



Decision and Reasons for Decision

Citation:	<i>G84 and Department of Youth Justice and Victim Support [2025] QICmr 33 (11 June 2025)</i>
Application Number:	318031
Applicant:	G84
Respondent:	Department of Youth Justice and Victim Support
Decision Date:	11 June 2025
Catchwords:	<p>ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - SCOPE OF APPLICATION - application made under the <i>Information Privacy Act 2009</i> (Qld) - whether information is the applicant's personal information - whether information falls outside scope of application - sections 12 and 40(1)(a) of the <i>Information Privacy Act 2009</i> (Qld)</p> <p>ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - DOCUMENTS NONEXISTENT OR UNLOCATABLE - applicant submits agency did not locate all relevant documents - whether agency has conducted all reasonable searches - whether applicant has discharged onus - whether access to further documents may be refused on the basis they are nonexistent or unlocatable - section 67(1) of the <i>Information Privacy Act 2009</i> (Qld) and sections 47(3)(e) and 52(1) of the <i>Right to Information Act 2009</i> (Qld)</p>

REASONS FOR DECISION

Summary

1. The applicant applied to Department of Youth Justice and Victim Support (**Department**) for access to documents in the following terms:¹
 1. *Notifications made to the Department of Youth Justice (the department) concerning myself.*
+ *Meta-data associated with the returned documents.*
 2. *Communications and correspondence between the department and any entity which pertain to me.*
+ *Meta-data associated with the returned documents.*
 3. *Reports, issues, or concerns raised with the department concerning myself, and any documentation associated with those reports, issues, or concerns.*
+ *Meta-data associated with the returned documents.*

¹ The application was lodged on 6 March 2024 but not made compliant until 11 March 2024. The Department attempted to negotiate a simplification of the scope with the applicant, however, the applicant confirmed by email on 10 April 2024 that he wished to maintain his initial scope, as set out in paragraph 1 above.

4. *Applications made by the department concerning myself.*
+ *Meta-data associated with the returned documents.*
 5. *Notices issued by the department concerning myself.*
+ *Meta-data associated with the returned documents.*
 6. *Orders issued under the authority of the department concerning myself.*
+ *Meta-data associated with the returned documents.*
 7. *Records associated with any monitoring or information sharing arrangements undertaken by the department.*
+ *Meta-data associated with the returned documents.*
 8. *Records associated with any programs or activities run by or in conjunction with the department where I was a participant, client, or party in those programs or activities.*
+ *Meta-data associated with the returned documents.*
Documents may include:
 - *Those resulting from encounters with social workers*
 - *Those resulting from being a participant in such a program or activity*
 - *Those created by entities other than the department in such a program or activity.*
 9. *Any documents containing my health information.*
 10. *Documents, records, or data created or received by the department, which pertain to me (i.e. contain my personal information).*
+ *Meta-data associated with the returned documents.*
Documents may include:
 - *Court documents (e.g. court briefs, VJR's, & court orders)*
 - *Documents associated with disclosures to the department*
 - *Documents created by the department in carrying out its functions.*
 11. *Records associated with requests for access to my personal information (i.e. information request logs).*
+ *Meta-data associated with the returned documents.*
 12. *Records associated with disclosures of my personal information (i.e. disclosure logs).*
+ *Meta-data associated with the returned documents.*
+ *Documents disclosed to third party (if not duplicates).*
2. The Department located 17 pages that responded to the terms of the access application and decided² to give the applicant full access to 15 pages and partial access to two pages. It refused access to some information on the ground that the information was exempt information under section 67(1) of the IP Act and sections 47(3)(a) and 48, and schedule 3, section 12, of the *Right to Information Act 2009* (Qld) (**RTI Act**).
 3. The applicant applied³ to the Office of the Information Commissioner (**OIC**) for review of the Department's decision. He also raised extensive sufficiency of search concerns, including concerning his request for metadata. Some additional metadata was located by the Department during the course of the review and the applicant was given partial access to it. The Department objected to disclosure of some information on the grounds that it was the personal information of individuals other than the applicant, and therefore fell outside the scope of the access application.
 4. For the reasons explained below, I vary the Department's decision by finding that:
 - access to certain information may be refused because it falls outside the scope of the access application and there is therefore no right of access to it under the IP Act; and
 - access to certain information may be refused because it is nonexistent or unlocatable.

² Decision dated 24 April 2024. The Department of Families, Seniors, Disability Services and Child Safety is authorised under the IP Act to deal with access applications made to the Department.

³ On 22 May 2024.

Background

5. This is one in a series of access applications that the applicant has made to various government departments and agencies seeking access to any information held about him.

Reviewable decision

6. The decision under review is the Department's decision dated 24 April 2024.

Evidence considered

7. Significant procedural steps relating to the external review are set out in the Appendix.
8. The evidence, submissions, legislation and other material I have considered in reaching my decision are set out in these reasons (including footnotes and the Appendix). I have taken account of the submissions of the applicant and Department to the extent that they are relevant to the issues for determination in this review.⁴
9. I have also had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the right to seek and receive information.⁵ I consider a decision-maker will be '*respecting and acting compatibly with*' that right and others prescribed in the HR Act, when applying the law prescribed in the IP Act and the RTI Act.⁶ I have acted in this way in making this decision, in accordance with section 58(1) of the HR Act. I also note the observations made by Bell J on equivalent pieces of Victorian legislation:⁷ '*it is perfectly compatible with the scope of that positive right in the Charter for it to be observed by reference to the scheme of, and principles in, the Freedom of Information Act.*'⁸

Information in issue

10. Throughout the review, the applicant argued that some refused information contained in an ARIA Report,⁹ that described the applicant's status in the context of family relationships, was solely the applicant's personal information, and there were no grounds to refuse access to it under the IP Act. The Department did not accept this argument and maintained its position that disclosure of this information was prohibited by section 187 of the *Child Protection Act 1999* (Qld) (**CP Act**), and therefore could be refused on the ground that it comprised exempt information under schedule 3, section 12(1) of the RTI Act. However, in the final stages of the review, the Department agreed to exercise its discretion to give the applicant administrative access¹⁰ to this information. It did so in recognition of the misconceived nature of the submission made by the applicant that was based on his incorrect assumptions about the nature of the refused information, and what he believed it would reveal.

⁴ The applicant's submissions are contained in his external review application and in emails on 5 February 2025, 12 March 2025 and 28 May 2025. The Department's submissions are contained in emails on 15 July 2024, 6 January 2025, 19 February 2025, 14 April 2025 and 13 May 2025.

