



## Decision and Reasons for Decision

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**Citation:** *I25 and Department of Education [2026] QICmr 67*  
(1 May 2026)

**Application Number:** 318914

**Applicant:** I25

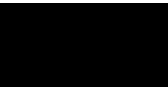
**Respondent:** Department of Education

**Decision Date:** 1 May 2026

**Catchwords:** ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - CONTRARY TO THE PUBLIC INTEREST INFORMATION - request to access certain workplace investigation information - whether disclosure would, on balance, be contrary to the public interest - sections 47(3)(b) and 49 of the *Right to Information Act 2009* (Qld)

### DECISION

1. For the below reasons, I affirm<sup>1</sup> the reviewable decision of the Department of Education (**Department**) and find that access may be refused to the information which is in issue, as its disclosure would, on balance, be contrary to the public interest.<sup>2</sup>
2. This means that no further information is to be released to the applicant.
3. My reasons for the decision follow.



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**T Lake**  
Principal Review Officer

**Date: 1 May 2026**

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<sup>1</sup> Under section 110(1)(a) of the *Right to Information Act 2009* (Qld) (**RTI Act**).

<sup>2</sup> I have made this decision as a delegate of the Information Commissioner under section 145 of the RTI Act.

## REASONS FOR DECISION

### Summary

4. The applicant applied<sup>3</sup> to the Department under the RTI Act to access documents relating to the investigation of the applicant's workplace grievance and the applicant's internal review request concerning the Department's decision about that grievance.
5. The Department located 141 pages as relevant to the access application, disclosed 110 pages in full to the applicant and decided to refuse access to 20 pages and parts of a further 11 pages.<sup>4</sup>
6. The applicant then applied<sup>5</sup> to the Office of the Information Commissioner (**OIC**) for external review.

### Reviewable decision

7. The decision under review is the Department's decision dated 8 September 2025.

### Evidence considered

8. The evidence, submissions, legislation and other material I have considered in reaching my decision are set out in these reasons (including footnotes).
9. During the review, I conveyed a preliminary view to the applicant.<sup>6</sup> When doing this, I invited the applicant to provide submissions if they wished to contest the preliminary view. The applicant contested the preliminary view and provided submissions in support of their position.<sup>7</sup> In reaching this decision, I have taken account of those submissions (together with the applicant's submissions in the External Review Application) to the extent that they are relevant to the issue for determination in this review.
10. I have also had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the right to freedom of expression<sup>8</sup> (which includes the right to seek and receive information) and the right to privacy and reputation.<sup>9</sup> I consider a decision-maker will be '*respecting and acting compatibly with*' those rights and others prescribed in the HR Act, when applying the law prescribed in the RTI Act.<sup>10</sup> I have acted in this way in making this decision, in accordance with section 58(1) of the HR Act.<sup>11</sup>

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<sup>3</sup> Access application dated 14 July 2025.

<sup>4</sup> Decision dated 8 September 2025.

<sup>5</sup> By email dated 15 September 2025 (**External Review Application**).

<sup>6</sup> On 9 March 2026. It is the practice of OIC to convey a preliminary view, based on an assessment of the material before the Information Commissioner or her delegate at that time, to an adversely affected participant. This is to explain the issues under consideration to the participant and affords them the opportunity to put forward any further information they consider relevant to those issues. It also forms part of the Information Commissioner's processes for early resolution of external reviews.

<sup>7</sup> By email dated 22 March 2026.

<sup>8</sup> Section 21 of the HR Act.

<sup>9</sup> Section 25 of the HR Act.

<sup>10</sup> *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].

<sup>11</sup> I also note the following observations made by Bell J in *XYZ* at [573], on the interaction between equivalent pieces of Victorian legislation (namely, the *Freedom of Information Act 1982* (Vic) and the *Charter of Human Rights and Responsibilities Act 2006* (Vic)): '*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*'.

## Information in issue

11. As noted in paragraph 5 above, the Department refused access to 20 pages and the parts of 11 pages (**Information in Issue**). In the decision under review, the Department described the Information in Issue as being the personal information of other people. While the RTI Act limits the extent to which I can describe the Information in Issue in this decision,<sup>12</sup> having carefully reviewed it, I can confirm that it broadly comprises:
- the names and other personal information<sup>13</sup> of individuals other than the applicant; and
  - information provided to the Department's workplace investigation by individuals other than the applicant.

## Issue for determination

12. The issue for determination is whether disclosure of the Information in Issue would, on balance, be contrary to the public interest.

