

Notice of Decision and Reasons for Decision

Applicant:	'DK6'
Agency:	Department of Families, Fairness and Housing
Decision date:	28 July 2021
Exemptions considered:	Sections 31(1)(c), 33(1), 35(1)(b) and 38 in conjunction with sections 41(1), 191(1) and 209(1) of the <i>Children, Youth and Families Act 2005</i> (Vic)
Citation:	'DK6' and Department of Families, Fairness and Housing (Freedom of Information) [2021] VICmr 223 (28 July 2021)

FREEDOM OF INFORMATION – Child Protection records – intake record – closure summary – secrecy provision – information provided in confidence – *Children Youth and Families Act 2005* (Vic)

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

Notice of Decision

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

I am satisfied the exemptions in sections 31(1)(c), 33(1), 35(1)(b) and 38 in conjunction with sections 41(1), 191(1) and 209(1) of the *Children Youth and Families Act 2005* (Vic) apply to the documents.

However, I am not satisfied the Agency's application of the exemptions in sections 31(1)(c), 33(1) and 38 is upheld in every instance. Therefore, I have determined to release additional information to the Applicant.

Where I am satisfied it is practicable to provide an edited copy of a document with exempt information deleted in accordance with section 25, I have granted partial access to the documents. However, where the deletion of exempt information would render a document meaningless, I have refused access to the document in full.

My decision in relation to each document is set out in the Schedule of Documents in **Annexure 1**.

My reasons for decision follow.

Joanne Kummrow
Public Access Deputy Commissioner
28 July 2021

Reasons for Decision

Background to review

1. The Applicant made a request to the Agency seeking access to their Child Protection file held by the Agency.
2. The Agency identified 36 documents, totalling 190 pages, relevant to the terms of the Applicant's request and granted access to 27 documents in part and refused access to nine documents in full, relying on the exemptions in sections 31(1)(c), 33(1), 35(1)(b) and 38 of the FOI Act in conjunction with sections 191 and 209 of the *Children Youth and Families Act 2005* (Vic) (**CYF Act**). The Agency's decision letter sets out the reasons for its decision.

Review

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

Child Protection and Child Protection records

9. The Agency is responsible for enforcing and administering the law relating to Child Protection in Victoria under the CYF Act.
10. Child Protection files come into existence when the Agency is notified or becomes aware of a child that is at risk to harm, wellbeing or other safety concerns. The CYF Act provides for voluntary reports from a person and mandatory reporting by persons in certain professions specified under the CYF Act.
11. The main functions of Child Protection are to:
 - (a) investigate matters where it is alleged a child is at risk of harm;
 - (b) refer children and family appropriately to services in providing ongoing safety and wellbeing of children;
 - (c) escalate matters to the Children's Court if a child's safety cannot be ensured within the family; and
 - (d) supervise children on legal orders granted by the Children's Court.

12. The Agency publishes the *Child Protection Manual*, which is used by Child Protection practitioners and contains information for families. The manual is available at www.cpmanual.vic.gov.au.
13. The role and mandate of Child Protection is obviously an important and significant one. It is also comprehensively regulated under the CYF Act.
14. Parliament has determined strict parameters apply to what information can be released in relation to Child Protection matters, including a prohibition on identifying any person who notified the Agency about any child protection concerns (**notifiers**) and any subsequent Agency investigations into or action taken to address any concerns.
15. For example, the CYF Act prohibits disclosure of the names of notifiers, as well as any information likely to lead to the identification of a notifier, except in certain limited circumstances where disclosure is authorised. This reflects the strong need for confidentiality around Child Protection notifications and any subsequent inquiries or investigations conducted by the Agency, in order to assure notifiers of confidentiality when making sensitive notifications to the Agency in the interests of protecting a child from harm or possible harm.
16. This means, when a person who has been involved with Child Protection or is the parent or guardian of such a child, seeks access to a Child Protection file, the confidentiality provisions that apply to Child Protection information under the CYF Act are strictly applied.

