



## Decision and Reasons for Decision

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**Application Number:** 311094

**Applicant:** G8KPL2

**Respondent:** Department of Health

**Decision Date:** 17 June 2013

**Catchwords:** ADMINISTRATIVE LAW – RIGHT TO INFORMATION – REFUSAL OF ACCESS – EXEMPT INFORMATION – communications between the agency and its external legal advisers regarding legal proceedings – internal communications summarising legal advice sought or provided, or gathering information relevant to proceedings requested by external legal advisers – whether information would be privileged from production in a legal proceeding on the ground of legal professional privilege – sections 47(3)(a), 48 and schedule 3, section 7 of the *Right to Information Act 2009* (Qld) and section 67(1) of the *Information Privacy Act 2009* (Qld)

ADMINISTRATIVE LAW – RIGHT TO INFORMATION – REFUSAL OF ACCESS – CONTRARY TO PUBLIC INTEREST INFORMATION – information provided by staff in relation to their emotions, team morale and incidents involving the applicant – communications between management personnel regarding staffing issues and management options arising from the applicant's employment – whether access may be refused on the basis that disclosure would, on balance, be contrary to the public interest – sections 47(3)(b) and 49 of the *Right to Information Act 2009* (Qld) and section 67(1) of the *Information Privacy Act 2009* (Qld)

### REASONS FOR DECISION

#### Summary

1. The applicant applied to the Department of Health (**QH**) under the *Information Privacy Act 2009* (Qld) (**IP Act**) for access to Corporate Office documents about him for a specified period.
2. QH located 3316 pages and granted the applicant full access to 2756 pages and part access to 43 pages. QH refused access to the remaining documents on the basis that they were subject to legal professional privilege or their disclosure would, on balance, be contrary to public interest. QH also excluded certain information from consideration on the basis that it was outside the scope of the access application.

3. The applicant applied to the Office of the Information Commissioner (**OIC**) for external review in relation to the information to which he was refused access. For the reasons set out below, QH was entitled to:
  - refuse access to the Category A information as it is subject to legal professional privilege and the Category B information as its disclosure would, on balance, be contrary to public interest; and
  - exclude the Category C information from consideration on the basis that it is outside the scope of the access application.

### **Background**

4. Significant procedural steps relating to the application and the external review are set out in the appendix to this decision.

### **Reviewable decision**

5. The decision under review is the decision QH is deemed to have made under section 66 of the IP Act refusing access to the information in issue.<sup>1</sup>

### **Evidence considered**

6. Evidence, submissions, legislation and other material considered in reaching this decision are disclosed in these reasons (including footnotes and appendix).

### **Issues for determination**

7. A number of issues were informally resolved on external review. The issue for determination is whether QH was entitled to exclude from consideration or refuse access to the remaining information in issue under section 67 of the IP Act,<sup>2</sup> and specifically whether:
  - the Category A information comprises exempt information on the basis that it is subject to legal professional privilege<sup>3</sup>
  - disclosure of the Category B information would, on balance, be contrary to public interest;<sup>4</sup> and
  - the Category C information is outside the scope of the access application.

### **Does the Category A information comprise exempt information on the basis that it is subject to legal professional privilege?**

8. Yes, for the reasons that follow.
9. The Category A information comprises 105 pages in full and 9 pages in part.

### **Relevant law**

10. Under the IP Act, an individual has a right to be given access to documents of an agency to the extent the documents contain the individual's personal information. However, this right is subject to limitations, including grounds for refusal of access.<sup>5</sup> The RTI Act provides that access may be refused to documents to the extent that they

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<sup>1</sup> The Department did not give the applicant written notice of its decision by the end of the processing period and is therefore deemed to have made a decision refusing access to the information in issue in accordance with section 66 of the IP Act.

<sup>2</sup> Section 67 of the IP Act provides that an agency may refuse access to information in the same way and to the same extent as under section 47 of the *Right to Information Act 2009* (Qld) (**RTI Act**).

<sup>3</sup> Sections 47(3)(a), 48 and schedule 3 section 7 of the RTI Act.

