



11 December 2024

Mr Conner Brown

By email only: foi+request-12260-dcfae08f@righttoknow.org.au

Dear Conner,

Notice of intention to refuse your freedom of information request and invitation to consult

I refer to your request under the *Freedom of Information Act 1982 (Vic) (FOI Act)* which we received on 3 November 2024.

You requested access to:

..requests access to documents and internal communications related to the handling of overcrowding on V/Line services between 2022 and 2024.

- *Any internal communications (emails, memos, reports) between V/Line staff or between V/Line and PTV regarding overcrowding issues on V/Line services.*
- *Reports, studies, or analyses conducted by or for V/Line addressing the causes, frequency, and impact of overcrowding on passenger services.*
- *Plans, strategies, or actions taken or proposed to manage or alleviate overcrowding during this period.*
- *Any communications with government agencies, including briefings or updates, concerning overcrowding on V/Line services.*

Your request would substantially and unreasonably divert our resources

We assessed your request and our view is the work involved to process it in its current form would substantially and unreasonably divert the resources of this agency from its other operations.

Having considered the terms of your FOI request, V/Line considers your terms of your request to be broad and covers a wide range of documents that following initial searches from one business unit resulted in hundreds of internal documents for the time period 2022 to 2024. It would require staff over at least multiple areas within V/Line in circumstances where the FOI decision-maker has limited capacity to respond to the request, consistent with attendance to core responsibilities (including that as a legal officer).

The scope of the request is broad and seeks multiple types of documents, it covers multiple areas and would require a significant time period devoted to processing to enable the other operations of V/Line and relevant resources to continue, all of which it is respectfully submitted leads to a conclusion that the diversion of resources to process the request would be substantial.



As such, in accordance with section 25A(6)(i) of the FOI Act, we intend to refuse access to the documents you requested unless you sufficiently narrow the terms of the request.

Invitation to consult with us to narrow the scope of your request

We invite you to consult with us to narrow the scope of your request, so that processing it would no longer be a substantial and unreasonable diversion of this agency's resources from its other operations.

To assist you in narrowing the scope of your request, you may wish to consider:

- specifying or reducing the number of categories of documents you are requesting;
- specifying or reducing the types or formats of documents you are requesting.

For instance, I suggest narrowing the scope of your FOI request to:

“Request access to the following documents relating to the handling of overcrowding between 2022 and 2024:

- *Reports, studies, or analyses conducted by or for V/Line addressing the causes, frequency, and impact of overcrowding on passenger services.*
- *Plans, strategies, or actions taken or proposed to manage or alleviate overcrowding during this period.”*

Please note, accepting our suggestions means the ground for refusal under section 25A(1) of the FOI Act may be removed, but it does not necessarily mean you will receive access to those documents. We would still need to assess each document to determine whether an exemption applies to it in full or in part.

What you need to do

To proceed with your request, please consider our suggestions above and provide an amended, narrowed, request by **10 January 2025**.

Please let us know if you require more time to narrow the scope of your request. Please be aware that the time for processing your request is suspended until a narrowed request is confirmed. The time in which we must process your request will resume if we receive a request we can process or if you tell us you wish to continue with your original request.

If we do not hear from you, or you do not sufficiently narrow your request by the date above, we may provide you with a final decision to refuse access to the requested documents under section 25A(1) of the FOI Act.

We have provided the name and contact details of a staff member who can assist you with narrowing the scope of your request. Please contact them to consult on the scope of your request.

If you have any questions about this letter, please contact us by email at foi@vline.com.au.



Yours sincerely

Ashley Peter-Budge

Lawyer – Public Law and Litigation