



ACT
Government

Transport Canberra and
City Services

FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: TCCSFOI 2018-021

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Not published
4. Additional information identified	No
5. Fees	n/a
6. Processing time (in working days)	22 days
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

[REDACTED]

Transport Canberra & City Services
GPO Box 158
CANBERRA ACT 2601

[REDACTED]

21 February 2018

Dear Sir/ Madam,

[REDACTED]

We confirm that we act on behalf of [REDACTED] in relation to an incident involving a dog attack which occurred at or near [REDACTED] (the **incident**).

We understand that an investigation was conducted by an attending ranger in relation to the incident, which we understand involved dogs named [REDACTED]

Pursuant to the *Freedom of Information Act 1989*, we now seek a copy of the following documents in relation to the incident:

1. Any and all notes, interviews, recordings, correspondence and other information held by Transport Canberra & City Services regarding the incident, in addition to any interview notes, enquiries, or disciplinary proceedings recommended following this incident.

We look forward to your response **within 28 days** from the date of this letter.

Yours faithfully

[REDACTED]

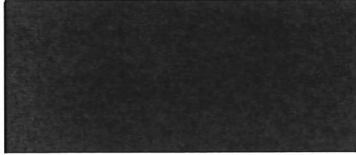
[REDACTED]

[REDACTED]



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Dear [REDACTED]

Freedom of information request: Reference 18-021

I refer to your application made under the *Freedom of Information Act 2016* (the FOI Act) on 6 March 2018, in which you sought access to documents relating to the incident involving [REDACTED] and dogs [REDACTED] on [REDACTED] in particular:

- any and all notes, interviews, recordings, correspondence and any other information held by Transport Canberra and City Services regarding the incident;
- any disciplinary proceedings recommended following the incident.

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.

Transport Canberra and City Services (TCCS) is required to provide a decision on your access application by 6 April 2018.

Decision on access

Searches were completed for relevant documents and 22 documents (31 pages) were identified that fall within the scope of your request.

I have included as [Attachment A](#) to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

Documents identified as relevant to your request contain information that I consider to be, on balance, contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have decided to grant access, under section 50 of the Act, to copies of documents ([Attachment B](#)) with deletions applied to information that I consider would be contrary to the public interest to disclose.

Statement of Reasons

The information considered contrary to the public interest to disclose includes the name and contact details of third parties, including the surname of the Rangers from Domestic Animal Services.

The material I have considered in the assessment of these documents includes:

- the FOI Act, in particular:
 - Schedule 2, Section 2.1 (b)(i) – the person making the request;
 - Schedule 2, Section 2.2 (a)(ii) – prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*;
- the *Information Privacy Act 2014*; and
- the content of the documents that fall within the scope your request.

Documents referenced numbers 1, 4-7, 9-13, 15-16, 18-20 and 22 contain personal information of third parties. Disclosure of personal information is governed by the 'use and disclosure' privacy principles. Part 3 of the *Information Privacy Act 2014* (TTP 6.1) states that an agency that holds personal information about an individual that has been collected for a particular purpose, must not disclose the information to a third party unless the individual has consented to the use or disclosure of the information.

I have, therefore, decided that it is not in the public interest to disclose information that is considered as personal information.

Charges

No fee is payable as the number of pages being released 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. Your original access application and my decision and documents released in response to your access application will be published in the TCCS disclosure log from 3 days after the date of this decision. Your personal details will not be published.

You may view TCCS' disclosure log at www.tccs.act.gov.au/about-us/freedom_of_information.

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: ombudsman@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 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 questions concerning the directorate's processing of your request, or would like further information, please contact the directorate's FOI Coordinator on 6205 5408 or email tccs.foi@act.gov.au.

Yours sincerely



Cherie Hughes
Information Officer
Transport Canberra and City Services

11 April 2018



ACT
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Transport Canberra and
City Services

Attachment A

FREEDOM OF INFORMATION SCHEDULE

PLEASE BE AWARE THAT UNDER THE FREEDOM OF INFORMATION ACT 2016, SOME OF THE INFORMATION PROVIDED TO YOU WILL BE RELEASED TO THE PUBLIC THROUGH THE ACT GOVERNMENT'S OPEN ACCESS SCHEME. THE OPEN ACCESS RELEASE STATUS COLUMN OF THE TABLE BELOW INDICATES WHAT DOCUMENTS ARE INTENDED FOR RELEASE ONLINE THROUGH OPEN ACCESS.

PERSONAL INFORMATION OR BUSINESS AFFAIRS INFORMATION WILL NOT BE MADE AVAILABLE UNDER THIS POLICY. IF YOU THINK THE CONTENT OF YOUR REQUEST WOULD CONTAIN SUCH INFORMATION, PLEASE INFORM THE CONTACT OFFICER IMMEDIATELY.
INFORMATION ABOUT WHAT IS PUBLISHED ON OPEN ACCESS IS AVAILABLE ONLINE AT: [HTTP://WWW.TCCS.ACT.GOV.AU/ABOUT-US/FREEDOM_OF_INFORMATION](http://www.tccs.act.gov.au/about-us/freedom_of_information)

FILE NO		WHAT ARE THE PARAMETERS OF THE REQUEST					
REF NO	NO OF FOLIOS	DESCRIPTION	DATE	STATUS	REASON FOR NON-RELEASE OR DEFERRAL	OPEN ACCESS RELEASE STATUS	
18-0021			INCIDENT ON				
1	1-3	DAS FENCE INSPECTION REPORT	9 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT	
2	4-5	STATEMENT	8 MARCH 2017	FULL ACCESS		EXEMPT	
3	6-7	STATEMENT	8 MARCH 2017	FULL ACCESS		EXEMPT	
4	8	FILE NOTE	5 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT	
5	9	EMAIL	3 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT	
6	10	FILE NOTE	3 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT	

7	11	EMAIL	5 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT
8	12-13	PICTURES		FULL ACCESS		EXEMPT
9	14-15	DAS COMPLAINT DETAILS	3 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT
10	16	DAS DOG DETAILS	6 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT
11	17-19	PICTURES	8 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT
12	20-21	INVESTIGATION OFFICER NOTES	3 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT
13	22	NOTES		PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT
14	23	DAS IMPOUND SHEET	3 MARCH 2017	FULL ACCESS		EXEMPT
15	24	DAS DOG DETAILS	17 JUNE 2015	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT
16	25	ANIMAL REGISTRY	5 MARCH 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2.2(A)(II)	EXEMPT
17	26	DAS IMPOUND SHEET	3 MARCH 2017	FULL ACCESS		EXEMPT
18	27	DAS DOG DETAILS	21 JULY 2017	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014	EXEMPT

19	28	ANIMAL REGISTRY	5 MARCH 2017	PARTIAL ACCESS	SCHEDULE 2.2(A)(II) INFORMATION PRIVACY ACT 2014	EXEMPT
20	29	SEIZURE NOTICE	3 MARCH 2017	PARTIAL ACCESS	SCHEDULE 2.2(A)(II) INFORMATION PRIVACY ACT 2014	EXEMPT
21	30	POUNDKEEPERS DAILY REPORT	3 MARCH 2017	FULL ACCESS	SCHEDULE 2.2(A)(II) INFORMATION PRIVACY ACT 2014	EXEMPT
22	31	SURRENDER NOTIFICATION FOR DOG SEIZED	3 MARCH 2017	PARTIAL ACCESS	SCHEDULE 2.2(A)(II) INFORMATION PRIVACY ACT 2014	EXEMPT