<sup>4</sup> Sections 47(3)(b) and 49 of the RTI Act.

<sup>5</sup> The grounds for refusal are set out in section 47(3) of the RTI Act.

comprise exempt information.<sup>6</sup> Schedule 3 of the RTI Act sets out categories of information the disclosure of which Parliament has deemed to be contrary to the public interest, and therefore exempt from disclosure.<sup>7</sup>

11. Schedule 3, section 7 of the RTI Act provides that information will be exempt from disclosure if it would be privileged from production in a legal proceeding on the ground of legal professional privilege. This exemption reflects the requirements for establishing legal professional privilege at common law.<sup>8</sup>
12. Confidential communications between a lawyer and client will be privileged where the communications are for the dominant purpose of seeking or giving legal advice (advice privilege) or use in existing or anticipated legal proceedings (litigation privilege).<sup>9</sup> The dominant purpose is '*the ruling, prevailing, or most influential purpose*'<sup>10</sup> and is to be determined objectively, having regard to the evidence, the nature of the document and the parties' submissions.

### **Findings**

13. The Category A information comprises correspondence:
  - between QH and its external legal advisers regarding proceedings in the Queensland Industrial Relations Commission (**QIRC**); and
  - within QH summarising legal advice sought or provided, or gathering information relevant to proceedings in the QIRC requested by external legal advisers.
14. Having examined the Category A information, I am satisfied that the communications:
  - are confidential
  - comprise direct communications or records of communications between QH and its external legal advisers; and
  - are for the dominant purpose of obtaining or providing legal advice, or preparing for or use in existing litigation.
15. To the extent the applicant's submissions are relevant to the issues for determination, they are summarised as follows:
  - the applicant reported a number of issues in the workplace which were assessed as public interest disclosures and he has received whistleblower status
  - following these disclosures, the applicant has been subject to reprisals and his employment with QH has been terminated
  - the information in issue was created in relation to an unjust and unwarranted discipline process which was detrimental and defamatory against the applicant in preparation for the matters before the QIRC; and
  - the grounds for refusing access to the information in issue (i.e. that the information is subject to legal professional privilege and its disclosure would, on balance, be contrary to public interest) do not exclude and are overridden by the

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<sup>6</sup> Section 47(3)(a) of the RTI Act.

<sup>7</sup> Section 48(2) of the RTI Act.

<sup>8</sup> *Ozcare and Department of Justice and Attorney-General* (Unreported, Queensland Information Commissioner, 13 May 2011) at [12].

<sup>9</sup> The general principles of legal professional privilege were summarised by the High Court of Australia in *Daniels Corporation International Pty Ltd v Australian Competition and Consumer Commission* (2002) 213 CLR 543 at [9] as follows: '*It is now settled that legal professional privilege is a rule of substantive law which may be availed of by a person to resist the giving of information or the production of documents which would reveal communications between a client and his or her lawyer made for the dominant purpose of giving or obtaining legal advice or the provision of legal services, including representation in legal proceedings...*'

<sup>10</sup> *Federal Commissioner of Taxation v Spotless Services Ltd* (1996) 186 CLR 404 at [416].

applicant's right to access personal information which is detrimental to him and could constitute a reprisal.