## Relevant law

13. The RTI Act gives a right of access to documents of government agencies.<sup>14</sup> However, this access right is subject to other provisions of the RTI Act, including grounds on which access may be refused.
14. One such refusal ground is where disclosure of information would, on balance, be contrary to the public interest.<sup>15</sup> In deciding whether disclosure of information would, on balance, be contrary to the public interest, section 49 of the RTI Act requires a decision-maker to 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.
15. Schedule 4 of the RTI Act contains lists of factors that may be relevant in determining where the balance of public interest lies in a particular case. I have considered these lists, together with all other relevant information, in reaching my decision. I have also kept in mind the RTI Act's pro-disclosure bias<sup>16</sup> and that access refusal grounds are to be interpreted narrowly.<sup>17</sup>

## Findings

### *Irrelevant factors*

16. I have taken no irrelevant factors<sup>18</sup> into account in making this decision.

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<sup>12</sup> Section 108(3) of the RTI Act.

<sup>13</sup> 'Personal information' is defined in section 12 of the *Information Privacy Act 2009* (Qld) as 'information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion—(a) whether the information or opinion is true or not, and (b) whether the information or opinion is recorded in a material form or not'.

<sup>14</sup> Section 23(1)(a) of the RTI Act.

<sup>15</sup> Sections 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 (Refer to Chris Wheeler, 'The Public Interest: We Know It's Important, But Do We Know What It Means' (2006) 48 *AIAL Forum* 12, 14). 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, although there are some recognised public interest considerations that may apply for the benefit of an individual.

<sup>16</sup> Section 44 of the RTI Act.

<sup>17</sup> Section 47(2)(a) of the RTI Act.

<sup>18</sup> Including the irrelevant factors identified in schedule 4, part 1 of the RTI Act.

### **Factors favouring disclosure**

17. Having carefully reviewed the Information in Issue, I can confirm that the applicant's personal information appears within some components of it. This gives rise to a factor favouring disclosure,<sup>19</sup> to which I attribute significant weight for that personal information of the applicant.<sup>20</sup> I can also confirm that this personal information of the applicant appears in a manner which means that it cannot be disclosed without also disclosing the personal information of other individuals.
18. The applicant has expressed concerns about the manner in which the Department investigated the grievance.<sup>21</sup> The applicant also submitted that:
  - the Information in Issue '*remains important in assessing whether the investigation process was sufficiently comprehensive, impartial and balanced*';<sup>22</sup> and
  - they seek disclosure so that they can determine whether '*the Department's understanding of events was shaped by a narrow, selective or incomplete body of evidence, and whether relevant contextual or corroborative material was omitted or underexplored*'.<sup>23</sup>
19. Given these submissions, I have considered the public interest factors which arise where disclosing information could reasonably be expected to:<sup>24</sup>
  - promote open discussion of public affairs and enhance the Government's accountability<sup>25</sup>
  - inform the community of the Government's operations, including, in particular, the policies, guidelines and codes of conduct followed by the Government in its dealings with members of the community<sup>26</sup>
  - allow or assist inquiry into possible conduct deficiencies in the conduct or administration of an agency or official<sup>27</sup>
  - reveal or substantiate that an agency or official has engaged in misconduct or negligent, improper or unlawful conduct;<sup>28</sup> and
  - reveal the reason for a government decision and any background or contextual information that informed the decision.<sup>29</sup>
20. I acknowledge there is a public interest in workplace investigations being conducted with as sufficient a degree of transparency and accountability as to afford the parties to such an investigation (and the public generally) with an understanding of the outcome and conclusions of the investigation.

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<sup>19</sup> Schedule 4, part 2, item 7 of the RTI Act.

<sup>20</sup> I confirm that, for the remaining components of the Information in Issue which do not include the applicant's personal information, this factor does not apply.

<sup>21</sup> For example, in the External Review Application, the applicant references what they consider was an '*absence of a comprehensive and impartial collection of witness statements*'.

<sup>22</sup> Applicant's email dated 22 March 2026.

<sup>23</sup> Applicant's email dated 22 March 2026.

<sup>24</sup> The phrase 'could reasonably be expected' requires that the relevant expectation must be reasonably based and not irrational, absurd or ridiculous (*Attorney-General's Department v Cockroft* (1986) 10 FCR 180). This requires an objective examination of the relevant evidence. The expectation must be more than a mere possibility and must also arise as a result of disclosure, rather than from other circumstances (*Murphy and Treasury Department* (1995) 2 QAR 744).

<sup>25</sup> Schedule 4, part 2, item 1 of the RTI Act.

<sup>26</sup> Schedule 4, part 2, item 3 of the RTI Act.

<sup>27</sup> Schedule 4, part 2, item 5 of the RTI Act.

<sup>28</sup> Schedule 4, part 2, item 6 of the RTI Act.

