Section 25: See comments for Document 2.
38.	[date]	Email (pages 152 – 155)	4	Refused in full Sections 32(1), 30(1), 33(1)	Refused in full Sections 30(1), 32(1), 33(1), 31(1)(a), 38	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to obtain or provide legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
39.	[date]	Email (pages 156 – 157)	2	Released in full Section 25	Same as original decision- document has been released to the Applicant	Not subject to review	
40.	[date]	Notification from	4	Refused in full	Refused in full	Refuse in full	Sections 38 and 31(1)(a): See

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		googledrive (pages 158 – 161)		Section 30(1)	Sections 31(1)(a), 38, 30(1)	Section 30(1)	comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments in Document 3. Section 25: See comments for Document 3.
41.	[date]	Email (page 162)	1	Released in part Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with Agency's original decision to release document with irrelevant information deleted under section 25.	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.
42.	[date]	Email (pages 163 – 168)	6	Refused in full Sections 32(1), 30(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to obtain or provide legal advice. I am satisfied this information is

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							exempt under section 32(1). Section 25: See comments for Document 3.
43.	[date]	Meeting record (page 169)	1	Refused in full Sections 30(1), 33(1)	Refused in full Sections 30(1), 33(1), 31(1)(a), 38	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
44.	[date]	Meeting invitation (page 170)	1	Released in part Sections 33(1), 25 (Subject to third party review rights)	Refused in full Section 31(1)(a), 38, 33(1), 25	Release in part Sections 33(1), 25 Agree with the Agency's original decision to release the document in part with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): I am satisfied the document contains the personal affairs information of an Agency officer, being their email address. I am satisfied disclosure of this information would be unreasonable given the sensitive circumstances of this matter. While I acknowledge, the Agency officer was performing their regular duties, I have considered

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							<p>the Agency's submission and the third party's views on disclosure. I do not consider the public interest would be served by disclosure of the Agency officer's email address. Nor do I consider disclosure of the information will inform the Applicant's understanding of this document, which is to be released except for the email address and the irrelevant information deleted. Accordingly, I am satisfied the information is exempt under section 33(1).</p> <p>Section 25: See comments for Document 2.</p>
45.	[date]	Email (page 171)	1	Released in part Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 25: See comments for Document 5.</p>

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46.	[date]	Meeting invitation (page 172)	1	Released in part Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.
47.	[date]	Notification from googledrive (page 173)	1	Refused in full Section 30(1)	Refused in full Sections 31(1)(a), 38, 30(1)	Release in part Sections 33(1), 25 This document is to be released with the following to be deleted in accordance with section 25: <ul style="list-style-type: none"> all personal affairs information of Agency officers to be deleted as irrelevant and the personal affairs information of a third party to be deleted under section 33(1) 	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am not satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.

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48.	[date]	Email (pages 174 – 175)	2	Released in part Sections 33(1), 25	Refused in full Sections 31(1)(a), 38, 33(1), 25	Release in part Sections 33(1), 25 Agree with the Agency's original decision to release the document in part with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
49.	[date]	Email (pages 176 – 179) *page 179 blank page	3	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38, 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to obtain or provide legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
50.	[date]	Email (pages 180 – 183)	4	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38, 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for

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		*page 183 blank page					Document 49. Section 25: See comments for Document 3.
51.	[date]	Email (pages 184 – 185)	2	Released in part Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Information in the document deleted by the Agency under section 25 is to remain deleted as it is irrelevant	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.
52.	[date]	Notification from goodle drive (page 186)	1	Refused in full Section 30(1)	Refused in full Sections 31(1)(a), 38, 30(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 3.
53.	[date]	Notification from goodle drive (page 187)	1	Refused in full Section 30(1)	Refused in full Sections 31(1)(a), 38, 30(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3.

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							Section 25: See comments for Document 3.
54.	[date]	Notification from goodle drive (pages 188 - 191)	4	Refused in full Section 30(1)	Refused in full Sections 31(1)(a), 38, 30(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 3.
55.	[date]	Notification from goodle drive (pages 192- 195)	4	Refused in full Section 30(1)	Refused in full Sections 31(1)(a), 38, 30(1)	Refuse in full Section 30(1)	Sections 38 and 31(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 3
56.	[date]	Email (pages 196 – 199) *page 199 blank page	3	Released in full Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.