16. In light of the applicant's submissions, I have considered whether legal professional privilege does not apply to the Category A information because:
- privilege has been waived, either expressly (i.e. by intentionally disclosing a privileged communication) or impliedly (i.e. by engaging in conduct that is inconsistent with maintaining the confidentiality that privilege is intended to protect); or
  - the improper purpose exception applies (i.e. where a communication is made in furtherance of an illegal or improper purpose or, a purpose that is contrary to the public interest).
17. There is no evidence available to me of either express or implied waiver of privilege in relation to the Category A information. I am satisfied that the internal QH communications do not comprise a waiver of privilege. In this regard, I note that confidential disclosure of information that is subject to legal professional privilege within a government department does not amount to waiver of privilege.<sup>11</sup>
18. In *Secher and James Cook University*<sup>12</sup> the Assistant Information Commissioner considered the improper purpose exception to legal professional privilege and explained that:
- Legal professional privilege will not apply to legal communications made in the furtherance of a fraud or crime. This exception operates to displace legal professional privilege where evidence exists that the relevant client has embarked on a deliberate course of action knowing that the proposed actions were contrary to law, and has made the relevant communications in furtherance of that illegal or improper purpose.*
- The person alleging that privilege has been displaced by reason of an alleged illegal or improper purpose must show that it is made out in the current circumstances. In establishing improper purpose, the standard of proof is high. The High Court has observed that it "is a serious thing to override legal professional privilege where it would otherwise be applicable" and as a result "vague or generalised contentions of crimes or improper purposes will not suffice."*
19. I have carefully considered the applicant's submissions together with the Category A information. There is no evidence on the face of the Category A information that the particular communications were made in furtherance of any illegal or improper purpose. I am satisfied that the improper purpose exception does not preclude the application of legal professional privilege to the Category A information in the circumstances.
20. Furthermore, I do not accept the applicant's contention that the Category A information is not subject to legal professional privilege due to his whistleblower status or concerns about reprisals. As noted above, an applicant's right to access personal information under the IP Act is subject to other provisions of the IP Act, including the grounds on which an agency may refuse access to documents. One of these grounds is that the information is subject to legal professional privilege.
21. For the reasons set out above, I am satisfied that the Category A information comprises exempt information on the basis that it would be privileged from production in a legal proceeding on the ground of legal professional privilege.<sup>13</sup>

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<sup>11</sup> *N55WLN and Department of Health* (Unreported, Queensland Information Commissioner, 30 April 2012) at [29].

<sup>12</sup> (Unreported, Queensland Information Commissioner, 6 June 2012) at [20] and [21].

<sup>13</sup> Sections 47(3)(a), 48 and schedule 3, section 7 of the RTI Act.

**Would disclosing the Category B information, on balance, be contrary to the public interest?**

22. Yes, for the reasons that follow.
23. The Category B information comprises 210 pages in full and 43 pages in part.

**Relevant law**

24. An agency may refuse access to information where its disclosure would, on balance, be contrary to the public interest.<sup>14</sup> The RTI Act identifies many factors that may be relevant to deciding the balance of the public interest<sup>15</sup> and explains the steps that a decision-maker must take<sup>16</sup> in deciding the public interest as follows:
  - identify any irrelevant factors and disregard them
  - identify relevant public interest factors favouring disclosure and nondisclosure
  - balance the relevant factors favouring disclosure and nondisclosure; and
  - decide whether disclosure of the information in issue would, on balance, be contrary to the public interest.

**Findings**

25. The Category B information can be described as:
  - information provided by other staff in relation to their emotions, team morale and incidents involving the applicant; and
  - communications between management personnel regarding options and procedures for dealing with staffing issues largely initiated by the applicant or, to a less extent, otherwise involving the applicant, arising from the applicant's employment with QH.
26. No irrelevant factors arise in the circumstances of this case. I will now consider the relevant factors favouring disclosure and nondisclosure of the Category B Information.

**Personal information and privacy**

27. Some of the Category B information is about the applicant and comprises his personal information.<sup>17</sup> This gives rise to a factor favouring disclosure.<sup>18</sup> To the extent the Category B information is the applicant's personal information, I afford this factor moderate weight. However, this factor must be weighed against other relevant factors favouring nondisclosure of the Category B information.
28. The Category B information is also the personal information of others. The nature of this information is such that it is not possible to separate the applicant's personal information from the personal information of others. As a result, I have considered whether disclosing the Category B information could reasonably be expected to:

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<sup>14</sup> Section 47(3)(b) and 49 of the RTI Act. The term *public interest* refers to considerations affecting the good order and functioning of the community and government affairs for the well-being of citizens. This means that in general, a public interest consideration is one which is common to all members of, or a substantial segment of, the community, as distinct from matters that concern purely private or personal interests. However, there are some recognised public interest considerations that may apply for the benefit of an individual.