⁵ Section 21 of the HR Act.

⁶ *XYZ v Victoria Police (General)* [2010] VCAT 255 (16 March 2010) (**XYZ**) at [573]; *Horrocks v Department of Justice (General)* [2012] VCAT 241 (2 March 2012) at [111]. I further note that OIC's approach to the HR Act set out in this paragraph was considered and endorsed by the Queensland Civil and Administrative Tribunal (**QCAT**) in *Lawrence v Queensland Police Service* [2022] QCATA 134 at [23] (where Justice Member McGill saw '*no reason to differ*' from OIC's position).

⁷ *Freedom of Information Act 1982* (Vic) and the *Charter of Human Rights and Responsibilities Act 2006* (Vic).

⁸ *XYZ* at [573].

⁹ An ARIA Report ('Access and Retrieve Information Archives') is, in effect, a 'Person Search Detail' report that gives an overview of an individual's interactions with the Department. It includes such information as name, date of birth, aliases, family members/relationships, address/placement, etc., as well as 'court matter history'.

¹⁰ That is, outside the scope of the access provisions in the IP Act.

11. Following release of that information to him, the applicant submitted only that he did not consider the disclosed information made sense: '[J]ust so you are aware, the unredacted piece of text reads as "[Type of Relative A], Subject Child, [Type of Relative B]"; it makes little sense that I am listed as a [Type of Relative A] to my [Type of Relative B] in a report that contains references to my [more general reference to the applicant's relatives]'.¹¹ In confirming, in his final submission, the various issues that he continued to pursue in the review, the only continuing concerns raised by the applicant about the ARIA Report related, firstly, to his disagreement with the content of the information released to him administratively (and to the 'legitimacy' of the Report more generally), and secondly, to his contention that there was information (including metadata) missing from the Report. I will discuss the latter issue further below in the context of dealing with the sufficiency of the Department's searches. However, as I advised the applicant during the external review, I have no capacity to consider the former issue on external review: OIC has no jurisdiction under the IP Act on external review to investigate an applicant's concerns about the contents or veracity of information provided to them by an agency.
12. Accordingly, based on the applicant's final submission, the information remaining in issue in this review comprises metadata information associated with a case management file that contains information about the applicant.

Issues for determination

13. The issues for determination are:
 - whether access to the information in issue may be refused because it falls outside the scope of the access application and there is therefore no right of access to it under the IP Act; and
 - whether access to information may be refused because it is nonexistent or unlocatable.

Information outside the scope of the access application

14. The IP Act gives an individual a right of access to documents of an agency or Minister to the extent the documents contain the individual's personal information.¹²
15. 'Personal information' is defined 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.¹³
16. Information that is not the applicant's personal information falls outside the scope of the access application and there is no right of access to it under the IP Act. Applications that seek access to such information must be made under the RTI Act.
17. The applicant argued during the review that it was not reasonable to accept the Department's statement that not all information (including metadata) contained in a particular Casefile¹⁴ that was located through conducting a search for records relating to the applicant, comprised his personal information. The applicant was given access to the information contained in the Casefile as it related to him, however, the Department

¹¹ Submission on 28 May 2025 under the heading on page 7: 'Exemptions: 2. Unredacted ARIA report provided to me on 14 May 2025'.

¹² Section 40(1) of the IP Act.

¹³ Section 12 of the IP Act.

¹⁴ The file's title is 'Juvenile Justice Services/Client Management/Court Support/Logan YJSC – Unsupervised Orders'. It is identified through a specific CSS number.

objected to disclosure of the remaining information in the file on the grounds that it was the personal information of other young people, and had no connection with the applicant. The applicant argued that it was not reasonable to believe that the Casefile would contain information relating to other individuals and rejected the Department's explanation regarding the way in which the file was kept, pointing out what he considered to be inconsistencies/illogicalities, as follows:¹⁵

- CSS[number] casefile metadata indicating the existence of 35 documents in that case file alone.
- The fact that 18 documents numbered between #427006 and #427024 were added to the CSS[number] folder on the [date] (i.e. directly after my appearance in [named] Magistrates Court).
- The total volume of the documents contained within the CSS[number] casefile indicating that it was solely my casefile and probably only related to the court event that took place in January [year].
- The extreme unlikely hood that the CSS[number] casefile would contain random scattered entries from different people over a period of at least 3 years given that it only contains a total of 35 documents.
- The fact that the CSS[number] casefile only relates to the provision of court services, which is separate from YJ's other service areas. I refer to documents relating to general YJ programs and services.

18. The applicant made these types of submissions throughout the review, despite the Department's repeated assurance that the remaining information contained in the Casefile related to 34 other individuals and was wholly unrelated to the applicant.¹⁶ In its final submission on 13 May 2025, the Department stated:

I can confirm that the other documents in this file relate to 34 other matters relevant to other individuals. While information can not be shared with the applicant, I provide the following information for your review (noting the 2022 migration date/commencement of iDocs date that the applicant disputes)...

19. The Department provided OIC with a screenshot of the other 34 matters contained in the Casefile, including the names of the individuals to whom the entries related. OIC confirmed to the applicant that the screenshot indicated that the other entries did not concern him. However, the applicant continued to express doubts that this was a logical conclusion, and pressed for the release of the information, including related metadata.

Findings

20. Based on the information provided by the Department, including the screenshot of the other entries contained in the Casefile, I am satisfied that the information contained in the Casefile to which access has been refused, including metadata, does not comprise the applicant's personal information. It therefore falls outside the scope of his access application and there is no right of access to it under the IP Act.
21. I make the same finding in respect of the information contained within the 'Security Clearance' tab for this Casefile.¹⁷ The Department advised that the information contained within this tab related to other individuals: *'Not all tabs are specific to the applicant as the iDocs entry is for hardcopy records regarding multiple young people which is stored offsite at Iron Mountain.'*¹⁸ The Department objected to disclosure of this

¹⁵ Submission on 28 May 2025.

¹⁶ See, for example, the information provided to the applicant in OIC's letter dated 25 February 2025.

¹⁷ The applicant claimed in his submission on 28 May 2025 that OIC had advised him that the Department had not claimed an exemption in relation to this information. However, the applicant was advised of this in OIC's second email on 6 February 2025, and again in OIC's email on 13 March 2025.

¹⁸ Submission on 6 January 2025.

information on the grounds that it was exempt information because its disclosure was prohibited under section 187 of the CP Act. However, the mere fact that the information does not comprise the applicant's personal information means that it falls outside the scope of his access application under the IP Act in any event, and there is no right of access to it under the IP Act.