Review of exemptions

Section 38 – Secrecy provision

17. A document will be exempt under section 38 if:
 - (a) there is an enactment in force;
 - (b) that applies specifically to the kind of information in the document; and
 - (c) the enactment must prohibit persons, referred to in the enactment, from disclosing that specific kind of information (either absolutely or subject to exceptions or qualifications).
18. For section 38 to apply, an enactment must be formulated with such precision that it specifies the actual information sought to be withheld.
19. The Agency relies on the exemption in section 38 in conjunction with sections 191(1) and 209(1) of the CYF Act to refuse access to reports made to the Agency as well as information that would identify a third party who made a report to the Agency regarding the wellbeing of the Applicant.
20. In this matter, I also consider the provision in section 41(1) of the CYF Act, which I believe is relevant to the documents subject to my review.

Application of the confidentiality provisions in the CYF Act

21. Section 41 of the CYF Act provides:

41 Identity of reporter or referrer confidential

- (1) If a report is made to the Secretary under section 28 or 29, a person (other than the person who made it) must not disclose to any person other than the Secretary or a community-based child and family service to which the matter is referred under section 30—
 - (a) the name of the person who made the report; and

- (b) any information that is likely to lead to the identification of the person who made the report.

Penalty: 60 penalty units.

...

- (2) Subsection (1) does not apply if the person who made the report or referral—
 - (a) gives written consent to the Secretary; or
 - (b) gives written or oral consent to the community-based child and family service.

22. Section 191 of the CYF Act provides:

191 Confidentiality

- (1) If a report referred to in section 190(1) is made, a person (other than the person who made it or a person acting with the written consent of the person who made it) must not disclose to any person other than a protective intervener or a community-based child and family service in accordance with subsection (4)—
 - (a) the name of the person who made the report; or
 - (b) any information that is likely to lead to the identification of the person who made the report.

Penalty: 10 penalty units.

- (2) Subsection (1) does not apply to a disclosure made to a court or tribunal in accordance with section 190.

Subsection (1) does not apply to a disclosure to the Therapeutic Treatment Board of the name or information leading to the identification of a police officer who made a report under section 185.

...

23. Section 209 of the CYF Act provides:

209 Confidentiality

- (1) A protective intervener must not disclose to any person, other than to another protective intervener or to a person in connection with a court proceeding or to a person in connection with a review by VCAT—
 - (a) the name of a person who gave information in confidence to a protective intervener during the course of the investigation of the subject-matter of a protective intervention report; or
 - (b) any information that is likely to lead to the identification of a person referred to in paragraph (a)— without the written consent of the person referred to in paragraph (a) or authorisation by the Secretary.
- (2) The Secretary may only authorise the disclosure of information to a person under subsection (1) if the Secretary believes on reasonable grounds that the disclosure is necessary to ensure the safety and wellbeing of the child.
- (3) In this section ***court proceeding*** includes a proceeding in the Family Court of Australia.

24. In summary, sections 41(1), 191(1) and 209(1) of the CYF Act prohibit disclosure of the names of persons, as well as any information likely to lead to the identification of any person who:

- (a) provided confidential Child Protection information to the Agency in the course of a protective intervention investigation; or
- (b) notified the Agency of their concerns for the wellbeing of a child.

25. Unauthorised disclosure of such information is an offence and carries penalties under the CYF Act, highlights the legislature's intention that such information should remain protected.
26. I am satisfied the relevant sections of the CYF Act as described above, prohibit the disclosure of the identity, or any information likely to lead to the identification of a notifier/reporter, or person who gave information in confidence to the Agency during a Child Protection investigation. This includes not only the report or record of confidential information itself, but also any subsequent documents created containing details of the report or confidential information provided.
27. Having carefully reviewed the documents and information before me, I am satisfied:
 - (a) the CYF Act is an enactment in force, for the purposes of section 38;
 - (b) the documents contain specific information prohibited from disclosure under sections 41(1), 191(1) and 209(1) of the CYF Act;
 - (c) these provisions prohibit persons, in this case Agency officers, from disclosing the specific information sought by the Applicant; and
 - (d) the prohibition under sections 41(1), 191(1) and 209(1) of the CYF Act is absolute, in that disclosure is not subject to any exceptions or qualifications.
28. Accordingly, I am satisfied certain information in the documents is exempt under section 38 of the FOI Act in conjunction with sections 41(1), 191(1) and 209(1) of the CYF Act.
29. However, having reviewed the documents, I am not satisfied all information is exempt under section 38, as it does not detail confidential information provided to the Agency by a third party for the purpose of raising child safety or wellbeing concerns, nor would its disclosure identify a confidential source of information in relation to the enforcement or administration of the law.
30. My decision in relation to section 38 is set out in the Schedule of Documents at **Annexure 1**.