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						deleted	
57.	[date]	Email (pages 200 – 203) *page 203 blank	4	Released in part Sections 30(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 25	Release in part Sections 30(1), 25 Agree with the Agency's original decision to release the document in part with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 2.
58.	[date]	Email (pages 204 – 207)	4	Released in part Sections 30(1), 33(1), 32(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Release in part Sections 30(1), 25 The document is to be released with exempt information deleted under section 30(1), and the following additional information to be released: <ul style="list-style-type: none"> the email dated 30 March 2022 at 19:01 on pages 204 to 205 is to be released in 	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): I am not satisfied this information is exempt under section 32(1) for the reasons outlined in the Notice of Decision above. Section 30(1): I am satisfied certain information is exempt under section 30(1). However, I am not satisfied the information in the email on pages 204 to 205 is exempt, as this information has been released in part in Document 57 above. Section 33(1): The Agency

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						accordance with the redactions made to the same email in Document 57.	deleted a small amount of information on page 205 under section 33(1), being the name, title and registration number of a third party external to the Agency. As the Applicant narrowed their request to specific personal affairs information, I consider the information deleted to be irrelevant to the Applicant's request. Accordingly, this information should remain deleted under section 25. Section 25: See comments for Document 2.
59.	[date]	Email (pages 208 – 217) *page 217 blank page	10	Release in part Sections 30(1), 32(1),25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Release in part Sections 30(1), 32(1) Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): Information is exempt under section 30(1). See comments in Document 3. Section 32(1): Information is exempt under section 32(1): See comments for Document 49. Section 25: See comments for Document 2.

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60.	[date]	Confidential internal memo (pages 218 – 235)	18	Refused in full Sections 30(1), 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Refuse in full Sections 30(1), 33(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32(1): I am not satisfied this document is a communication between the Agency's legal adviser and an Agency officer, made for the dominant purpose of providing or obtaining legal advice. However, I am satisfied the information is exempt in full under section 30(1) and 33(1).</p> <p>Section 30(1): I am satisfied the information is exempt under section 30(1). See comments for Document 3.</p> <p>Section 25: See comments in Document 3.</p>
61.		Email (pages 236 – 243)	8	Refused in full Sections 30(1), 32(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1)	Refuse in full Sections 32(1), 30(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to</p>

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							<p>obtain or provide legal advice. I am satisfied this information is exempt under section 32(1).</p> <p>Section 30(1): Information is exempt under section 30(1). See comments for Document 3.</p> <p>Section 25: See comments for Document 3</p>
62.	[date]	Email (pages 244- 245)	2	Refused in full Section 32(1)	Refused in full Section 32(1), 31(1)(a), 38	Refuse in full Section 30(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32(1): Although lawyers are copied into this correspondence, I am not satisfied the dominant purpose of the communication was to obtain or provide legal advice. It is not exempt from release under section 32(1).</p> <p>Section 30(1): I am satisfied the information is exempt under section 30(1). See comments for Document 3.</p> <p>Section 25: See comments for Document 3</p>

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63.	[date]	Email (pages 246 – 249) *page 249 blank	3	Refused in full Sections 30(1), 32(1)	Refused in full Sections 30(1), 32(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for Document 62. Section 30(1): I am satisfied the information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 3
64.	[date]	Email (page 250)	1	Refused in full Sections 30(1), 32(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for Document 62. Section 30(1): I am satisfied the information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 3
65.	[date]	Notification from goodle drive (pages 251 – 252)	2	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied the

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							information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 3.
66.	[date]	Email (pages 253 – 256) *page 256 blank page	3	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38, 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to provide legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
67.	[date]	Email (pages 257 – 262) *page 262 blank page	5	Refused in full Sections 30(1), 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose

Document No.	Date of Document	Document Description	No. of pages	Agency's Original Decision	Agency reconsidered decision via submission to OVIC	OVIC Decision	OVIC Comments
							of the communication was to obtain legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
68.	[date]	Email (pages 263- 268) *page 268 blank page	5	Refused in full Sections 30(1), 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to provide or obtain legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
69.	[date]	Email (pages page 269)	1	Released in part Section 25 (Subject to third party review	Refused in full Sections 31(1)(a), 38	Release in part Section 25 Agree with the Agency's original decision to release the document with	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.

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				rights)		irrelevant information to be deleted	
70.	[date]	Notification from goodledrive (page 270)	1	Refused in full Sections 32(1), 33(1)	Refused in full Sections 32(1), 33(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to provide or obtain legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
71.	[date]	Notification from goodledrive (page 271)	1	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to provide or obtain legal advice. I am satisfied this information is

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							exempt under section 32(1). Section 25: See comments for Document 3.
72.	[date]	Notification from goodle drive (pages 272 – 273)	2	Refused in full Sections 30(1), 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This records editing of a document by an internal lawyer. For the reasons provide in the Notice of Decision, above, I am satisfied the document is exempt from release under section 32(1). Section 25: See comments for Document 3.
73.	[date]	Notification from goodle drive (pages 274 – 275)	2	Refused in full Sections 30(1), 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for Document 72. Section 25: See comments for Document 3.
74.	[date]	Email (pages 276 – 277)	2	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38, 32(1),	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments

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							for Document 72. Section 25: See comments for Document 3.
75.	[date]	Email (pages 278 – 283) *283 blank page	5	Released in part Sections 32(1), 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 32, 33(1)	Release in part Sections 32(1), 33(1), 25 Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): I am satisfied information in the document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to provide or obtain legal advice. I am satisfied this information is exempt under section 32(1). Section 33(1): The Agency deleted the personal affairs information of senior member of the University staff, consisting of a mobile phone number. I am satisfied that it would be unreasonable to release this information for the reasons outlined in the notice of decision. Section 25: See comments for

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							Document 2.
76.	[date]	Email (pages 284 – 287)	4	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38, 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): I am satisfied certain information in the document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to provide or obtain legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
77.	[date]	Notification from googledrive (page 288)	1	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this information is exempt under section 30(1). See comments for Document 3. Section 25: See comments for Document 3.

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78.	[date]	Email (page 289)	1	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
79.	[date]	Email (pages 290-293) *page 293 blank page	4	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
80.	[date]	Email (page 294)	1	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
81.	[date]	Email (page 295)	1	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for

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							Document 2. Section 25: See comments for Document 3.
82.	[date]	Email (pages 296 – 299) *page 299 blank page	4	Released in part Sections 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in part Sections 33(1), 25 Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
83.	[date]	Email (pages 300 – 303)	4	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
84.	[date]	Email (pages 304 – 307)	4	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section

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							30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
85.	[date]	Email (pages 308 – 313)	6	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
86.	[date]	Email (pages 314- 317)	4	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above.

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							<p>Section 33(1): See comments for Document 2.</p> <p>Section 25: See comments for Document 3.</p>
87.	[date]	Email (pages 318 – 321) *321 blank page	4	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 33(1): See comments for Document 2.</p> <p>Section 25: See comments for Document 3.</p>
88.	[date]	Email (page 322)	1	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 33(1): See comments for Document 2.</p> <p>Section 25: See comments for Document 3.</p>
89.	[date]	Email (pages 323 – 326)	4	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in</p>

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							the Notice of Decision above Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
90.	[date]	Email (pages 327 – 328)	2	Refused in full Section 32(1),	Refused in full Sections 31(1)(a), 38, 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): I am satisfied certain information in the document is a record of communications between Agency staff and the Agency's legal adviser. I am satisfied the dominant purpose of the communication was to provide or obtain legal advice. I am satisfied this information is exempt under section 32(1). Section 25: See comments for Document 3.
91.	[date]	Letter (page 329)	1	Refused in full Sections 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 32(1), 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This is an attachment to Document 90. I am not satisfied it is exempt

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							<p>from release under section 32(1). The communication in this document is between the Agency's legal adviser and a third party.</p> <p>Section 33(1): See comments in Document 2. I am satisfied the information in this document relates to the personal affairs of a third party and it would be unreasonable to release for the reasons outlined in the Notice of Decision above.</p>
92.	[date]	Email (pages 330 – 331)	2	Refused in full Sections 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 32(1), 33(1)	Refuse in full Section 32(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32(1): See comments for Document 90.</p> <p>Section 25: See comments for Document 3.</p>
93.	[date]	Email (pages 332 – 333)	2	Refused in full Sections 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 32(1), 33(1)	Refuse in full Section 32(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 32(1): See comments for Document 90.</p> <p>Section 25: See comments for</p>

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							Document 3.
94.	[date]	Email (pages 334 – 335)	2	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38, 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for Document 90. Section 25: See comments for Document 3.
95.	[date]	Email (page 336)	1	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
96.	[date]	Email (pages 337 – 340) *340 blank page	4	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for

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							Document 3.
97.	[date]	Email (pages 341 – 344)	4	Refused in full Sections 30(1), 32(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Refuse in full Sections 30(1), 32(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): See comments for Document 90. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
98.	[date]	Email (pages 345 – 348) *348 blank page	4	Released in part Sections 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 33(1), 25	Refuse in part Sections 33(1), 25 Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
99.	[date]	Email	4	Refused in full	Refused in full	Refuse in full	Sections 38 and 31(1)(a): See

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		(pages 349 – 352) *352 blank page		Sections 30(1), 32(1), 33(1)	Sections 31(1)(a), 38, 30(1), 32(1), 33(1)	Sections 30(1), 32(1), 33(1)	<p>comments for Document 1.</p> <p>Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above.</p> <p>Section 32(1): I am satisfied the originating email in the email chain contains a confidential communication from an inhouse lawyer for the purpose of providing advice to the Agency.</p> <p>Section 33(1): See comments for Document 2.</p> <p>Section 25: See comments for Document 3.</p>
100.	[date]	Email (pages 353 – 358)	6	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	<p>Sections 38 and 31(1)(a): See comments for Document 1.</p> <p>Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above.</p> <p>Section 33(1): See comments for Document 2.</p>

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							Section 25: See comments for Document 3.
101.	[date]	Email (pages 359- 360) *360 blank page	2	Released in part Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.
102.	[date]	Email (pages 361 – 366) *366 blank page	6	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
103.	[date]	Email (pages 367 – 370)	4	Refused in full Section 33(1)	Refused in full Sections 31(1)(a),	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1.