<sup>15</sup> Schedule 4 of the RTI Act sets out the factors for deciding whether disclosing information would, on balance, be contrary to the public interest. However, this list of factors is not exhaustive. In other words, factors that are not listed may also be relevant.

<sup>16</sup> Section 49(3) of the RTI Act.

<sup>17</sup> *Personal information* is defined in section 12 of the IP Act as *information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.*

<sup>18</sup> Schedule 4, part 2, item 7 of the RTI Act.

- prejudice the protection of an individual’s right to privacy;<sup>19</sup> and
  - cause a public interest harm as it would disclose personal information of a person.<sup>20</sup>
29. Generally, information relating to the day-to-day work duties and responsibilities of a public service officer may be disclosed under the RTI Act, despite it falling within the definition of personal information. However, agency documents can also contain personal information of public servants which is not *routine* work information.<sup>21</sup>
30. Although the Category B information appears in a workplace context, some of it comprises information provided by staff regarding their emotions, team morale and incidents involving the applicant. I consider such information is not related wholly to the routine day-to-day work activities of a public service officer and is not routine personal work information. It is then relevant to consider the extent of the harm that could result from disclosing the personal information of other individuals under the RTI Act. Given the sensitive nature of this Category B information, the extent of the public interest harm that could be anticipated from disclosure is quite significant.
31. The nature of the Category B information provided by other staff in relation to their emotions, team morale and incidents involving the applicant is sensitive and highly personal and, in my view, its disclosure under the RTI Act would be a significant intrusion into the privacy of these individuals. Given the nature of this Category B information and the context in which it appears, I afford substantial weight to the factors favouring nondisclosure regarding such information.

### **Accountability of QH and other factors favouring disclosure**

32. The RTI Act gives rise to factors favouring disclosure in circumstances where disclosing information could reasonably be expected to:
- promote open discussion of public affairs and enhance the Government’s accountability<sup>22</sup>
  - reveal the reason for a government decision and any background or contextual information that informed the decision<sup>23</sup>
  - inform the community of the Government’s operations;<sup>24</sup> and
  - advance the fair treatment of individuals in accordance with the law in their dealings with agencies.<sup>25</sup>
33. I consider that these factors are relevant, as:
- disclosing some of the Category B information would provide the applicant with a more comprehensive background of the information provided by other staff and management personnel in relation to the staffing issues largely initiated by, or otherwise involving, the applicant, which informed QH’s decisions
  - disclosing the entirety of the Category B would provide the applicant with more detail about QH’s decision making processes—for example, the extent to which particular management personnel were involved in particular processes, and the extent to which those processes were proactive, or reacting to matters initiated by the applicant.

<sup>19</sup> Schedule 4, part 3, item 3 of the RTI Act.

<sup>20</sup> Schedule 4, part 4, section 6(1) of the RTI Act.

<sup>21</sup> *Underwood and Department of Housing and Public Works* (Unreported, Queensland Information Commissioner, 18 May 2012) at [60].

<sup>22</sup> Schedule 4, part 2, item 1 of the RTI Act.

<sup>23</sup> Schedule 4, part 2, item 11 of the RTI Act.

<sup>24</sup> Schedule 4, part 2, item 3 of the RTI Act.

<sup>25</sup> Schedule 4, part 2, item 10 of the RTI Act.

34. However, the Category B information comprises only a relatively small amount of the information which was created in relation to staffing issues, and QH has released a large volume of information to the applicant in response to his access application. I consider these public interest factors have been significantly advanced by the release of that information. Given the limited nature of the Category B information, I do not consider its disclosure would further these public interest factors to any significant degree and I afford these factors only limited weight.
35. I have considered the applicant's submissions (as noted above at paragraph 15) in relation to the public interest balancing test. I am not satisfied that the Category B information reveals, nor could it be construed as alluding to, an inappropriate reason for decisions by QH such as inflicting reprisal for the applicant's public interest disclosures.

