

22 November 2024

FOI ref: 2024-0235

Thomas

By email: foi+request-12176-d8270254@righttoknow.org.au

Dear Thomas,

Notice of Decision for Freedom of Information Request no. 2024-0235

The purpose of this letter is to give you a decision about access to documents that you have requested under the *Freedom of Information Act 1982* (FOI Act).

Summary

I am an officer authorised under s 23(1) of the FOI Act to make decisions in relation to FOI requests.

You lodged an FOI request on 16 October 2024 for access to:

“From 16 October 2019 to 16 October 2020 (inclusive), how many Tribunal cases involved Tribunal Member Hugh Sanderson considering how effective the Chinese authorities were in being able to control the spread of the COVID-19 virus in China and ensure all Chinese citizens received appropriate medical treatment?”

On 4 November 2024, I wrote to you seeking your agreement to a revision of the scope of your request to be 'a count of cases decided by Tribunal Member Hugh Sanderson', to which you agreed.

On 13 November 2024, you agreed to an extension of time until 2 December 2024.

I have liaised with the Tribunal's Data, Performance and Insights team. As a result, I have identified 1 document which falls within the scope of your request.

Decision

I have decided to grant full access to this document.

In making my decision, I have taken the following into account:

- the content of the documents that fall within the scope of your request;
- the FOI Act; and
- the guidelines issued by the Australian Information Commissioner under s 93A of the FOI Act (**FOI Guidelines**).

Your review rights

Information about how you can apply for a review of this decision or complain about how we have dealt with this matter is set out in the attached fact sheet, FOI 2.

If you have any questions about this decision, please contact me at foi@art.gov.au.

Yours sincerely,

Jodie C

Authorised FOI Officer (APS6)

Attachments

FOI 2 – Information about reviews and complaints under the Freedom of Information Act

Information about reviews and complaints under the Freedom of Information Act

What should I do prior to applying for internal review or contacting the Office of the Australian Information Commissioner?

Before you apply for an internal review or contact the Office of the Australian Information Commissioner, we recommend that you telephone the officer who made the FOI decision. It is often possible to resolve concerns or answer your questions using this approach and, if not, the officer will be able to assist you in applying for review.

How do I apply for internal review to the AAT?

You can apply to us for an internal review of the FOI decision. The application for internal review must be made within 30 days or such further period as we allow, after the day the decision is notified to you. To apply for an internal review you must do so in writing. You may also wish to explain why you are not satisfied with the decision. A different and more senior officer authorised under the *Freedom of Information Act 1982* (the FOI Act) will conduct the internal review and make a new decision within 30 days after receipt of your application.

If you have already applied for internal review and want to seek a further review of that decision, you will need to apply to the Australian Information Commissioner.

How do I apply for review to the Australian Information Commissioner?

You may also apply directly to the Australian Information Commissioner for review of the FOI decision. The application for review must be made within 60 days after the day notice of the decision was given. An application for review must be in writing, include details of how notices in relation to the review are to be sent to you and include a copy of the decision. You may also wish to explain why you are not satisfied with the decision. An online application form is available on the Office of the Australian Information Commissioner's website found here: [Information Commissioner Review Application form](#).

What if I want to make a complaint about the handling of a Freedom of Information request?

If you have a complaint about the way in which we have processed your request for access under the FOI Act you can ask the Australian Information Commissioner to investigate. An online complaint form is available on the Office of the Australian Information Commissioner's website, found here [FOI Complaint Form](#).

Where can I find further information or contact details for the Office of the Australian Information Commissioner?

Further information is available on the Office of the Australian Information Commissioner's website at www.oaic.gov.au and you can contact the office on 1300 363 992 or by email at enquiries@oaic.gov.au.