Section 31(1)(c) – Law enforcement documents – confidential source of information

31. Subject to section 31, section 31(1)(c) provides a document is an exempt document if its disclosure under the FOI Act would or would be reasonably likely to disclose or enable a person to ascertain, the identity of a confidential source of information in relation to the enforcement or administration of the law.
32. In light of my decision in relation to section 38 and my discussion of Child Protection in Victoria above, in the circumstances of this case, I am satisfied:
 - (a) certain information identifies various third parties who, whether directly or indirectly, provided information in confidence to the Agency's regarding child safety and wellbeing; and
 - (b) in relation to the enforcement or administration of the CYF Act.
33. Accordingly, I am satisfied certain information in the documents is exempt under section 31(1)(c).
34. However, similarly to section 38, I am not satisfied all information is exempt under section 31(1)(c), as it does not detail confidential information provided to the Agency by a third party for the purpose of raising child safety or wellbeing concerns, nor would its disclosure identify a confidential source of information in relation to the enforcement or administration of the law.
35. My decision in relation to section 31(1)(c) is set out in the Schedule of Documents at **Annexure 1**.

Section 33(1) – Personal affairs information of third parties

36. Section 33(1) provides a document is exempt if two conditions are satisfied:
- (a) disclosure of the document would ‘involve’ the disclosure of information relating to the ‘personal affairs’ of a person other than the Applicant;¹ and
 - (b) such disclosure would be ‘unreasonable’.
37. 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 such information may be reasonably determined.²

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

38. I am satisfied the documents contain personal affairs information of third parties, being: their names, position titles, dates of birth, license information, residential addresses, signatures and telephone numbers.
39. A third party’s opinion or observations about another person’s conduct can constitute information in relation to the personal affairs of a third party.³
40. I am satisfied the documents also contain notes made by the Agency’s officers in the course of the Agency’s involvement with the Applicant, their family and their associates. I am satisfied this information also relates to the personal affairs information of individuals other than the Applicant.

Would the release of the personal affairs information in the documents be unreasonable?

41. The concept of ‘unreasonable disclosure’ involves balancing the public interest in the disclosure of official information with the protection of an individual’s personal privacy in the circumstances.
42. I have considered the following factors in the circumstances of this case:

(a) The nature of the personal affairs information

The personal affairs information in the documents relates to Child Protection matters. I consider this information is highly sensitive and personal in nature.

(b) The circumstances in which the information was obtained

The Agency obtained the information from individuals in the context of carrying out its Child Protection functions under the CYF Act. I accept such information is ordinarily provided to the Agency on the understanding it will remain confidential unless limited exceptional circumstances require it to be disclosed. I accept that individuals, who provide information to the Agency in such circumstances would not expect the sensitive and personal information they provide to the Agency would be released under the FOI Act.

(c) The Applicant’s interest in the information

¹ Sections 33(1) and (2).

² Section 33(9).

³ *Richardson v Business Licensing Authority* [2003] VCAT 1053, cited in *Davis v Victoria Police (General)* [2008] VCAT 1343 at [43], *Pritchard v Victoria Police (General)* [2008] VCAT 913 at [24], *Mrs R v Ballarat Health Services (General)* [2007] VCAT 2397 at [13].

In summary, the Applicant states they seek access to the documents to assist their understanding of their childhood trauma and to better understand how the Agency came to make decisions in relation to them.

I accept the Applicant has a genuine and personal interest in obtaining access to the documents in full and would provide them with further insight into the nature of Child Protection's involvement with them.

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

The Applicant's interest in obtaining access to the documents would serve a private, rather than public, interest. However, I consider there is an interest, shared by the wider community, in those who have had involvement with Child Protection to be able to obtain access to as much information as possibly in relation to that involvement.