### **Administration of justice and procedural fairness**

36. Given the applicant's submissions regarding the information in issue, I have considered whether disclosing the Category B information could reasonably be expected to contribute to the administration of justice including procedural fairness.<sup>26</sup>
37. On careful consideration of the Category B information, I am satisfied that a large portion of it relates to grievances against others (made by the applicant or others).
38. Further, I am satisfied that the remainder of the Category B information relates to staffing and management issues arising from the applicant's employment with QH. In relation to this type of information, I am satisfied that the information discusses options or procedures for responding to matters or processes largely initiated by or, to a lesser extent, otherwise involving the applicant, rather than adverse allegations against the applicant in the context of any investigation of the applicant.
39. Otherwise, I am satisfied that the Category B information may largely be construed as general and/or procedural in nature – for example, listing issues requiring action, planning how to manage ongoing series of staffing issues involving the applicant, gaining input regarding draft correspondence, collating sent correspondence, and gathering material for Fair Treatment Appeals to the Public Service Commissioner.
40. On the information before me, it appears that the applicant was contemporaneously informed of outcomes and reasons regarding the various grievances against others initiated by him. Further, on careful consideration of the small amount of information that could possibly be construed as comprising adverse allegations against the applicant, in each instance I am satisfied from the content of the documents that the substance of such information was put to the applicant either during QH's internal investigation of grievances against others, or proceedings before the Public Service Commissioner or Industrial Relations Commissioner.
41. For these reasons, to the limited extent that affording procedural fairness to the applicant arises in the context of the Category B information, I am satisfied that the weight of this factor is minimal.

### **Prejudice regarding obtaining confidential information and QH's management function**

42. It is relevant to consider whether disclosure of the Category B information could reasonably be expected to:

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<sup>26</sup> Schedule 4, part 2, items 16 and 17.

- prejudice QH's ability to obtain confidential information in future<sup>27</sup>
  - prejudice QH's management function;<sup>28</sup> or
  - have a substantial adverse effect on the QH's management of agency staff.<sup>29</sup>
43. In relation to the Category B information that was provided by other staff regarding their emotions, team morale and incidents involving the applicant, I consider that such information was communicated in confidence, and its disclosure could reduce the likelihood of employees cooperating in QH investigations or otherwise providing such information to QH in future.
44. I consider it is important that staff can raise or respond to concerns involving their team or particular colleagues with management personnel, and discuss them openly and fully. Information provided in this context is treated as confidential—subject to ensuring natural justice. On careful consideration of the circumstances of this review, I am satisfied that disclosure of information provided by other staff regarding their emotions, team morale and incidents involving the applicant could reasonably be expected to prejudice QH's management function and have a substantial adverse effect on its management of staff, because staff would be reluctant to raise or respond to such concerns in future.
45. I also consider it is important that management personnel can communicate comprehensively with one another regarding staffing issues, so that they may:
- discuss options and procedures to manage and, where possible, resolve the staffing issue and minimise the impact of the staffing issue on other staff and resources; and
  - discuss and finalise documents such as correspondence so that they give effect to selected procedures.
46. On careful consideration of the circumstances of this review, I am satisfied that disclosure of information relating to staffing issues and management options arising from the applicant's employment with QH could reasonably be expected to result in management personnel being less comprehensive in their communications regarding similar types of staffing issues in future, and therefore less effective and expeditious in their management.
47. For these reasons, I am satisfied that these factors are relevant and I afford them substantial weight.

### **Balancing the relevant public interest factors**

48. As some of the Category B information is the applicant's personal information, this factor carries moderate weight favouring disclosure. I also consider that some limited weight can be afforded to the public interest factors in:
- promoting open discussion of public affairs and enhance the Government's accountability
  - revealing the reason for a government decision and any background or contextual information that informed the decision
  - informing the community of the Government's operations
  - advancing the fair treatment of individuals in accordance with the law in their dealings with agencies; and

<sup>27</sup> Schedule 4, part 3, item 16 of the RTI Act.

<sup>28</sup> Schedule 4, part 3, item 19 of the RTI Act.

