



**ACT**  
Government

Justice and Community Safety



Dear 

### **FREEDOM OF INFORMATION REQUEST**

I write in response to your request for access to documents under the *Freedom of Information Act 1989* (the Act).

In your application, you sought access to:

“all documents and any information held by the Directorate in relation to a report evaluating the Throughcare program at the Alexander Maconochie Centre (AMC), prepared by the Australian National University (ANU) Research team led by Dr Emmeline Taylor.

I am the officer authorised under section 22 of the Act to make a decision in relation to your request.

Although the Act facilitates the objective of public access to documents, access is subject to a number of exemption provisions as set out by the Act. Documents in your request are subject to exemptions as set out by section 36(1) and section 43(1) of the Act.

Section 36(1) of the Act details that information may be exempt from release because it would disclose a matter forming part of the deliberative processes involved in the functions of an agency or Minister or of the Territory and would be contrary to the public interest.

Section 43(1) of the Act details that information may be exempt from release if disclosure under the Act would unreasonably release information that may affect business affairs.

I have decided that some documents are to be fully released and some fully exempted in accordance with the above mentioned exemption provisions. Please see the attached schedule detailing what will be released to you.

In making these documents available, I believe some additional context may be useful in regard to your understanding of this matter.

The decision to apply for a COCA grant had its genesis in an earlier, unsuccessful, application for an Australian Institute of Criminology Grant. In order to provide a more complete picture of the prelude to the COCA application, I have attached documents relating to that earlier application.

Once the COCA grant was awarded, discussions were undertaken with the ANU in order to refine the parameters of the task to be undertaken. A proposal was received and agreed in February 2014 and work started immediately.

Under the terms of the COCA Deed of Agreement, funds had to be expended within the 2013/14 financial year. On 6 June 2014, the ANU provided an invoice for undertaking the project. As a result of regular discussions between ACTCS staff and those undertaking the evaluation, ACTCS was satisfied that the draft report was very close to finalisation and, on that basis, paid the ANU. The draft report was received on 1 July 2014 and the final on 26 August 2014.

I have also assessed your request for information under the ACT Government's Online Freedom of Information Publication Policy and have determined that the documents relevant to your request, not including your original application, and this decision letter, **will** be published online. For more information about the ACT Government's Online Freedom of Information Publication Policy, visit [http://www.cmd.act.gov.au/open\\_government/report/freedom\\_of\\_information\\_online](http://www.cmd.act.gov.au/open_government/report/freedom_of_information_online).

You have a right to seek a review of the outcome under section 59 of the Act. You have 28 days from the date of this letter, or such other period as the Director-General permits, to seek a review. This right of review extends to a review of the adequacy of the search for documents undertaken by the Directorate. If you wish to seek a review you should write to:

The Director-General  
ACT Justice and Community Safety Directorate  
C/- Freedom of Information Officer  
GPO Box 158  
CANBERRA ACT 2601

You also have the right to complain to the Ombudsman about the processing of your request. If you wish to lodge a complaint you should write to:

The Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Yours sincerely



Bernadette Mitcherson  
Executive Director  
Corrective Services

9 October 2014