Sufficiency of search - relevant law

22. Access to a document may be refused if the document is nonexistent or unlocatable.¹⁹
23. To be satisfied that documents are nonexistent, a decision-maker must rely on their particular knowledge and experience and have regard to a number of key factors, including:²⁰
 - the administrative arrangements of government
 - the agency's structure
 - the agency's functions and responsibilities
 - the agency's practices and procedures (including, but not exclusive to, its information management approach); and
 - other factors reasonably inferred from information supplied by the applicant including the nature and age of the requested document/s and the nature of the government activity to which the request relates.
24. By considering the relevant factors, the decision-maker may conclude that a particular document was not created because, for example, the agency's processes do not involve creating that specific document. In such instances, it is not necessary for the agency to search for the document. Rather, it is sufficient that the relevant circumstances to account for the nonexistent document are adequately explained by the agency.
25. If searches are relied on to justify a decision that the documents do not exist, all reasonable steps must be taken to locate the documents. What constitutes reasonable steps will vary from case to case, as the search and inquiry process an agency will be required to undertake will depend on which of the key factors are most relevant in the particular circumstances. Such steps may include inquiries and searches of all relevant locations identified after consideration of relevant key factors.²¹
26. A document is *unlocatable* if it has been or should be in the agency's possession and all reasonable steps have been taken to find it, but it cannot be found. In determining whether a document is unlocatable, it is necessary to consider the specific circumstances of each case,²² and in particular whether:
 - there are reasonable grounds for the agency to be satisfied that the requested documents have been or should be in the agency's possession; and
 - the agency has taken all reasonable steps to find the document.²³

¹⁹ Section 67(1) of the IP Act and sections 47(3)(e) and 52 of the RTI Act.

²⁰ *Pryor and Logan City Council* (Unreported, Queensland Information Commissioner, 8 July 2010) (*Pryor*) at [19] which adopted the Information Commissioner's comments in *PDE and the University of Queensland* (Unreported, Queensland Information Commissioner, 9 February 2009) (*PDE*). *PDE* addresses the application of section 28A of the now repealed *Freedom of Information Act 1992* (Qld). Section 52 of the RTI Act is drafted in substantially the same terms as the provision considered in *PDE* and, therefore the Information Commissioner's findings in *PDE* are relevant.

²¹ As set out in *PDE* at [38].

²² *Pryor* at [21]. See also, *F60XCX and Office of the Queensland Parliamentary Counsel* [2016] QICmr 42 (13 October 2016) at [84] and [87] and *Underwood and Minister for Housing and Public Works* [2015] QICmr 27 (29 September 2015) at [33]-[34] and [49].

²³ Section 52(1)(b) of the RTI Act.

27. The Information Commissioner's external review functions include investigating and reviewing whether agencies have taken all reasonable steps (as opposed to all possible steps)²⁴ to identify and locate documents applied for by applicants.²⁵ QCAT confirmed in *Webb v Information Commissioner*²⁶ that this '*does not contemplate that [the Information Commissioner] will in some way check an agency's records for relevant documents*' and that, ultimately, the Information Commissioner is dependent on the agency's officers to do the actual searching for relevant documents.
28. Generally, the agency that made the decision under review has the onus of establishing that the decision was justified or that the Information Commissioner should give a decision adverse to the applicant.²⁷ However, if the applicant maintains further documents exist, the applicant bears a practical onus of establishing reasonable grounds to be satisfied that the agency has not discharged its obligation to locate all relevant documents. Suspicion and mere assertion will not satisfy this onus.

Submissions

29. Upon commencement of the external review, the Department was asked to complete and provide a copy of a Search Certification Form detailing the searches and inquiries that the Department had conducted in an effort to locate responsive documents.
30. The Search Certification Form provided by the Department in response²⁸ indicated that searches had been undertaken of '*Files*' and '*All documents including metadata*'. The description of the searches undertaken was, '[S]earch officer conducted searches of recordkeeping systems'. In the comments section, it was stated that, '*Youth justice records hardcopy and stored offsite. Audit trail did not provide any staff or business units accessed and no additional searches required*'.
31. OIC advised the Department that it considered this information was insufficient to discharge the onus on the Department to show that all reasonable steps had been taken in an effort to locate responsive information. OIC provided the Department with a copy of the submissions that the applicant had made in his external review application²⁹ concerning what he contended were missing documents. The central issues raised by the applicant (that is, those that relate to sufficiency of search concerns and that have not otherwise been resolved during the review) were as follows:
 - The applicant had never been known by the variation of his name contained in the ARIA Report. He therefore did not consider that a legitimate 'person profile' search has been conducted and asserted that it must be shown that searches were conducted by the Department using various other variations of his name.³⁰
 - Incomplete metadata had been provided for the ARIA Report and the Casefile, and there was missing or unknown content on multiple pages.
 - When a minor, the applicant had various interactions with youth justice programs, services and people, and there should be documents relating to those interactions.

²⁴ *S55 and Queensland Police Service* [2023] QICmr 3 (30 January 2023) at [23], cited with approval in *W55 and Brisbane City Council* [2024] QICmr 13 (17 April 2024) at [19].

²⁵ Section 137(2) of the IP Act. The Information Commissioner also has power under section 115 to require additional searches to be conducted during an external review.

²⁶ [2021] QCATA 116 at [6].

²⁷ Section 100(1) of the IP Act.

²⁸ On 15 July 2024.

²⁹ On 22 May 2024.

³⁰ The applicant argued that another indication that the ARIA Report was not legitimate was because it referred to his current age, but still described him as a 'subject child'. However, the Department explained that the subject person's age is auto-updated whenever the Report is generated.

32. Further to the Casefile, the applicant submitted as follows:

I have received incomplete metadata from the agency in relation to FILE 01. While the department has included 2 tabs from their user interface (General & Audit), there are 11 tabs in total. I ask that a complete version of that metadata be provided to me via print-out and raw form (i.e. the actual metadata itself). In addition, on the 09.11.22, the metadata for both documents included in FILE 01 was modified to reflect permission changes, classification/category additions, and location changes; the department has not located any documents associated with these changes. This issue should be considered relevant to the sufficiency of search issues identified in Part 3 (Issues).

33. The applicant submitted that there appeared to be whole files missing from the release by the Department. He asserted that the Department had created a 'dummy file' in order to conceal information from him:

I consider that information has likely been exempted. Considering the redacted/missing content, the fact that a departmental system is likely to refer to that missing content, and the incorrect name appearing on my person search profile, I consider the department has created a dummy file for the purpose of populating its contents with only the information it wishes to share with me. In summary, I do not believe this to be my legitimate person search profile, and this is a matter a wish to be considered on review.

