



FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 24-124

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Not Applicable
4. Documents	Published
5. Additional information identified	Not Applicable
6. Fees	Not Applicable
7. Processing time (in working days)	30 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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Freedom of Information - Access Application to Transport Canberra and City Services - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

24 Aug 2024 1:27:09 PM

Reference code

76DTNMC7

Transport Canberra and City Services
(TCCS)

GPO Box 158
Canberra City, ACT 2601

Phone: 02 6207 2987
TCCS.FOI@act.gov.au

Applicant details

Title

Given name

Family name

Preferred name

Preferred method of contact

Phone

Email

Post

Contact phone number

Contact email address

Contact postal address

Address line 1

Address line 2

Suburb

State

Postcode

Preferred method to receive information*

Email

Post

Same as contact email address

Information request

Who are you making the request on behalf of?

What type of information are you requesting access to?*

What information are you requesting access to under the Act?*

Attach a description or additional details about the information you are requesting access to (optional)

Do you have a similar or identical request currently under review by another ACT Government Directorate?

Yes

No

Are you enquiring as

Do you wish to apply for a waiver of fees associated with processing your application?

Yes

No

Provide a statement about how the release of information is in the public interest (optional)

Would you like to provide any additional information? (optional)

Attach additional documents to support your application (optional)

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Dear [REDACTED]

Freedom of Information Request - Reference 24-124

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 24 August 2024 seeking the following government information under the *Freedom of Information Act 2016* (the FOI Act):

“All file notes, letters, memoranda and approvals (Permits/ Instruments) relating to the burial of the late Archbishop Francis Patrick Carroll in the crypt of ST Christopher's Cathedral, Manuka in early 2024.”

Timeframes

In accordance with section 40 of the FOI Act, a decision is due on your application by 8 October 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

In accordance with the FOI Act, a search of TCCS records has been completed. This search identified one record as relevant to your application.

Upon reviewing the information within the relevant records and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with partial access.

The reasons for my decision are provided below under the heading ‘statement of reasons’.

The relevant record is enclosed at Attachment B with deletions applied to information that is contrary to the public interest to disclose.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- The FOI Act.
- the content of the documents that fall within the scope of your request.
- the Human Rights Act 2004.

The FOI Act has a presumption in favour of disclosure. This means that information should be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I must decide where, on balance, public interest lies in the disclosure of government information.

Section 17(1) of the Act sets out the steps for completing the public interest test. As part of this process, I must identify all relevant factors in schedule 1 of the FOI Act. If schedule one applies to some or all of the information, it is deemed contrary to the public interest. If no factor in schedule 1 is found relevant, I must then consider the factors listed in schedule 2 of the FOI Act.

Schedule 1

- No relevant factors identified.

Schedule 2

Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- Schedule 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest.

Factors favouring non-disclosure (Schedule 2, Section 2.2)

- Schedule 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2016*.

In reviewing the information within scope of your application, I have identified that the information subject to your application may contribute to positive and informed debate on important issues or matters of public interest. In forming this view, I have considered the media coverage of the burial of the late Archbishop Francis Patrick Carroll, and the role of the ACT Government under the *Cemeteries and Crematoria Act 2020*. I also acknowledge that the pro-disclosure bias requires the public interest test to be approached on the basis that there are not simply empty scales in equilibrium, waiting for arguments to be put on each side. Rather, the scales are loaded in favour of disclosure.

In reviewing the relevant record, I have also identified personal information of third parties, such as names and signatures. I have considered that the information relating to third parties has been provided to TCCS with the expectation that the information is handled in accordance with [published privacy statements and policies](#). I have further considered that the information is not readily available to the public, and the disclosure of this information is likely to prejudice the protection of an individual's right to privacy under the *Human Rights Act 2004*.

In this instance, I have attributed significant weight to an individual's right to privacy under the *Human Rights Act 2004*. I find that the disclosure of personal information to be, on balance, contrary to the public interest. I have also found that the factors favouring disclosure can be satisfied by the deletion of information which is contrary to the public interest.

A copy of the information with redactions is enclosed at [Attachment A](#).

Charges

In accordance with the *Freedom of Information (Fees) Determination 2018* a fee may apply to applications where the total number of pages disclosed exceed 50 pages. No fee is applicable to your application, as the total of number of pages disclosed is within the fee-free threshold.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log (published [here](#)). In accordance with 28 of the FOI Act, a copy of your application, my decision and information disclosed to you will be published on the disclosure log within 3 – 10 business days. Your personal information will be redacted from these records prior to publication.

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
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
8 October 2024

BIOSEAL® VAULT CERTIFICATE

OF AUTHENTICITY – BIOSEAL SYSTEM 5



I, [REDACTED] Funeral Director of 60 NETTAEFOLD ST. BELCONNEN ACT, hereby certify the remains of the late FRANCIS PATRICK CARROLL have been Arterially Embalmed in accordance with the universally accepted requirements, placed in a Bioseal® liner that has been sealed by myself, using a hand held weld thermosealer.

Bioseal®

Approved by The Director General, NSW Health Department, as a material that can be used to contain a body for placing in a vault.

Weld Sealed to Meet Biosafety Level 4 Standards System5® is made of a flexible metal material that is welded together with the Hand-Held Thermosealer. When used as directed, this creates a fully hermetic seal that meets Biosafety Level 4 (BSL-4) containment standard set by the CDC. Used World Wide for International Human Remains Repatriations BioSeal System5® has been approved and meets IATA guidelines for primary containment of human remains for air transport and repatriations.

Australian Compliance: Vaults & International Repatriations

Approval has been granted by the Director-General of Health NSW pursuant to:

- A. Clause 13 (1)(a) of the Public Health (Disposal of Bodies) Regulation 2002 that material "BioSeal" can be used for the purpose of a body bag for repatriation of human remains.
- B. Clause 23 (1)(a) of the Public Health (Disposal of Bodies) Regulation 2002 that material "BioSeal" can be used as a material to contain a body for placement in a vault.

[REDACTED]

Name

[REDACTED]

Signature

15/3/2024

Date

[REDACTED]

Name

[REDACTED]

Witness Signa

15/3/2024

Date



CERTIFICATE NO: 2494