While the public interest in transparency and accountability of official action is a matter to which I given significant weight, in the context of seeking personal and sensitive information under the FOI Act, which relates to not only to the Applicant, but also to other persons, I must balance the public interest in protecting the personal privacy of those third parties.

For these reasons, I consider the public interest in the Agency preserving the confidentiality of information it receives from third parties and any information that could identify providers of this information, outweighs the personal interest of persons, including the Applicant, who seek full disclosure of all information held by the Agency regarding involvement with Child Protection.

While I acknowledge the Applicant will understandably consider they have a right to know all information the Agency holds that concerns them in respect of their involvement with Child Protection, the public interest in the Agency being able to continue to receive important information regarding child safety and wellbeing concerns remains paramount.

(e) Whether the individuals to whom the information relates object, or would be likely to object, to the release of the information

In the absence of written consent provided by the relevant third parties whose personal affairs information to which the Agency refused access, I consider it would be reasonably likely the relevant third parties would object to the release of their information.

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

There is no information before me to suggest this is a relevant factor in this matter.

43. In balancing the above factors, I have determined it would be unreasonable to disclose the personal affairs information of third parties in the documents.
44. However, in limited circumstances, I am satisfied certain information of third parties can be released having regard to the nature of the information, the passage of time since the documents were created and the reduced sensitivity over time, and noting information that would likely already be known by the Applicant.
45. Accordingly, I am satisfied certain personal affairs information in the documents is exempt under section 33(1), however, I have determined other information is not exempt and is to be released.
46. My decision in relation to section 33(1) is set out in **Annexure 1**.

Section 35(1)(b) – Information provided in confidence to the Agency

47. A document is exempt under section 35(1)(b) if two conditions are satisfied:
- (a) disclosure would divulge information or matter communicated in confidence; and
 - (b) disclosure would be contrary to the public interest as it would be reasonably likely to impair the ability of an agency or a Minister to obtain similar information in the future

Would disclosure of the documents divulge information communicated in confidence?

48. Whether information communicated by an individual was communicated in confidence is a question of fact.⁴
49. When determining whether information was communicated in confidence, it is necessary to consider the position from the perspective of the communicator.⁵ Confidentiality can be express or implied from the circumstances of a matter.⁶
50. As discussed above, I am satisfied information in the documents was communicated to the Agency confidentially in the course of the Agency's Child Protection involvement.

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

51. In determining whether disclosure would be contrary to the public interest, I must consider whether disclosure of a document would be reasonably likely to impair the Agency's ability to obtain similar information in the future.
52. As discussed above, the Agency plays a significant role in administering and enforcing the CYF Act. Having been reviewed the documents, I am of the view the information is of a nature that is essential for the Agency to be able to discharge its obligations and duties under the CYF Act.
53. If third parties who provide information to the Agency were made aware information regarding child safety and wellbeing concerns was to be routinely disclosed, I consider they would be unlikely to communicate similar information to the Agency in the future. This would be a significant and detrimental outcome that would reasonably impede the ability of the Agency to fulfil its Child Protection functions under the CYF Act and ensure the safety and wellbeing of children in Victoria.
54. Accordingly, I am satisfied the disclosure of such information is exempt under section 35(1)(b).
55. My decision in relation to section 35(1)(b) is set out in **Annexure 1**.

Section 25 – Deletion of exempt or irrelevant information

56. 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.
57. Determining what is 'practicable' requires consideration of the effort and editing involved in making the deletions 'from a resources point of view'⁷ and the effectiveness of the deletions. Where

⁴ *Ryder v Booth* [1985] VR 869 at 883; *XYZ v Victoria Police* [2010] VCAT 255 at [264].

⁵ *Ibid*, XYZ at [265].

⁶ *Ibid*.

⁷ *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].

deletions would render a document meaningless, they are not 'practicable, and release of the document is not required under section 25.⁸

58. I have considered the effect of deleting irrelevant and exempt information from the documents. In most cases, I am satisfied it is practicable to delete such information in certain documents in accordance with section 25, as to do so would not require substantial time and effort, and the edited documents would retain meaning. However, where the deletion of exempt information would render a document meaningless, I have determined the document is exempt from release in full.