34. The Department was asked to consider and respond to these submissions, and to conduct any further appropriate searches and inquiries in an effort to locate any additional responsive documents.³¹

35. In its response,³² the Department advised that additional searches had been undertaken on 18 December 2024 and no additional responsive documents had been located. The Department provided a fresh Search Certification Form that indicated that a search of the Department's electronic records management application (**iDocs**) had been conducted using four variations of the applicant's name, both with and without the applicant's birthdate. In addition, a 'person search' (ARIA) of 'migrated Fam YJ data' had been conducted, using the same search terms. The results of the searches were stated to be, '1xClient [Management] File, 1xScreenshot of available metadata with [sic] the system' and '1xperson search results from ARIA'.

36. The Department provided a copy of the relevant metadata for the Casefile, with all tabs showing, marked up in a form suitable for release to the applicant (this metadata was subsequently released to the applicant on 22 January 2025).

37. In response to the applicant's submissions about missing documents, the Department (relevantly) responded as follows:

Thank you for providing a copy of the applicant's submission regarding sufficiency of searches. Unfortunately, the submission is misconceived and based on the applicant's assumptions regarding recordkeeping and administration. I note it appears the applicant may also be, at least in part, operating under the misconception that the ARIA report in some way is a record of the searches conducted as part of his application rather than a responsive document.

...

As you are aware, the applicant has been known as both [variations of the applicant's name]. The ARIA report was identified in the (multiple) searches conducted using appropriate search terminology. There is no information to suggest the report does not relate to the applicant.

...

³¹ OIC's letter to the Department dated 19 November 2024.

³² Email received on 6 January 2025.

Please refer to the attached file with all tabs included [for the Casefile]. The documents about the applicant are hardcopy and stored offsite with documents relating to other young people. The references in the security clearance tab relate to other children.

[The applicant's contention about missing or unknown content in the ARIA Report] is misconceived. In my view, if any conclusions were to be drawn from this it would be that the absence of detailed information in a [sic] contemporaneous documentation would tend to support the notion that searches conducted were sufficient and there are no additional documents located because no such documents exist.

Metadata

Please refer to the attached. The applicant's submissions regarding permission changes is misconceived. The changes where the user is 'Admin' relates to the recordkeeping system itself via system updates. The location changes in 2024 relate to this application, in particular the retrieval of documents from offsite storage.

38. The applicant provided a detailed submission in response,³³ detailing his numerous concerns about the located documents and metadata, as well as the information the Department had provided regarding the searches and inquiries it had conducted. He continued to argue that there were reasonable grounds for believing that additional responsive documents ought to exist in the Department's possession or under its control, including metadata. The applicant's submissions are too extensive and detailed to reproduce in these reasons for decision. It is sufficient to note that he continued to argue that the ARIA Report:
 - was not 'legitimate' because it used an incorrect version of his name
 - was missing content, including metadata; and
 - contained incorrect data.
39. The applicant also raised multiple concerns about the metadata of the information that had been released to him and identified what he regarded as inconsistencies both in the information itself, and in the Department's explanations about its record-keeping. He requested that further searches be conducted of the Department's records. He also requested that OIC exercise its power under section 116 of the IP Act to direct the Department to *'provide further information about its records management systems and practices, the child folders contained within the "client manager folder" of its electronic records management system, as well as its client servicing areas/units. Given the department's submissions regarding historical documents and the department's ever changing administrative arrangements, I will also ask that further information be provided about its prior records management systems and practices, as well as its past and present backup systems. This information will be crucial in considering whether the department has taken all reasonable steps in locating the requested information and whether it has adequately responded to the issues I have raised'*.
40. The applicant also requested that OIC require the Department to conduct searches of its backup systems for any documents that may have been transferred to Queensland State Archives (**QSA**), arguing that *'These searches are necessary due to the age of the requested documents, their high-end enduring/archival value and the everchanging administrative arrangements of the department'*. He also described a series of nine incidents in which he had been involved (including, for example, school fights) dating back to between 2006-2010, and that he believed *'would have warranted Youth Justice's attention'*. Additionally, he submitted that:

³³ On 5 February 2025.

I also attended a number of diversionary programs, spoke to counsellors, and am certain that I was subject of multiple information sharing programs involving the following entities and their employees:

1. *The Queensland Police Service.*
2. *[name of private medical centre].*
3. *[name of private business located at a shopping centre]*
4. *PCYC ([location]).*
5. *[a Catholic college]*
6. *Skillstech ([location]).*
7. *Metropolitan South Institute of Tafe ([location]).*
8. *[name of private business].*
9. *The Sarina Russo Group.*
10. *Tafe Queensland ([location]).*

While this list may seem speculative, I was arrested for various offences on multiple occasions and from a distance, some of them appear to have been quite serious. Needless to say, I believe I was being monitored by a number of people in the latter half of my teenage years and the legislation acknowledges that my concerns aren't mere conjecture of some conspiracy. On another note, section 297A of the Youth Justice Act 1992 (please see: attachment 7) provides the mechanism for the sharing of youth justice information to child safety for the purposes of the Child Protection Act 1999. While the file modifications that took place in 2021 and 2022 are said to be recordkeeping lifecycle activities, I consider that they were being accessed and used for the purposes of the CP Act. Needless to say, there are a number of documents that have not been located, the department has provided limited detail regarding its search efforts or the reasons why certain information couldn't be located, and therefore I am requesting the provision of further information, documents and metadata which will be essential to the progression of this review.

41. In response, I conveyed a preliminary view to the applicant about those parts of his submission dealing with issues other than sufficiency of search.³⁴ In respect of his extensive sufficiency of search contentions contained in parts 4 and 5 of his submission, and his assertions about the availability of metadata and the Department's record-keeping practices, I advised that it would be necessary to refer those parts to the Department for response. However, I took the opportunity to note that section 48(2) of the IP Act provides that access to metadata is not required to be given if access is not reasonably practicable.
42. The Department responded³⁵ to each of the applicant's contentions and provided further detail about the contents of files and metadata, and further explanation about the Department's records and the way in which they are kept. It also provided the applicant with access to screenshots of the various metadata tabs contained in the Casefile:

Part 4- File01 and File 02

Document issue

- *The container for CSS[number] refers to 35 physical items as the container includes files for other children on unsupervised orders in the Logan Youth Justice Service Centre and these items are not within the scope of the applicant's information privacy access application.*

Metadata for document #427006/CSS[number]

Issue 1

- *With reference to the opening date of 2 May 2008, the date is the opening date of the parent folder for the Court Support - Logan Youth Justice Service Centre Unsupervised Orders files. This series relates to other children on unsupervised order managed by that office during that time and not just the applicant.*

³⁴ Letter to the applicant dated 6 February 2025.

