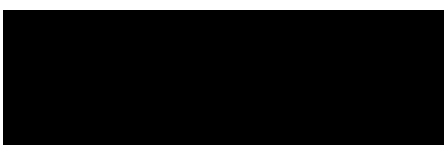


Our ref: 2020-100087

21 February 2020



Dear 

I acknowledge receipt of your email dated 23 December 2019 2018 in which you made an access application for certain information under the *Freedom of Information Act 2016* (the FOI Act). With reference to a decision of the ACT Ombudsman to grant an extension of time to the Justice and Community Safety Directorate to process an access application you made on 3 December 2019, you requested access to:

'...all documents, recordings, notes and information relating to the basis of and background by which the ACT Ombudsman arrived at the belief it was required to actually hold under the Section (42) (3) of the act...'

This letter constitutes notice of my decision on your access application. The Ombudsman has appointed me as an information officer for the purposes of the FOI Act. This appointment authorises me to make this decision.

### **Decision**

I sincerely apologise for the length of time taken to provide this decision to you. Your access application was not identified and actioned in accordance with our Service Standards. This was due to a workflow error in agency systems, with the Ombudsman's Office in the process of implementing new automated email arrangements to streamline the processing of contacts made to the Office. We are implementing reviewed arrangements for managing the receipt of access applications under the FOI Act.

I have identified eight documents falling within the scope of your access application. Under s 35(1)(a) of the FOI Act, I have given access to all of these documents in full.

In making my decision I had regard to the following:

- the terms of your access application,
- the information to which you sought access, and
- relevant provisions of the FOI Act.

Attachment A contains a schedule setting out the relevant documents.

## **Review rights**

### ***Ombudsman review***

Under s 73 of the FOI Act, you may apply in writing to this Office for a review of this decision. To do so, you should write to the Ombudsman requesting a review, to [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au) or using the contact information set out at the foot of the first page of this letter.

The review application must be made within 20 working days after the day this decision is published in our disclosure log which is available at: <http://ombudsman.act.gov.au/contact-us/seeking-information/disclosure-log>. While no particular form is required to apply for review of this decision, we recommend that applicants use the form available at: <http://www.ombudsman.act.gov.au/Freedom-of-Information>.

### ***ACAT review***

Should you be dissatisfied with this Office's review decision, you would be able to apply to the ACT Civil and Administrative Tribunal (ACAT) for review. Further information, including contact information for the ACAT, and information about how to make an application to the ACAT is available at: <https://www.acat.act.gov.au/>.

### ***Judicial review***

A further option for review of this decision may be available under the *Administrative Decisions (Judicial Review) Act 1989*. Advice about pursuing this option may be obtained from a qualified legal practitioner.

If you require clarification of any of the matters discussed in this letter you may contact me using the contact information set out at the foot of the first page of this letter.

Yours sincerely



Gregory Parkhurst  
Information Officer

**ATTACHMENT A – Schedule of relevant documents**

Schedule of documents for: [REDACTED]				
Ombudsman's reference: 2020 - 100087				
Item no.	File	Description	Date	Decision
01		Ombudsman's print out of extension record		Access given
02		Email from JACS to Ombudsman at 3:37PM	13-Dec-19	Access given
03		Email from JACS to Ombudsman at 1:20PM	19-Dec-19	Access given
04		Email from JACS to Ombudsman at 3:03PM	20-Dec-19	Access given
05		Email from Ombudsman to JACS at 3:44PM	17-Dec-19	Access given
06		Email from Ombudsman to JACS at 12:59PM	19-Dec-19	Access given
07		Email from Ombudsman to JACS at 2:26PM (plus 1 page attachment)	20-Dec-19	Access given
08		Email from Ombudsman to [REDACTED] at 4:44PM (plus 1 page attachment)	23 Dec 19	Access given