Conclusion

59. On the information before me, I am satisfied the exemptions in sections 31(1)(c), 33(1), 35(1)(b) and 38 in conjunction with sections 41(1), 191(1) and 209(1) of the *Children Youth and Families Act 2005* (Vic) apply to the documents.
60. However, I am not satisfied the Agency's application of the exemptions in sections 31(1)(c), 33(1) and 38 is upheld in every instance. Therefore, I have determined to release additional information to the Applicant.
61. Where I am satisfied it is practicable to provide an edited copy of a document with exempt information deleted in accordance with section 25, I have granted partial access to the documents. However, where the deletion of exempt information would render a document meaningless, I have refused access to the document in full.
62. My decision in relation to each document is set out in the Schedule of Documents in **Annexure 1**.

Review rights

63. 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.⁹
64. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.¹⁰
65. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.¹¹
66. 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.
67. 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.¹²

⁸ *Honeywood v Department of Human Services* [2006] VCAT 2048 at [26]; *RFJ v Victoria Police FOI Division (Review and Regulation)* [2013] VCAT 1267 at [140] and [155].

⁹ The Applicant in section 50(1)(b) and the Agency in section 50(3D).

¹⁰ Section 52(5).

¹¹ Section 52(9).

¹² Sections 50(3F) and (3FA).

Third party review rights

68. As I have determined to release documents that contain information the Agency determined is exempt under section 33(1), if practicable, I must notify the relevant persons of their right to seek review by VCAT of my decision within 60 days from the date they are given notice.¹³

69. In considering the meaning of 'practicable' in relation to other sections of the FOI Act, VCAT has stated the following:

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

.... The use of the word indicates there should be imported into the process the exercise of judgment by the agency concerned. It does not allow for the conclusion that because a task is possible, it must, ergo, be undertaken.¹⁴

70. VCAT also considers the possibility of an unnecessary intrusion into the lives of third parties is relevant when assessing the practicability of notifying them.¹⁵

71. In this case, I am satisfied it is not practicable to notify the relevant third parties of their review rights as I consider doing so would involve an unnecessary intrusion for the following reasons:

- (a) the nature and sensitivity of the information in the documents;
- (b) the passage of time since the documents were created; and
- (c) the likelihood notification of my decision in this matter would cause undue stress and anxiety.

When this decision takes effect

72. My decision does not take effect until the Agency's 14-day review period expires.

73. If a review application is made to VCAT, my decision will be subject to any VCAT determination.

¹³ Sections 49P(5), 50(3A), 50(3AB) and 52(3).

¹⁴ *Re Schubert and Department of Premier and Cabinet* (2001) 19 VAR 35 at [45].

¹⁵ *Coulston v Office of Public Prosecutions Victoria* [2010] VCAT 1234 at [42].

Annexure 1 – Schedule of Documents – [case reference]

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
1.	[date]	Intake and File Movement Form	2	Released in part Sections 31(1)(c), 38	Release in part Sections 38, 25	<p>Section 38: The CYF Act prohibits the release of information that would lead to the identification of any individual who notified the Agency of a child safety or welfare concern. This is a secrecy provision to which section 38 applies. This exemption also applies to dates on which a notification was made, as this information could lead to the identification of a notifier. Accordingly, I am satisfied information in the document is exempt under section 38.</p> <p>Section 25: I am satisfied it is practicable to provide the applicant with an edited copy of the document with exempt information deleted in accordance with section 25.</p>
2.	[date]	Case Closure Summary	2	Released in part Sections 31(1)(c), 33(1), 35(1)(b), 38	Release in part Sections 38, 25	Sections 38 and 25: See comments for Document 1.
3.	[date]	Fax form	6	Released in part Section 33(1)	Release in part Sections 33(1), 25	Section 33(1): While I am satisfied certain information in the document is exempt under section 33(1), having carefully reviewed the information exempted by the Agency, I am

