



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

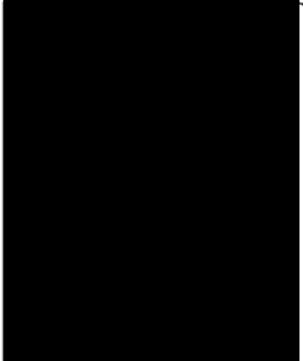
The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2018-0229

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	No Documents
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	30
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

2018  
Road 1

RECEIVED  
20  
Road User Ser.



13 July 2018

The Proper Officer  
Office of Regulatory Services  
Worksafe ACT  
PO Box 158  
CANBERRA CITY ACT 2601

Dear Sir/Madam



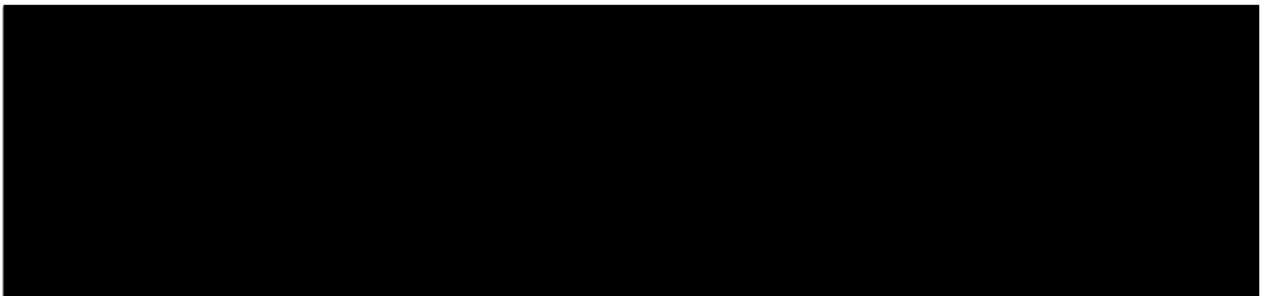
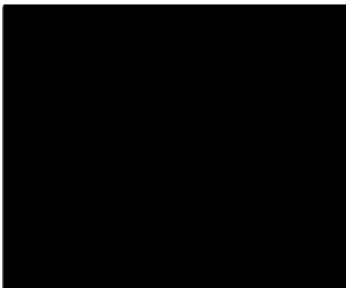
We act on behalf of [redacted] in relation to the above claim. We request a copy of the following documents under the *Freedom of Information Act 1989* (ACT).