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		*370 blank page			38, 33(1)		Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
104.	[date]	Email (pages 371 – 374)	4	Released in part Sections 30(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1)	Release in part Sections 30(1), 25 Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 25: See comments in Document 2.
105.	[date]	Notification from resolver (page 375)	1	Refused in full Sections 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
106.	[date]	Email (pages 376 – 379)	4	Released in part Sections 33(1), 25	Refused in full Sections 31(1)(a), 38, 33(1)	Release in part Sections 33(1), 25 Agree with the	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for

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				(Subject to third party review rights)		Agency's original decision to release the document with exempt and irrelevant information deleted	Document 2. Section 25: See comments for Document 2.
107.	[date]	Email (pages 380 – 383)	4	Released in full Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.
108.	[date]	Email (pages 384 – 387)	4	Refused in full Section 33(1)	Refused in full Sections 31(1)(a), 38, 33(1)	Refuse in full Section 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
109.	[date]	Joint legal advice (pages 388- 399)	12	Refused in full Section 32(1)	Refused in full Sections 31(1)(a), 38, 32(1)	Refuse in full Section 32(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 32(1): This is legal advice provided by external legal advisors. I am satisfied it is

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							exempt from release under section 32(1). Section 25: See comments for Document 3.
110.	[date]	Spreadsheet (pages 400 – 405)	6	Released in part Sections 33(1), 25	Refused in full Sections 31(1)(a), 38, 33(1)	Release in part Sections 33(1), 25 Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
111.	[date]	Delegation of Powers by the President and Vice-Chancellor (pages 406 – 413) *413 blank page	8	Released in part Sections 33(1), 25	Refused in full Sections 31(1)(a), 38, 33(1), 25	Release in part Sections 33(1), 25 Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 33(1): The Agency deleted the personal affairs information of a senior member of the University staff, consisting of a signature. I have determined it would be unreasonable to release this information for the reasons outlined in the Notice of Decision above. Section 25: See comments for

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							Document 2.
112.	[date]	Briefing (pages 414 – 417) *417 blank page	4	Refused in full Section 30(1)	Refused in full Sections 31(1)(a), 38, 30(1)	Refuse in full Section 30(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 25: See comments for Document 3.
113.	[date]	Chronology (pages 418 – 421)	3	Released in full Section 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 25	Release in part Section 25 Agree with the Agency's original decision to release the document with irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 25: See comments for Document 5.
114.	[date]	Confidential Vice-Chancellor Summary (page 422)	1	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information

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							that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
115.	[date]	Confidential internal memo (pages 423 – 428) *428 blank page	6	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
116.	[date]	Confidential internal memo (pages 429 – 446)	18	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in

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							the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
117.	[date]	Confidential internal memo (pages 447 – 464)	18	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
118.	[date]	Confidential internal memo (pages 465 – 470) *page 470 blank	6	Refused in full Sections 30(1), 33(1)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Refuse in full Sections 30(1), 33(1)	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments

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							for Document 2. Section 25: See comments for Document 3.
119.	[date]	Text messages (pages 471 – 475)	5	Released in part Sections 30(1), 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 The document is to be released with exempt and irrelevant information deleted under sections 30(1) and 25, and the following additional information to be released: <ul style="list-style-type: none"> the information deleted under section 30(1) on page 471 is to be released as it is not exempt under section 30(1) 	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied certain information is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. However, I have determined the information the Agency deleted under section 30(1) on page 471 is not exempt, as it is innocuous and is not contrary to the public interest to release. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
120.	[date]	Handwritten notes	16	Released in part	Refused in full	Release in part	Sections 38 and 31(1)(a): See

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		(pages 476- 491)		Sections 30(1), 33(1), 25 (Subject to third party review rights)	Sections 31(1)(a), 38, 30(1), 33(1), 25	Sections 30(1), 33(1), 25 Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.
121.	[date]	Handwritten notes (pages 492- 501)	9	Released in part Sections 30(1), 33(1), 25 (Subject to third party review rights)	Refused in full Sections 31(1)(a), 38, 30(1), 33(1), 25	Release in part Sections 30(1), 33(1), 25 Agree with the Agency's original decision to release the document with exempt and irrelevant information deleted	Sections 38 and 31(1)(a): See comments for Document 1. Section 30(1): I am satisfied this document contains information that is exempt under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2. Section 25: See comments for Document 3.