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					<p>The following information is to be released to the Applicant:</p> <ul style="list-style-type: none"> on page 3, 7:45PM entry, with the exception of the third party's name, the second sentence; and on page 4, 9:48PM entry, third and fourth line and the final sentence of the entry. 	<p>satisfied it would not be unreasonable to release additional information having regard to the passage of time since the documents were created and the decrease in sensitivity of the information over time.</p> <p>Section 25: See comments for Document 1.</p>
4.	[date]	Letter	3	Released in part Sections 31(1)(c), 38	Release in full	Sections 38 and 31(1)(c): I am satisfied the information exempted by the Agency does not reveal confidential information provided to the Agency or would lead to the identification of a third party who provided confidential information to the Agency in relation to child safety concerns. Accordingly, I am satisfied the document is not exempt from release.
5.	undated	Handwritten notes	6	Released in part	Release in part	Section 38: See comments for Document 1.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
				Sections 31(1)(c), 33(1), 35(1)(b), 38	Sections 38, 33(1), 25	<p>Section 33(1): Pages 1 and 2 of the document contains handwritten notes detailing the names and telephone contacts of third parties. For the reasons set out in the Notice of Decision above, I am satisfied it would be unreasonable to release this information.</p> <p>Section 25: See comments for Document 1.</p>
6.	[date]	Intake and File Movement Form	1	Released in part Sections 31(1)(c), 38	Release in part Sections 38, 25	Sections 38 and 25: See comments for Document 1.
7.	[date]	Handwritten notes	2	Released in part Section 33(1)	Release in part Sections 33(1), 25	<p>Section 33(1): The exempt information in the document concerns the private affairs of a third party. For the reasons set out in the Noticer of Decision above, I am satisfied disclosure of this information would be unreasonable in the circumstances.</p> <p>Section 25: See comments for Document 1.</p>
8.	[date]	Intake and File Movement Form	1	Released in part Sections 31(1)(c), 38	Release in part Sections 38, 25	Sections 38 and 25: See comments for Document 1.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
9.	[date]	Intake and File Movement Form	1	Released in part Sections 31(1)(c), 38	Release in part Sections 38, 25	See comments for Document 1.
10.	[date]	Letter to department from third party	2	Refused in full Sections 33(1), 35(1)(b)	Refuse in full Section 35(1)(b)	Section 35(1)(b): For the reasons set out in the Notice of Decision, I am satisfied release of the document would be contrary to the public interest. Section 25: I am satisfied it is not practicable to provide an edited copy of the document with exempt information deleted as to do so would render the document devoid of any meaning.
11.	[date]	Closure Summary	1	Released in part Sections 31(1)(c), 38	Release in part Section 38, 25	Sections 38 and 25: See comments for Document 1.
12.	undated	Police record consent form	2	Refused in full Section 33(1)	Release in part Sections 33(1), 25 The document is to be released but for the name, address, place	Section 33(1): The document is a proforma police record check. I am satisfied it contains third party personal affairs information, and for the reasons set out in the Notice of Decision, this information is exempt under section 33(1). However, I also note the document contains standard

