



FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 23-146

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Not Applicable
4. Documents	Not Applicable
5. Additional information identified	Not Applicable
6. Fees	Not Applicable
7. Processing time (in working days)	29 days
8. Decision made by Ombudsman	Not applicable
9. Additional information identified by Ombudsman	Not applicable
10. Decision made by ACAT	Not applicable

11. Additional information identified by ACAT	Not applicable
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From: [JACS FOI](#)
To: [CMTEDD FOI](#); [EDU, FOI](#); [TCCS FreedomOfInformation](#); [EPSDFOI](#)
Cc: [Hotham, Emma](#); [Murray, Paula](#); [Irons, Samantha](#); [Kelly, Jedda](#)
Subject: FW: Four Seperate FOI Requests
Date: Monday, 16 October 2023 11:02:15 AM
Attachments: [REDACTED]

OFFICIAL

Good morning all

As discussed, please see below for transfer/partial transfer.

Please feel free to contact me should you have any queries.

Kind regards

Angelique Delahaye | Assistant Director – Freedom of Information

Governance, Coordination and Reporting | Justice and Community Safety Directorate

☎ 6205 9975 | ✉ angelique.delahaye@act.gov.au | 📮 GPO Box 158, Canberra ACT 2601

From: [REDACTED]

Sent: Monday, October 16, 2023 1:08 AM

To: JACS FOI <JACSF0I@act.gov.au>

Cc: [REDACTED]

Subject: Four Seperate FOI Requests

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[Learn why this is important](#)

Hi [REDACTED]

[REDACTED]

The first four are as follows.

1. All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the ACT Registrar Non-Government Schools [REDACTED] **and** ReformBCC, Adero Law or [REDACTED], The Canberra Times and the RiotACT.
2. All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the Minister for Education Ms Yvette Berry **and** ReformBCC, Adero Law or [REDACTED], The Canberra Times and the RiotACT.
3. All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between Joshua Ceramidas, Senior Adviser, Minister for Education Ms Yvette Berry's Chief of Staff **and** ReformBCC, Adero Law or [REDACTED], The Canberra Times and the RiotACT.
4. All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the FOI sections of the ACT Government **and** ReformBCC, Adero Law or [REDACTED], The Canberra Times and the RiotACT.

Your assistance on these requests would be much appreciated.

[REDACTED]

[REDACTED]



Dear [REDACTED]

Freedom of Information Request - Reference 23-146

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) by partial transfer from the Education Directorate on 5 December 2023. As detailed in our acknowledgement of your application, TCCS is processing part four of your application. It is my understanding that you are seeking access to the following government information:

“(4) All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the FOI sections of the ACT Government and Reform, Adero Law or Jody Jayatilaka, The Canberra Times and the Riot ACT”.

Timeframes

A decision is due on your access application on 19 January 2024.

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 FOI Act.

Decision on access

I have decided to refuse to confirm or deny the existence of the requested information under section 35(1)(e) of the FOI Act. This is because the information, if it did exist, would be contrary to the public interest, and confirming or denying that the information is held by the agency would, or could reasonably be expected to be an unreasonable limitation on a person's rights under the Human Rights Act 2004.

In making my decision, I have considered that an opportunity to amend your access application was provided by the Education Directorate, in which you confirmed your original scope.

The wording of your application seeks to identify records received or generated by specific entities or persons. A response confirming that relevant information may be held would allow for the personal information of previous applicants to be identified.

I have considered that the personal information of applicants who have made access applications relating to Brindabella Christian College were previously decided by Information Officers and whilst the information requested is published on the disclosure log, the personal information is not publicly available.

I find that a decision which either confirms or denies the existence of the information you are seeking access to would be an unreasonable limitation on a person's rights under the [Human Rights Act 2004](#).

Charges

In accordance with [Freedom of Information \(Fees\) Determination 2018](#), a fee of \$0.35 per page of information disclosed, except for the first 50 pages, may be applied to an access application. No fees are applicable to this application as no information is being disclosed.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. A copy of your application and my decision will be published in the TCCS disclosure within 3 – 10 business days. Your personal information will be removed prior to publication. You may view the TCCS' disclosure log [here](#).

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 an Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in TCCS' 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

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82 on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore Street
GPO Box 370
CANBERRA CITY ACT 2601
Telephone: (02) 6207 1740
www.acat.act.gov.au

If you have any queries concerning the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 6207 2987 or email to tccs.foi@act.gov.au.

Yours sincerely



Lisa Johnson
Information Officer

18 January 2024