³⁵ By email on 19 February 2025.

- The last modification date relates to the last modification of any of the files in the series which includes matter relating to other individuals on unsupervised orders managed by the Logan Youth Justice Service Centre.
- The applicant cannot be provided with other pages of metadata as they relate solely to other individuals on unsupervised during the same era and not the applicant.
- The 2022 date relates to the migration of data into the new electronic records management system that took place 6 to 12 November 2022.
- The 2024 date relates to the retrieval of the applicant's file for the purposes of managing the current access application.

Issue 2

- The container for CSS[number] includes references to 35 physical items as it includes files for other children on unsupervised orders in the Logan Youth Justice Service Centre and these items are not within the scope of the applicant's information privacy access application.

Document #427024 Reprimand Order

Document issue

- The case notes were included in the metadata for the hard copy file referred to above as #427006 and were not given a separate entry.
- The manner in which the items were recorded in 2011 is not a matter that can be considered within the scope of a review of the current access application.

Metadata

Issue 1- categories tab- further information has been attached to this email

Issue 2-circulation tab- the drop down is a functional prompt and not a drop down menu item. The choices include circulation, request, assign box - workflows commence once a selection have been made. This function is not in use and is further metadata is not able to be provided (not reasonably practicable).

Issue 3 – classification tab- Again this is a functional prompt and not able to be provided. This relates to the business classification scheme and system configuration for the user and includes such functional choices as open, configure, order custom views, add to favourites.

Issue 4 – records detail - There are no further details that can be provided as this tab functions for system configuration. The applicant can identify that it is the legitimate records detail page by reviewing the top of the page that includes his name and details.

Issue 5 – file paths - It is not possible to amend the viewport as the system does not allow for the file paths to be expanded. The file paths have not been actively cut, it is a restriction associated with the character limits of the field.

Issue 6 – metadata dates - We are unable to comment on the filing of documents in 2011. As explained above, in 2022 data migration occurred into the new system. The draft under review relates to references to disposal schedules and is out of scope of an access application.

Document #000003

- The document that the applicant refers to as #000003 is held within the relevant file and the meta data has been provided for that file.

Part 5 – other issues

Audit logs

- There is no further data that can be provided or that exists.

Further metadata

- Other than the information attached, there is no further metadata available.

Metadata format

- *An excel format for the release of metadata is not reasonably practicable.*

Document identification

- *A request to make additional document numbers is outside the scope of this review and, as further identification numbers do not exist, they cannot be considered for release.*

Further documentation

- *The department restates the position that, no further documents are able to be located and that the references to other physical items relate to files that do not contain information relevant to the applicant.*
- *I am unable to comment on the practices of the office responsible for the management of the applicant's matters other than to confirm that the documentation that the applicant seeks does not appear to exist.*

43. I conveyed the Department's response to the applicant³⁶ and expressed a further preliminary view about the issues under consideration in the review. In particular, I advised the applicant that, having considered the Department's detailed response about his sufficiency of search contentions, I was of the preliminary view that the searches and inquiries that the Department had conducted in an effort to locate documents responsive to his access application had been reasonable in all the circumstances. I advised the applicant that, on the material presently available, I was unable to identify any further searches or inquiries that it would be reasonable to ask the Department to undertake.
44. The applicant did not accept my preliminary view and lodged a 13 page submission on 12 March 2025. Again, he provided detailed submissions in support of his contention that the Department had not discharged the onus upon it to demonstrate that it had taken all reasonable steps to locate responsive documents. He raised issues about missing documents, as well as concerns about the released documents, the availability of further metadata, and alleged inconsistencies and illogicalities in the Department's record-keeping practices. In addition to these issues, the applicant continued to:
- *seek access to audit logs and request that OIC issue the Department with a direction 'to provide information about how they configured the information displayed in the audit logs and why they consider that it is not reasonably practical for them to return data existing prior to 2022. If their explanation involves Youth Justice having another system prior to 2022, I would like to request evidence of this fact and information about their past and present systems'.*
 - *request that he be given access to metadata in excel format: 'You have stated that it is not reasonably practical for Youth Justice to release metadata in excel format, however I have located an OpenText Content Manager Help/User Guide which depicts it as being just as or even more practical than physically printing out screenshots (please see: attachment 8). Given the issues we keep having over metadata, I think it would be beneficial to both parties if the department were to provide all additional metadata via excel accompanied by a screenshot of the dialog [sic] options selected during the export process. It should be noted that I do not wish you to place limitations on the metadata Object Properties'.*
 - *request that OIC exercise its powers under section 115 and 116 of the IP Act to require the Department to conduct further searches for an extensive list of information and documents to satisfy the applicant and that he contended were 'crucial for determining the department's claims about the existence of missing documents, the availability of metadata, and the relative ease in which such information can be procured. The documents and information requested are a response to the department's*

³⁶ By letter dated 25 February 2025.

*submissions and contains some pretty sound arguments that will only be defeated with the documents and information requested*³⁷. The information and documents sought by the applicant were as follows:

- *Further information concerning the searches already conducted by Youth Justice (i.e. relevant considerations, search locations, search terms used, types of searches conducted and any limitations of those searches).*
- *Information concerning how the department has been configuring its audit logs to display metadata (i.e. attributes set in the display / events permitted to show).*
- *Information relating to Youth Justice's current and former records management systems, including:*
 - *names*
 - *versions*
 - *dates of commencement and/or decommission*
 - *Including archival systems.*
- *Information relating to Youth Justice's current and former records management practices, including:*
 - *how Youth Justice allocates and structures case management folders / containers (e.g. events-based structure, new-participant structure, data-based structure, individual-centric structure, service-area structure, service-period structure). It is expected that there may be different approaches in different functional areas.*
 - *the process for assigning Youth Justice documents to case management folder*
 - *naming conventions for case management folders and their documents (e.g. what does each segment of a case management folder refer to, how are document IDs generated)*
 - *a list of the child folders contained within the client management folder within the agency's records management system*
 - *archival practices.*
- *Information relating to Youth Justice's operations and service areas, particularly those that are client facing.*
- *Information relating to Youth Justice's administrative arrangements and how those arrangements may have affected its records management systems and practices and / or its operations during the period specified in my application (for example, the ARIA Report is said to be sourced from Fam YJ data, however I can find no Family / Youth Justice department existing around the time of my adolescence).*

Request for documents:

- *Youth Justices [sic] policy registers / policy registers [sic].*
- *Organisational records management policies, procedures and guidelines.*
- *Policies and procedures associated with the intake of Youth Justice clients.*
- *Policies and procedures associated with dealing with legal guardians/representatives.*
- *Policies and procedures associated with case officers representing clients with court matters.*
- *Policies, procedures, guidelines and MOUs associated with information sharing arrangements.*
- *Documents evidencing the departments [sic] system upgrades in 2022 (for example, copies of invoices or email confirmations regarding the OpenText Content Manager contract).*

45. Once again, relevant parts of the applicant's submission concerning missing documents were referred to the Department for response. In its initial response, the Department submitted:³⁷

³⁷ Email of 14 April 2025.

