

File Reference Number:2022/1931

I am Shaun
foi+request-8512-7e7059e3@righttoknow.org.au

Dear Shaun

DECISION ON YOUR FREEDOM OF INFORMATION REQUEST

I refer to your Freedom of Information request received on 25 February 2022.

Your application requests:

i require; the documented date and case/claim title (if not private) and reference number of the most recent case/claim by a man or woman that prosecuted a claim in a common law Court at the Supreme Court of the Australian Capital Territory (or at the Magistrates Court).

The document search must not include legal entities (eg such as person or natural person), only cases/claims prosecuted by a man or woman in common law, law of the land.

Authority

I am an information officer authorised to make decisions about access to information held by the ACT Courts and Tribunal, in accordance with section 18 of the [FOI Act](#).

Decision

Schedule 1 of the FOI Act outlines Information disclosure which is taken to be contrary to the public interest. Section 1.1A includes:

- (1) Information in the possession of a court or tribunal unless the information is administrative in nature.
- (2) In this section: court includes—
 - (a) a registry or other office of a court or tribunal; and
 - (b) the staff of the registry or office.

On the basis of schedule 1 of the FOI Act outlined above, the provision of any specific details regarding court matters is taken to be contrary to the public interest, however, I can advise the most recent private criminal prosecution was lodged with the ACT Magistrates Court this financial year. The matter was lodged by the applicant's legal representative on their behalf.

p (02) 6205 0000 | e feedback@courts.act.gov.au
GPO Box 370, Canberra ACT 2601
ACT Law Courts Building, 4-6 Knowles Place, Canberra ACT 2601

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If you wish to access details of a case or undertake searches of court registers you will need to write to the applicable Registrar requesting a search and/or access to the files and paying the applicable fee(s). Information about accessing files is available on our court website by searching 'access to files' or via the following URL: <https://www.courts.act.gov.au/magistrates/about-the-courts/Access-to-Court-Files> . The *Court Procedure Rules 2006* applicable to searches and inspections include rules 2902, 2903 and 4053. The *Court Procedure Rules 2006* are available at <https://www.legislation.act.gov.au/sl/2006-29/> .

Online publishing – disclosure log

Under section 28 of the Act, JACS maintains an online record of access applications called a disclosure log. Your access application, my decision and documents released to you in response to your access application will be published on the JACS disclosure log no later than 10 days after the decision. Your personal contact details will not be published. You may view the JACS' disclosure log at: <https://www.justice.act.gov.au/disclosure-log>

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published on the JACS disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at actfoi@ombudsman.gov.au or The ACT Ombudsman, GPO Box 442, CANBERRA ACT 2601

The review of decision application form is available at:
https://www.ombudsman.act.gov.au/_data/assets/pdf_file/0026/79190/Apply-for-Ombudsman-review.pdf

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

Physical Address: Level 4, 1 Moore St, Canberra City ACT 2601

Postal Address: GPO Box 370. Canberra City ACT 2601

Phone: (02) 6207 1740 *Website:* <http://www.acat.act.gov.au/>

Yours sincerely



Amanda Nuttall
Principal Registrar and Chief Executive Officer

21 March 2022