



ACT
Government

Justice and Community Safety

Our reference: FOI: 2015/00048

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, under section 14 of the Act, you sought access to:

"The number of parolees and those on good behaviour orders in each Canberra suburb. I do not require identifiers (for examples name or ages of individuals or street addresses)."

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 under section 17(2), access is subject to a number of exemption provisions.

Section 41(1) of the Act details that information may be exempt from release if disclosure under the Act would unreasonably release personal information.

Due to the small number of people serving a Community Corrections Order in the ACT, I have decided that some information in your request is subject to exemption provisions as set out by Section 41(1) of the Act, and will not be released. This is because the disclosure of this information under the Act would identify offenders and unreasonably release personal information. Consequently, the information sought has been provided to correspond with ACT town centres as opposed to suburbs.

Please see the attached schedule detailing what will be released to you.

Please note the following caveats regarding the information provided by ACTCS in response to your FOI request:

- Community Corrections Orders include Bail, Parole, Probation and Community Service Orders;
- offenders self-purport their residential address to ACTCS, therefore, the exact address of these offenders cannot be confirmed; and
- the information provided is correct as on 21 May 2015.

In addition, the information contained in ACTCS' response should be read in the context of the different population densities of each town centre.

I can further advise that in accordance with Item 400(5) of the *Freedom of Information (Fees) Determination 2014* (Disallowable Instrument D12014-14), ACTCS will not require a charge payable in this instance, as the time taken to complete the request was below ten hours.

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, including this decision letter, but not your original request, 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.

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

A handwritten signature in black ink, appearing to read 'Bernadette Mitcherson', with a stylized flourish at the end.

Bernadette Mitcherson
Executive Director
ACT Corrective Services

28 May 2015