I refer to the applicant's further submissions and can only provide limited further information.

The applicant is seeking an unreasonable level of information regarding the records management processes.

The level of detail that the applicant is seeking is excessive and any further access to metadata is not reasonably practicable or even possible.

Part 1

1. Aria report

The department has no further submissions to make on this topic- the applicant was identified using name, alias and date of birth information available and responsive documents were produced.

Please note that the information regarding 'current case details' and 'medical' are not expandable tabs.

4. New request for information

The department is unable to provide further detail about why certain documents do not exist.

The documents responsive to the access application were located and considered, the applicant's supposition that further documents existed is unfounded.

6. Backup system

It is the department's position that it does not consider any responsive documents have been kept in, and is retrievable from, the back-up system.

Part 2

The department's submissions remain unchanged and no further information can be provided.

46. OIC requested³⁸ that the Department expand on its response and provide any further details which would assist in responding to the applicant's concerns about missing documents. The Department provided a further response³⁹ as follows:

The applicant is seeking an unreasonable level of information regarding the records management processes.

Part 1

1. Aria report

The department has no further submissions to make on this topic- the applicant was identified using a combination of name, alias and date of birth information available and responsive documents were produced.

Departmental officers that undertake searches for information of this nature are trained to look for all permutations of first names, last names and date of birth.

Additionally, once a record has been successfully located that provides the mother's name of any individual, the team search through the records of the mother to identify if there is any possibility that the individual had any other aliases that required examination.

In this instance, I confirm that the team also went so far as to search the two possible ways in which the applicant's mother's name could be spelled [(versions of names)] and searched for the possibility that [the applicant] was spelled with one 'l' or incorrectly typed as [other spelling variations of the applicant's first name].

³⁸ By email on 17 April 2025.

³⁹ By email on 13 May 2025.

I have personally repeated the searches again today, 12 May 2025 and confirm that [the applicant] only has one profile in FAMYJ/ARIA and all responsive documents were identified in response to the initial application.

Please note that the information regarding 'current case details' and 'medical' are not expandable tabs and the database is a flat database with no accessible information beyond the pages provided (there are no true 'tabs'). The buttons that appear on the page 'placement history' and 'address history' function as anchors that scroll down the page when pressed.

4. New request for information

The department is unable to provide further detail about why certain documents do not exist.

The documents responsive to the access application were located and considered, the applicant's supposition that further documents existed is unfounded.

The department searched both electronic holdings (FAMYJ now hosted in ARIA - Access and Retrieve Information Archives) and the department's ONLY record management system 'iDocs' to locate hard copy documents.

The searches undertaken in iDocs included the same search techniques above plus the applicant's client ID [number] - I have repeated these searches again today and found no further responsive documents.

6. Backup system

It is the department's position that it does not consider any responsive documents have been kept in, and are retrievable from, a back-up system.

The department handles transfer from legacy to new record management systems via data migration (which we explained took place in 2022) and back-up systems do not effectively exist.

If ARIA is technically considered a backup system of a legacy database – the agency can confirm that extensive searches have already occurred.

Part 2

The department's submissions remain unchanged and no further information can be provided to the applicant.

...

I can confirm that, had the documents that the applicant imagines exist, been captured by the agency and destroyed for some reason, generally a destruction notice appears on the file. The department has notices for other individuals dating back to the 1974 floods and earlier and so, it seems unlikely that the documents were in the possession of the department and subsequently destroyed without a record of the destruction or a record of their existence. To a trained eye, it does not seem likely that further documents were held by the agency.

I have now provided all of the metadata information that is available to both the records management and RTI Teams. If a forensic level examination of the metadata can be facilitated by the Opentext Content Server, it is unreasonable to undertake this level of examination given that this information is not available to the records management team nor the RTI team and would need to be outsourced.

To clarify some matters please note that #427024 was a document located inside a file referred to as CSS[number] - the other details of the particulars of the file are available in the screenshot above.

It is not unusual for registration practices to change based on the records officer including whether the registration/records officer is centrally located or located in the service centre. The registration of this particular document that was filed within a registered file is not uncommon

and may be the result of the practices of the particular officer. Unfortunately, information about the original officer responsible for this registration is long lost. As the file contained information about many different individuals, it can be supposed that the registration of the document that was to be filed in a registered file assisted to easily locate information about a particular individual; it was not necessary to register the document but it might have been a precautionary measure. The recordkeeping responsibilities of the agency only extend to ensuring that the information can be identified and retrieved, with such a large and ever-changing department spanning many years, practices were not always consistent between officers, regions and agencies- this is still true today.

I can confirm that CSS[number] currently has 81 parts and that part 1 has a 2008 registration date and part 81 has a 2021 registration date; the contents of the series span a lengthy period and hold any number of documents similar to the information provided above.

It is possible that the applicant has confused QPS with the Department of Youth Justice. QPS is a separate entity and, if a police caution or warning was issued, it is possible that the documents were not provided to the department responsible for youth justice. Generally, documents were only captured by the department responsible for youth justice at the time that a court appearance occurred. I have no further explanation as to why the records were not captured by the agency.

47. Following consideration of the Department's responses, I conveyed this information to the applicant,⁴⁰ together with a further preliminary view that, on the basis of the searches and inquiries conducted by the Department, and the explanations provided by the Department in response to the applicant's various contentions, the steps that the Department had taken in an effort to locate all responsive documents had been reasonable in all the circumstances. I responded to each of the specific contentions raised by the applicant in his previous submissions, and concluded as follows:

I have considered the other numerous issues you raised in your extensive submissions about metadata, metadata format, case notes, audit logs and document identification etc, and your requests for further information and documents that do not fall within the scope of your application but which you consider are necessary to satisfy yourself about the Department's searches.

