

FILE NOTE

FOI Request – 26 August 2021

On 26 August 2021 the Federal Court of Australia received an FOI request seeking access to various documents in respect of a complaint that was made against a particular registry officer.

On 24 September 2021 I decided (as an officer authorised under subsection 23(1) of the *Freedom of Information Act 1982 (FOI Act)* to make decisions on behalf of the Federal Court) to grant access to two documents. Access to those documents was provided to the FOI applicant by letter sent that day.

As a result the Federal Court must publish those documents in the disclosure log on the Federal Court's website (subsection 11C(3) of the FOI Act) unless an exemption applies.

Both of the documents contain the name of the registry officer the complaint was made against, as well as the FOI applicant's name, email address, email signature, and eLodgment ID number **(Relevant Information)**.

I am satisfied that the Relevant Information in the documents is personal information that would be unreasonable to publish on the Federal Court's disclosure log. I am also satisfied that the Relevant Information is of a kind that is covered by the Information Commissioner's *Freedom of Information (Disclosure Log – Exempt Documents) Determination 2018*, namely, that the Relevant Information would have been exempt at the time that access was given to the applicant if the request for that document had been received from a person other than the applicant.

I am satisfied that it is reasonably practicable to redact the Relevant Information from the documents and hence to publish edited copies of the documents with that Relevant Information deleted.

Having regard to paragraphs 14.7 and 14.16 to 14.20 of the Guidelines of the Australian Information Commissioner issued under section 93A of the FOI Act, I have decided under paragraphs 11C(1)(a) and 11C(1)(c) of the FOI Act to publish in the disclosure log on the Federal Court's website edited copies of the documents with the Relevant Information redacted.



Rohan Muscat

7 October 2021