



Telephone: (02) 9230 8289

**FEDERAL COURT OF AUSTRALIA
PRINCIPAL REGISTRY**

LEVEL 16
LAW COURTS BUILDING
QUEENS SQUARE
SYDNEY NSW 2000

29 April 2022

Mr Russell Trott

By email: [REDACTED]

Dear Registrar Trott,

Freedom of Information Act 1982 – Request and Opportunity to Make Submission

As you are aware, the Federal Court of Australia (**Court**) has received a number of requests for documents under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) in response to articles published in The Australian on 8, 9 and 10 February 2022 concerning the Court's recruitment processes. As part of the searches that have been conducted by the Court in response to these FOI requests, the following document has been identified as falling within the scope of two requests and contains "personal information" about you: Selection Report – National Judicial Registrar and District Registrar, WA.

I enclose a copy of this document for your consideration.

Opportunity to make a submission

Under section 27A of the FOI Act, where an agency receives a request for access to a document that contains "personal information" about a person and it appears to the agency that the person concerned might reasonably wish to make a contention that the document, or part of the document, should be exempted from release to the applicant, the agency is required to consult the person concerned and give them an opportunity to make a submission before any decision is made to grant access.

Accordingly, I invite you to tell me of any objection you have to the release of the documents listed above that contain your personal information. Specifically, I invite you to respond to the following questions:

1. Do you believe the release of the personal information contained in the documents listed above would be an unreasonable disclosure of personal information about you?
2. What are the reasons that you believe the disclosure of the personal information would be unreasonable?

Any reasons provided as to why disclosure of the information about you would be unreasonable will be given careful consideration. I note, however, that the decision about whether to release the documents rests with me, as the Court's decision-maker on these requests.

In deciding whether to release the documents to the applicant, please note that I must have regard under subsection 47F(2) of the FOI Act to:

- a) the extent to which the information is well known;
- b) whether you are known to be (or to have been) associated with the matters dealt with in the document;
- c) the availability of the information from publicly accessible sources; and
- d) any other matters that I consider relevant.

If I decide, as the decision-maker on this request, to grant access to any documents the release of which you opposed, you will be given written notice of the decision and the opportunity to seek review of the decision before those documents are released.

If you have any other objections or comments in relation to the release of the documents, beyond the issue of personal information, you are also welcome to make submissions to me in that regard.

Disclosure log

You should be aware that if I decide, on behalf of the Court, to grant access to the requested documents, the Court is generally obliged to publish that information on its disclosure log at: <https://www.fedcourt.gov.au/disclosurelog>. However, the Court will not publish information (such as personal information) where this would be unreasonable. If you have any queries about this requirement, please contact me.

How to make your submission

Please send me your response in writing by **Wednesday 4 May 2022**.

Please note that if a response is not received from you by this date, I will assume that you do not object to the release of the documents.

Further information

More information about your rights where information about you is requested under the FOI Act is available on the Office of the Australian Information Commissioner's website here: <https://www.oaic.gov.au/freedom-of-information/your-foi-rights/when-an-foi-request-affects-you/>.

Yours sincerely



Claire Hammerton Cole
Registrar