In terms of metadata, the Department has advised that it has given you access to all metadata that is available to extract from records relating to you, and that to undertake the type of forensic examination of metadata that you appear to be seeking, based on your assertions about Opentext Content Server, would require outsourcing. I do not consider that this is a reasonable step to expect the Department to undertake. As regards your request to receive access to metadata in an excel spreadsheet format, the Department is not required to do so.

Nor is the Department required to create additional document numbers. Contrary to your assertion, the Department has established to OIC's satisfaction that the CSS[number] folder is, in fact, one that belongs to multiple individuals. The other matters within that folder clearly do not relate to you or contain any of your personal information and there is therefore no entitlement to access any further information contained in that folder.

As regards your request that OIC exercise its powers under section 115 and 116 of the IP Act, I am not satisfied that it is either reasonable or necessary to do so in order to determine the issues in this review. In respect of section 115, for the reasons explained, I am satisfied that the Department has taken all reasonable steps to search for information falling within the scope of your access application. Based on the information provided by the Department in each of its four responses to your submissions, I am unable to identify any additional searches or inquiries that it would be reasonable to ask the Department to undertake.

⁴⁰ By letter dated 15 May 2025.

As to section 116, I have already addressed this issue above. In addition to not being satisfied that the information you have listed is necessary in order for OIC to determine the issues in this review, I note the unreasonably broad and undefined scope of the numerous categories of information you are seeking, as well as the apparently open-ended timeframe. Even leaving aside what a general request for, for example, 'organisational records management policies, procedures and guidelines' and 'archival practices' would encompass (across an unspecified timeframe), the time that it would take the Department to compile (and OIC to review) the volume of detailed historical information about its record-keeping that you have listed, in order to satisfy you of the reasonableness of the searches conducted in response to an IP access application is, in my view, exceedingly unreasonable. Both OIC and the Department's RTI unit are small teams, entrusted with a number of functions, all of which fall to a limited number of staff to discharge. OIC currently has over 320 open reviews, including 19 open reviews for you. It is neither fair nor reasonable to expect that OIC will use its finite resources to undertake the type of detailed review into the history of the Department's record-keeping practices and procedures that you appear to be seeking. To do so would cause significant prejudice not only to other applicants who are entitled to a timely resolution of their applications, but would also prejudice OIC's ability to meet its obligations under the IP Act to deal with all matters as expeditiously as possible. As you have been advised previously, if you seek access to policies or procedures of the Department, you are entitled to make an application for access to them.

48. The applicant did not accept my preliminary and provided a final submission in support of his case on 28 May 2025. His specific contentions had already been detailed in his previous submissions throughout the review, however, he remained dissatisfied with the Department's explanations and with OIC's preliminary view. The applicant's final contentions may be summarised as follows:
- a) Only one client profile (ARIA Report) had been located: *'YJ has undergone numerous administrative changes and used various systems and databases since 2011. The department needs to provide further information about all relevant client management systems that have been operational during the time-period defined by my information privacy application (01.01.07 - 06.03.24).'*
 - b) The Department had failed to locate a number of documents whose existence was supported by known juvenile events (as previously described by the applicant) or by the documents already released to the applicant.
 - c) The Department had failed to provide adequate information about: its record management systems (the applicant noted the change from eDocs (a records management system operated by Department of Justice⁴¹) to iDocs; its records management practices; its backup and archival practices and systems; changes to its records management systems and practices; differing records managements practices for service, regional and operational units; file structures within the iDocs system; and the administrative changes of government and how that has affected records management locations, systems and practices.
 - d) The Department had failed to address issues about metadata including: unopened tabs within the user interface printed metadata; refusal to provide metadata in excel spreadsheet format; what appears to be different versions of the same metadata; incomplete order logs; and missing metadata.
 - e) The ARIA Report evidenced that additional documents (Notes) ought to exist.
 - f) The Department had not explained why it had taken the position that none of the information requested would be held on backup tapes.
 - g) The Department should be required to search for any documents transferred to QSA.
49. The applicant urged OIC to reconsider exercising its power under section 116 of the IP Act to obtain the information and documents he had listed in his previous submission:

⁴¹ The applicant noted that Department of Justice had had administrative responsibility for Youth Justice on a number of occasions since 2007.

I have provided extensive arguments about the issues identified with the department's processing of my application and their participation in this review, however the department's responses to those submissions have either been reductive, re-directive or dismissive. The department has made a lot of excuses about the whereabouts or existence of documents, yet they can't even demonstrate a basic understanding of their own administrative arrangements, internal structure, records management practices or operational functions.

50. The applicant concluded his submission as follows:

YJ has failed to take all reasonable steps to locate the documents I have requested and this should be evident via the explanations it has given about its searches. YJ needs to conduct searches in further locations, conduct searches in the same locations more rigorously, adequately explain its searches, give proper consideration to the many administrative changes that have taken place since 2007 and demonstrate that has given proper consideration to the factors identified in PDE. These are not unreasonable undertakings and the department should be required to do more.

Findings

51. I have given careful consideration to the detailed submissions made by the applicant throughout the review regarding his concerns about missing and incomplete information, including metadata. I have also carefully considered the searches and inquiries that the Department conducted for responsive documents, and each of the responses that the Department provided to the applicant's contentions. I acknowledge the applicant's genuinely-held belief that additional responsive documents ought to exist in the Department's possession or control, as well as the lengths to which he has gone in his various submissions to discharge the practical onus upon him to demonstrate a reasonable belief that there are missing documents and, therefore, that the Department's searches have been inadequate. I would note, however, that I consider many of the applicant's submissions to be speculative in nature, based upon suspicion, mere assertion, or assumptions about how he considers the Department's records ought logically to have been kept, rather than a reasonably-held belief supported by evidence or cogent reasoning. As noted, mere suspicion and assertion is insufficient to discharge the practical onus upon the applicant.
52. As noted at paragraphs 22-28 above, OIC's role on external review is to decide whether agencies have taken all reasonable steps (as opposed to all possible steps) to identify and locate documents applied for by applicants. This does not contemplate that OIC will in some way check an agency's records for relevant documents. OIC is ultimately dependent on the agency's officers to do the actual searching for relevant documents. OIC is also reliant on the agency's own knowledge of its structure, and its records management systems, practices and procedures, to determine whether the searches by the agency have been reasonably targeted, and ought reasonably be expected to have located responsive documents if any were to exist.
53. Having regard to the searches and inquiries that the Department has conducted in an effort to locate documents responding to the access application, and the responses/explanations that the Department has provided to OIC in its submissions throughout the review regarding the manner in which its records are kept and why it is not reasonable to believe that additional responsive documents exist, or why they are unlocatable, I am satisfied that the Department has discharged the onus upon it to take all reasonable steps to locate responsive documents. On the information before me, I am unable to identify any further searches that it would be reasonable to ask the Department to undertake in an effort to locate any additional documents the applicant

contends should exist. This includes searches for documents that the applicant speculates may have been transferred to QSA.⁴²