<sup>29</sup> Schedule 4, part 4, item 3(c) of the RTI Act.



- administration of justice and procedural fairness.
49. Balanced against these factors however, is the strong public interest in safeguarding the personal information of other individuals and protecting their privacy. Further, I consider that the public interest in protecting QH's ability to manage its staff and obtain confidential information in future should be afforded substantial weight.
50. For these reasons, I am satisfied that disclosure of the Category B information, would on balance, be contrary to public interest.<sup>30</sup>

### **Does the Category C information fall outside the scope of the access application?**

51. Yes, for the reasons that follow.
52. The Category C information comprises 22 pages in full.
53. The applicant applied under the IP Act for access to Corporate Office documents about him for a specific date range. During the processing of his application, the applicant specifically excluded information which is not personal to him from the scope of his access application.<sup>31</sup> In any event, the right to access information under the IP Act applies only to documents of an agency or Minister to the extent they contain the individual's personal information. If any of the documents located in response to an access application under the IP Act do not contain the applicant's personal information, the documents will not respond to the access application.<sup>32</sup>
54. Some of the Category C information<sup>33</sup> does not mention the applicant and does not contain the applicant's personal information - that is, it is entirely unrelated to the applicant and the access application. On this basis, I am satisfied that these pages can be excluded from consideration as they fall outside the scope of the access application.
55. Also during the processing of his access application, the applicant notified QH that he agreed to exclude from the scope of his access application any documents which QH had (1) received from the applicant and (2) provided to the applicant.<sup>34</sup>
56. The remaining Category C information<sup>35</sup> comprises correspondence between the applicant and QH. I am satisfied that these pages can be excluded from consideration as they fall outside the scope of the access application.
57. For these reasons, I find that the Category C information can be excluded from consideration as it falls outside the scope of the access application.

### **DECISION**

58. As QH is deemed to have refused access to the information in issue under section 66 of the IP Act, I set aside the decision under review and find that QH was entitled to:
- refuse access to the Category A information on the ground that it comprises exempt information, namely information subject to legal professional privilege<sup>36</sup>
  - refuse access to the Category B information on the ground that disclosure of it would, on balance, be contrary to public interest;<sup>37</sup> and

<sup>30</sup> Section 47(3)(b) and 49 of the RTI Act.

<sup>31</sup> By letter to QH dated 3 November 2011.

<sup>32</sup> *Mahoney and Ipswich City Council* (Unreported, Queensland Information Commissioner, 17 June 2011) at [17].

<sup>33</sup> 20 pages.

<sup>34</sup> By letters to QH dated 31 October 2011 and 3 November 2011.

<sup>35</sup> 2 pages.

<sup>36</sup> Sections 47(3)(a), 48 and schedule 3 section 7 of the RTI Act.

<sup>37</sup> Sections 47(3)(b) and 49 of the RTI Act.

- find that the Category C information is outside the scope of the access application.

59. I have made this decision as a delegate of the Information Commissioner, under section 139 of the IP Act.

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**J S Mead**  
**Right to Information Commissioner**