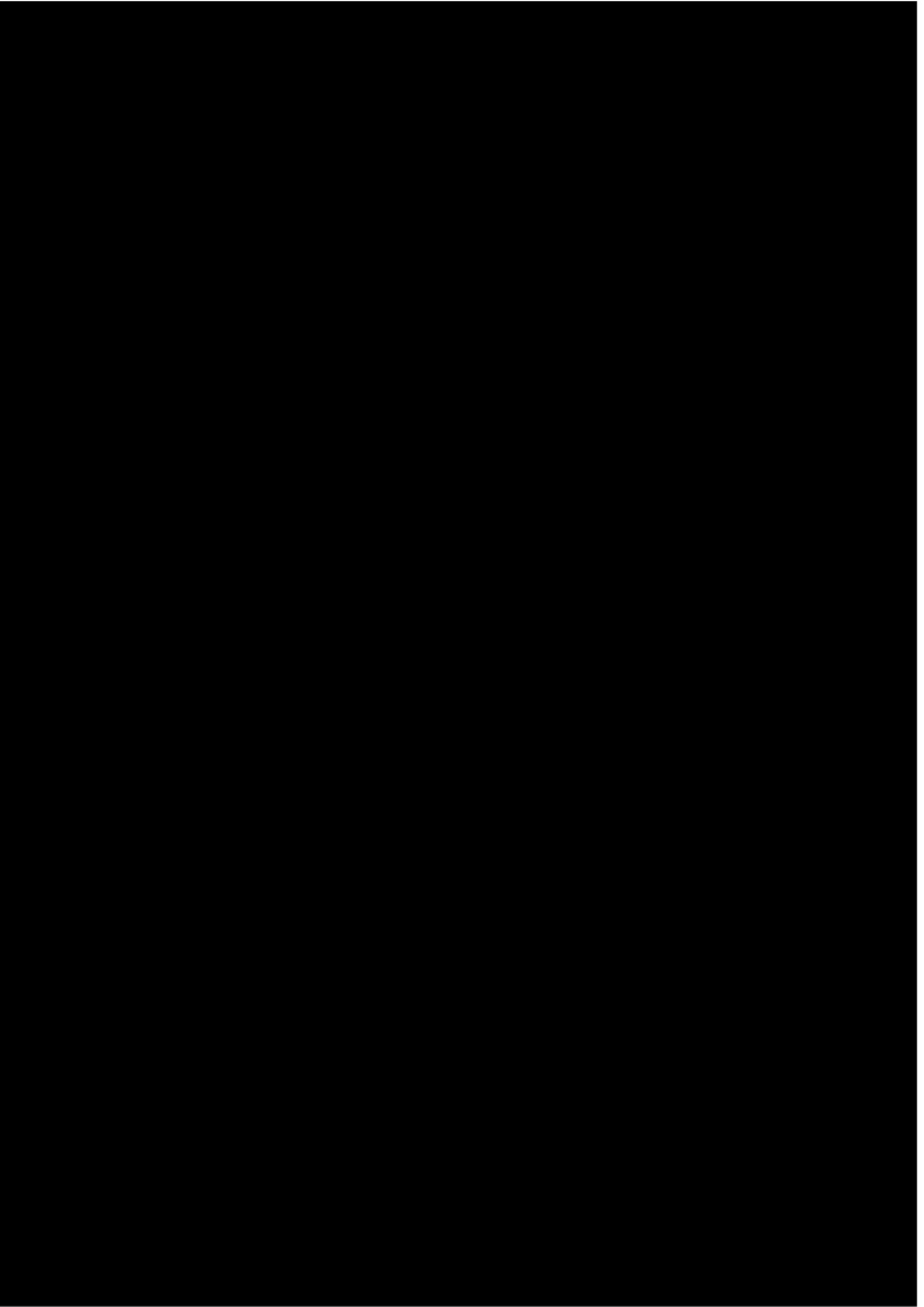
- All records relating to the incident at the University of Canberra Hospital construction site on **4 August 2016** involving [redacted] and without limiting the generality of the foregoing, to produce all: statements hand written, typed or otherwise; records of interview; photographs; witness statements; note book entries; reports; findings; and any other document or thing involving the incident on 4 August 2016.

We **enclose** the claimant's authority for you to provide us with copies of your records.

Please note that we will reimburse you for any reasonable expenses you incur for the production of these documents. If you anticipate incurring unusual expenses, please first contact [redacted] to discuss the matter.

If you have any difficulties or concerns in providing us with the records, please contact us so we can discuss the issues with you.



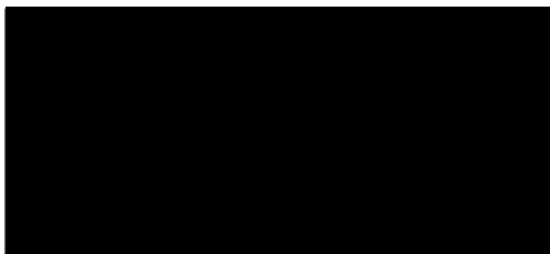





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2018-0229




via email: 

Dear 

#### **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 20 July 2018.

Specifically, you are seeking *"all records relating to the incident at the University of Canberra Hospital construction site on 4 August 2016 involving *

#### **Authority**

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

#### **Timeframes**

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 17 August 2018.

#### **Decision on access**

I have decided to refuse to deal with your application as the information you have requested is contrary to the public interest pursuant to section 16(a) of the Act. The documents requested are currently in the possession of the court and are not administrative in nature. I am satisfied that release of this information is contrary to the public interest in accordance with schedule 1.1A of the Act. In addition, I consider that schedule 1.14(1)(e) of the Act also applies to this request. Noting the matter is currently before a court, I am satisfied that release of these documents, at this time, could reasonably be expected to prejudice a person's fair trial or the impartial adjudication of a matter before a court of a tribunal.

## **Charges**

Processing charges are not applicable for this request because I have decided to refuse to deal with your application.

## **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. A description of the access application and my decision will be published in the CMTEDD disclosure log after 4 August 2018. Your personal contact details will not be published. You may view CMTEDD disclosure log at <http://www.cmd.act.gov.au/functions/foi/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 in CMTEDD 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:

The ACT Ombudsman

GPO Box 442

CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

## **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:

ACT Civil and Administrative Tribunal

Level 4, 1 Moore St

GPO Box 370

Canberra City ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on (02) 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



Daniel Riley

Information Officer

Information Access Team

Chief Minister, Treasury and Economic Development Directorate

30 August 2018