54. Rather than identifying potential additional search locations, the applicant seeks a direction from OIC under section 116 of the IP Act that requires the Department to produce a vast array of current and former policies, procedures and other documents, across an unspecified timeframe, dealing with a variety of issues including record-keeping, systems upgrades, information-sharing arrangements, archiving practices, and administrative arrangements (see paragraph 44 above). He reiterated this request in his final submission (see paragraph 48 above). However, in my view, and as I expressed to the applicant during the review (see paragraph 47 above) such a request goes far beyond what could be regarded as reasonable steps to require an agency to take in an effort to locate documents responding to the terms of the access application.
55. Furthermore, and has been explained to the applicant in other of his external review applications in which he has made a similar request, section 116 of the IP Act relates to the provision of documents to OIC, not the applicant. It also requires OIC to have reason to believe that the agency has information or a document relevant to an external review. While the applicant may hold the view that the information he seeks is relevant and is needed to satisfy himself about the adequacy of the searches undertaken by the Department, the issue is whether the Information Commissioner (or delegate), as the independent decision-maker, considers that such information is relevant and required in order to determine whether the Department has taken all reasonable steps to identify and locate requested documents. I am not satisfied that it is required on the basis of the information provided by the Department. For the reasons explained, I consider that the information and explanations provided by the Department about the searches and inquiries it has conducted, and its record-keeping practices generally, is sufficient to determine the issue under consideration in this review concerning the sufficiency of the Department's searches.
56. In summary, in response to the list of final issues contained in the applicant's submission dated 28 May 2025, I am satisfied, in reliance upon the searches and inquiries conducted by the Department, as well as the information provided by the Department in its submissions on 15 July 2024, 6 January 2025, 19 February 2025, 14 April 2025 and 13 May 2025, that:
 - the searches that the Department conducted for a client profile for the applicant (ARIA Report) were reasonable in all the circumstances and there are no reasonable grounds for believing that any additional client profiles exist for the applicant, or that any additional responsive information exists within the located ARIA Report, including metadata⁴³
 - the searches that the Department conducted for information located in the Casefile that falls within the terms of the access application were reasonable in all the circumstances and there are no reasonable grounds for believing that any additional responsive information, including metadata, exists within the Casefile; and
 - the searches that the Department conducted for any additional metadata falling within the terms of the access application were reasonable in all the circumstances and there are no reasonable grounds for believing that any additional responsive metadata exists in the Department's possession or under its control.

⁴² The applicant has been advised previously that he is able to make an access application to QSA should he wish.

⁴³ I note the Department's statements in its 14 April 2025 and 13 May 2025 emails (see paragraphs 45 and 46 above) that '*current case details*' and '*medical*' are not expandable tabs, and that the database is a flat database, with no true tabs..

57. I am also satisfied that the searches that the Department conducted generally for any other information concerning the applicant were reasonable in all the circumstances and that access may be refused on the basis that any such additional information is nonexistent or unlocatable. I note the applicant's submission at paragraph 40 above regarding the incidents in which he says he was involved as a youth, and the list of entities (both private and public) that he believes would have shared information about him and which would have been supplied to the Department. However, I consider the applicant's contention in that regard to be merely speculative, rather than a belief for which reasonable grounds exist. In any event, I am satisfied that the searches that the Department conducted should reasonably have been expected to locate any such documents, or at least identified further avenues of search or inquiry, were such documents to exist. Again, I am unable to identify any further searches or inquiries that I consider it would be reasonable to ask the Department to undertake in an effort to locate any further documents.
58. Lastly, and for completeness, I record my ancillary findings that:
- the Department is not required under the IP Act to create a new document in order to respond to an applicant's access application – it therefore is not required to create an excel spreadsheet containing exported metadata; and
 - the Department is not required to conduct a search of its backup system under section 52(2) of the RTI Act unless it considers that a prescribed document has been kept in, and is retrievable from, the backup system – the Department explained in its submission on 13 May 2025 (see item 6 of paragraph 46 above) that there is, effectively, no backup system for migrated data and it therefore does not consider that a prescribed responsive document has been kept in, and is retrievable from, the backup system. No search is therefore required.

DECISION

59. For the reasons set out above, I vary the decision under review by finding that:
- access to certain information may be refused because it is not the applicant's personal information: it therefore falls outside the scope of the access application and there is no right of access to it under section 40(1)(a) of the IP Act; and
 - access to certain information may be refused because it is nonexistent or unlocatable under section 67(1) of the IP Act and sections 47(3)(e) and 52(1) of the RTI Act.
60. I have made this decision as a delegate of the Information Commissioner, under section 139 of the IP Act.

Rachel Moss
Principal Review Officer

Date: 11 June 2025

APPENDIX

Significant procedural steps

Date	Event
22 May 2024	OIC received the application for external review
26 May 2024	OIC received the preliminary documents from the Department
4 July 2024	OIC advised the parties that the application for external review had been accepted OIC requested that the Department provide copies of the information in issue as well as details of the searches conducted
15 July 2024	OIC received copies of the information in issue and a search record from the Department
19 November 2024	OIC provided the Department with a copy of the external review application and requested the Department's further response regarding sufficiency of search issues
6 January 2025	OIC received the Department's response
21 January 2025	OIC conveyed a preliminary view to the applicant
22 January 2025	OIC received confirmation from the Department that additional metadata had been released to the applicant
5 February 2025	OIC received a submission from the applicant
6 February 2025	OIC provided the Department with a copy of the applicant's submission and requested a response
19 February 2025	OIC received a submission from the Department
25 February 2025	OIC conveyed a preliminary view to the applicant
26 February 2025	OIC received confirmation from the Department that additional metadata had been released to the applicant
12 March 2025	OIC received a submission from the applicant
13 March 2025	OIC provided the Department with a copy of the applicant's submission and requested a response
14 April and 13 May 2025	OIC received submissions from the Department
14 May 2025	OIC received confirmation from the Department that the applicant had been given administrative access to certain information
15 May 2025	OIC conveyed a preliminary view to the applicant
28 May 2025	OIC received a submission from the applicant