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					and date of birth of the third party	regulatory information that does not relate to the personal affairs of any third party. Section 25: I am satisfied it is practicable for the Agency to delete the third party information in the document as to do so would not take substantial resources nor would it render the document completely devoid of meaning.
13.	undated	Police record consent form	2	Refused in full Section 33(1)	Release in part Section 33(1) The document is to be released but for the name, address, place and date of birth of the third party	See comments for Document 12.
14.	undated	Police record consent form	2	Refused in full Section 33(1)	Release in part Sections 33(1), 25 The document is to be released but for the name of the third party	See comments for Document 12.
15.	undated	Police record consent form	2	Refused in full	Release in part	See comments for Document 12.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
				Section 33(1)	Section 33(1) The document is to be released but for the name, address, place and date of birth of the third party	
16.	undated	Police record consent form	2	Released in part Section 33(1)	Release in part Section 33(1) The document is to be released but for the names, address, place and date of birth and license information of the third party	See comments for Document 12.
17.	[date]	Placement and Support Agreement	3	Released in part Section 33(1)	Release in part Section 33(1) The document is to be released but for the address, telephone number and signature of the third party	Section 33(1): I am satisfied the document contains personal affairs information relating to third parties; however, I am not satisfied in each instance it would be unreasonable to release the personal affairs information having considered the age of the document and information that would be known to the Applicant.
18.	[date]	Placement and Support Agreement	2	Released in part Section 33(1)	Release in part Section 33(1)	See comments for Document 17.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					The document is to be released but for the address, telephone number and signature of the third party	
19.	[date]	Case Transfer Summary	2	Released in part Sections 31(1)(c), 35(1)(b), 38	Release in part Sections 38, 33(1)	Section 38: See comments for Document 1. Section 33(1): The Agency exempted a small amount of information under section 33(1) on page 2. For the reasons set out in the Notice of Decision, I am satisfied it would be unreasonable to release this information.
20.	[date]	Case Transfer Summary	2	Released in part Sections 31(1)(c), 35(1)(b), 38	Release in part Sections 38, 33(1)	See comments for Document 19.
21.	undated	Handwritten notes	7	Released in part Section 33(1)	Release in part Section 33(1)	Section 33(1): For the reasons set out in the Notice of Decision, I am satisfied it is unreasonable to release the personal affairs information of a third party in the document.
22.	[date]	Handwritten notes	2	Released in part	Release in part	See comments for Document 21.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
				Section 33(1)	Section 33(1)	
23.	[date]	Voluntary Agreement	2	Released in part Section 33(1)	Release in part Section 33(1) The document is to be released but for the address and telephone number of a third party.	See comments for Document 17.
24.	[date]	Intake Case Note	3	Released in part Sections 31(1)(c), 33(1), 35(1)(b), 38	Release in part Sections 38, 31(1)(c), 35(1)(b)	Sections 31(1)(c) and 38: The CYF Act prohibits the release of information that would lead to the identification of an individual who notified the Agency of a child safety or welfare concern. I am satisfied the exempted information of this kind and exempt under sections 38 and 31(1)(c). Section 35(1)(b): For the reasons set out in the Notice of Decision, I am satisfied it would be contrary to the public interest to release information provided to the Agency in confidence, which concerns the welfare of a child.
25.	[date]	Note to staff member	1	Refused in full	Refuse in full Section 38	See comments in Document 24.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
				Sections 31(1)(c), 33(1), 38		
26.	undated	Case Note	3	Refused in full Sections 31(1)(c), 33(1), 38	Refuse in full Sections 38, 31(1)(c), 35(1)(b)	See comments in Document 24.
27.	[date]	Intake Case Note	3	Released in part Sections 31(1)(c), 33(1), 35(1)(b), 38	Refuse in full Sections 38, 31(1)(c), 35(1)(b)	See comments in Document 24.
28.	[date]	Notes to staff member	1	Refused in full Sections 31(1)(c), 33(1), 38	Refuse in full Section 38	See comments in Document 24.
29.	undated	Case Note	4	Released in part Sections 31(1)(c), 33(1), 35(1)(b), 38	Release in part Sections 38, 31(1)(c), 35(1)(b)	See comments in Document 24.
30.	[date]	Intake and File Movement Form	1	Released in part Sections 31(1)(c), 38	Release in part Section 38, 25	Sections 38 and 25: See comments for Document 1.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
31.	[date]	Fax form	1	Released in part Sections 31(1)(c), 38	Release in part Section 38, 25	Sections 38 and 25: See comments for Document 1.
32.	[date]	Intake and File Movement	2	Released in part Sections 31(1)(c), 38	Release in part Section 38, 25	Sections 38 and 25: See comments for Document 1.
33.	[date]	Protective Planning Meeting Record	4	Released in part Sections 31(1)(c), 33(1), 35(1)(b), 38	Release in part Section 38, 25	Sections 38 and 25: See comments for Document 1.
34.	[date]	Intake and File Movement Form	2	Released in part Sections 31(1)(c), 38	Release in part Section 38, 25	Sections 38 and 25: See comments for Document 1.
35.	[date]	Intake and File Movement Form	1	Released in part Sections 31(1)(c), 38	Release in part Section 38, 25	Sections 38 and 25: See comments for Document 1.
36.	undated	Back of file	1	Released in part Section 33(1)	Release in part Section 25	Section 25: I am satisfied the name of the Agency staff member who requested the file from archives relates to administrative information that is not relevant to the Applicant's FOI request as is to be deleted as irrelevant.