

5 June 2023

Mr Watson Norwood

By email: foi+request-10274-eb4f0465@righttoknow.org.au

Dear Mr Norwood,

FOI request - Decision on access – FOI 23121

I refer to your request under the *Freedom of Information Act 1982* received on 6 May 2023.

I am authorised under section 23 of the FOI Act to make decisions under that Act.

Background

Your request is as follows:

I am writing to make a request under the Freedom of Information Act for a complete copy of the departments' Freedom of Information (FOI) logs for the period 2013-2023, including any secondary departments controlled by the agency.

I request that this is provided as a document and not a simple redirect to the agency website as I am of the view that your online disclosure logs do not actively reflect your FOI requests that you have received in this period.

Decision

I have decided to release to you the disclosure log for eSafety, which you can find here: [Disclosure log | eSafety Commissioner](#). I have decided not to release this as a separate document or to provide further records, for the reasons outlined below.

Material taken into account

I have taken the following material into account in making my decision on access:

- the scope of your request;
- the content of the documents in scope of your request;
- the relevant provisions of the FOI Act;
- advice from eSafety staff; and
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (Guidelines).

Reasons for Decision

You have requested access to “a complete copy of the departments’ Freedom of Information logs” for a 10 year period. eSafety does not have a record of FOI decisions for this period that could be described a ‘log’ of those decisions, other than the disclosure log.

We have some records that serve as point in time snapshots of FOI matters on hand, but these are not comprehensive lists of all matters dealt with, and have not been kept in a consistent format, nor in a way that would allow them to be combined into a list of all FOI matters without substantial work. The FOI Act does not require an agency to create documents to respond to an FOI request.

You may be aware that agencies are required to report statistical information about their work under the FOI Act to the Australian Information Commissioner. We would likely be

able to process a request for such statistics, which might give you some of the information you were looking for when asking for our 'FOI logs'.

If you have any questions regarding this decision, please contact me at foi@esafety.gov.au. A statement of your rights of review is attached.

Yours sincerely,



Morag Bond
Executive Manager, Legal, MarComms and Research

Attachments

1. Rights of Review