**Date: 17 June 2013**

**APPENDIX****Significant procedural steps**

<b>Date</b>	<b>Event</b>
26 September 2011	QH received the access application under the IP Act.
26 October 2011	QH notified the applicant of its intention to refuse to deal with the access application on the basis that the work involved in processing the application would substantially and unreasonably divert the resources of the agency.
31 October 2011	The applicant agreed to narrow the scope of the access application. QH advised the applicant that the narrowing of the access application was not sufficient to remove the ground for refusing to deal with the access application.
3 November 2011	The applicant narrowed the scope of the access application.
13 February 2012	QH discussed the revised scope with the applicant and agreed to process the access application.
14 May 2012	QH notified the applicant that it would process the access application and issue a decision by 31 May 2012.
8 June 2012	Although it was deemed to have refused access to the required information, QH provided the applicant with notice of its purported decision.
29 June 2012	OIC received the external review application. OIC asked QH to provide a number of procedural documents by 4 July 2012.
4 July 2012	OIC received the requested documents from QH.
9 July 2012	OIC confirmed receipt of the external review application and provided the applicant with an update on the status of the external review. The applicant advised that he wanted access to allegations and accusations against him.
13 July 2012	OIC notified the applicant and QH that the external review application had been accepted and asked QH to provide a copy of the documents to which access had been refused and other procedural documents by 27 July 2012.
27 July 2012	OIC received the requested documents from QH.
29 August 2012	OIC provided the applicant with an update on the status of the external review.
28 September 2012	OIC asked QH to clarify the scope of the access application as agreed with the applicant by 5 October 2012.
28 September 2012	OIC provided the applicant with an update on the status of the external review.
3 October 2012	QH provided OIC with the requested information.
14 November 2012	OIC requested submissions from QH in relation to the information QH had identified as outside the scope of the access application by 28 November 2012. OIC provided the applicant with an update on the status of the external review.
23 November 2012	The applicant provided submissions supporting his case.
27 November 2012	QH requested an extension of time to provide the requested submissions until 12 December 2012.
28 November 2012	OIC granted QH the requested extension of time.
14 December 2012	QH requested and was granted a further extension of time to provide the requested submissions.
19 December 2012	OIC received the requested submissions from QH. QH agreed to release a number of additional documents to the applicant and submitted that disclosure of some of the information would be contrary to public interest.
21 December 2012	OIC provided the applicant with an update on the status of the external review.
7 January 2013	QH located additional documents relevant to the access application and agreed

Date	Event
	to release a number of these documents to the applicant.
10 January 2013	OIC asked QH to release the relevant information to the access applicant subject to deletion of certain information the disclosure of which OIC considered was contrary to public interest. OIC provided the applicant with an update on the status of the external review. The applicant provided submissions supporting his case and objecting to the deletion of any information from these documents.
15 January 2013	OIC asked QH to release additional information to the access applicant. OIC provided the applicant with an update on the status of the external review.
23 January 2013	The applicant notified OIC that he did not object to the deletion of information from the additional documents.
6 February 2013	OIC provided the applicant with an update on the status of the external review. OIC notified the applicant that 11 of the pages in issue were blank. The applicant advised OIC that he sought access to these pages.
20 February 2013	OIC asked QH if it would agree to release the 11 blank pages to the applicant.
4 March 2013	QH agreed to release the 11 blank pages to the applicant.
6 March 2013	OIC conveyed its view to the applicant in relation to the Category A information, and invited him to provide submissions supporting his case by 22 March 2013 if he did not accept the view. OIC asked QH to release the blank pages to the applicant.
12 March 2013	The applicant advised OIC that he did not accept OIC's view and provided submissions supporting his case.
9 April 2013	<p>OIC conveyed its view to the applicant in relation to the Category B information and invited him to provide submissions supporting his case by 23 April 2013 if he did not accept the view.</p> <p>OIC conveyed its view to QH on some of the information in issue and invited it to provide submissions supporting its case by 23 April 2013 if it did not accept the view.</p> <p>OIC consulted with a third party in relation to a small amount of the information in issue and invited it to provide submissions supporting its case by 23 April 2013 if it did not accept that view. The third party did not object to disclosure of the particular information in issue.</p>
10 April 2013	The applicant advised OIC that he did not accept OIC's view and provided submissions supporting his case.
19 April 2013	The applicant provided further submissions supporting his case.
22 April 2013	QH requested an extension of time to provide submissions in response to the view.
23 April 2013	OIC granted QH the requested extension of time.
3 May 2013	QH requested a further extension of time to provide submissions in response to the view. OIC granted QH the requested extension of time.
6 May 2013	QH advised OIC that it accepted the view and agreed to release additional information to the applicant.
9 May 2013	OIC conveyed its view to the applicant in relation to the Category C information and invited him to provide submissions supporting his case by 16 May 2013 if he did not accept the view.
16 May 2013	OIC asked QH to release the additional information to the applicant by 29 May 2013. The applicant advised OIC that he did not accept OIC's view and provided submissions supporting his case.