<sup>29</sup> Schedule 4, part 2, item 11 of the RTI Act.

21. In this matter, the Department notified the applicant (as the complainant) of its initial decision about the grievance<sup>30</sup>—that decision outlined the substance of the investigated allegations; the relevant policies and procedures under which the grievance was investigated; the actions taken in the investigation; the types of information considered in making the decision; the investigation outcome and its reasons; and an available review right. The applicant exercised their review right and sought internal review. The applicant then received notification of the Department’s internal review decision about the grievance—that decision outlined the review considerations; the review process; the review conclusion; and the external review options then available to the applicant.<sup>31</sup> The information disclosed by the Department in response to the access application included additional information about the Department’s grievance investigation/internal review processes.<sup>32</sup>
22. These disclosures have, in my view, provided the applicant with sufficient information to understand the steps taken to investigate the matter which enabled appropriate transparency of how the Department dealt with the grievance and provided some background to the Department’s notified decisions. Taking the nature of the Information in Issue into account, I consider its disclosure may, to some extent, further advance the factors in schedule 4, part 2, items 1, 3 and 11 of the RTI Act by providing a more complete picture of the information which was available to the Department when investigating the grievance. On that basis, I afford these factors moderate weight.
23. Although the applicant has explained why they are dissatisfied with how the grievance was handled by the Department,<sup>33</sup> this of itself does not give rise to the public interest considerations in schedule 4, part 2, items 5 and 6 of the RTI Act. Taking the nature of the Information in Issue into account, I am not satisfied that its disclosure could be expected to allow or assist enquiry into, reveal or substantiate, any agency or official conduct deficiencies. Accordingly, I do not consider these public interest factors apply.
24. The applicant contends that the Information in Issue ‘*likely*’ includes particular types of information that ‘*informed*’ the Department’s submissions to a separate process and they consider those submissions were ‘*materially inaccurate*’.<sup>34</sup> I have therefore considered whether the public interest factor in schedule 4, part 2, item 12 of the RTI Act applies to the Information in Issue—that factor arises where disclosing information could reasonably be expected to reveal that the information was incorrect, out of date, misleading, gratuitous, unfairly subjective or irrelevant, a further public interest factor will arise.<sup>35</sup>
25. The applicant submitted this factor applies because ‘*where material has been gathered from multiple individuals about a contentious workplace incident, and where that material may have contributed to adverse consequences for the person concerned, there is a real public interest in enabling that person to examine whether the information is incomplete, lacking in context, selective, inconsistent, or otherwise unfair in its effect*’.<sup>36</sup> Information of the nature referenced by the applicant generally includes the individuals’ observations

<sup>30</sup> I note that the External Review Application attached a copy of this decision and that the information which the Department disclosed in response to the access application included a copy of this decision.

<sup>31</sup> The options include appeal and complaint processes.

<sup>32</sup> Such as the Department’s ‘*Individual employee grievance procedure*’, which I note was referenced in the Department’s decisions and also lists the external review options that are available under the Department’s grievance processes.

<sup>33</sup> For example, in the External Review Application the applicant submitted that the Department should have clarified the origins of a particular document and that they considered input had been ‘selectively sought’ only from those whose conduct or judgment may have been called into question, rather than from all individuals present at the incident which was the subject of the grievance.

<sup>34</sup> External Review Application. To avoid identifying the applicant, I cannot provide any further detail about that separate process in this decision. Given the restrictions imposed by section 108 of the RTI Act, I also cannot address the applicant’s assumptions about the content of the Information in Issue.

<sup>35</sup> Schedule 4, part 2, item 12 of the RTI Act.

<sup>36</sup> Applicant’s email dated 22 March 2026.

and versions of events which are shaped by factors such as the individuals' memories of relevant events and their subjective impressions. This inherent subjectivity does not itself mean that the information is necessarily incorrect, misleading or unfairly subjective.<sup>37</sup> I have carefully reviewed the Information in Issue (together with the applicant's submissions and the information which has been released to the applicant). There is nothing before me which suggests that the Information in Issue is incorrect, out of date, misleading, gratuitous, unfairly subjective or irrelevant. Accordingly, I do not consider this factor applies.

26. Under the RTI Act, further factors favouring disclosure will also arise where disclosing information could reasonably be expected to advance the fair treatment of individuals in accordance with the law in their dealings with agencies<sup>38</sup> and contribute to the administration of justice generally, including procedural fairness.<sup>39</sup> The public interest factor relating to fair treatment is about providing information to advance fair treatment in an applicant's future dealings with agencies.<sup>40</sup> I also note that the fundamental requirements of procedural fairness—that is, an unbiased decision-maker and a fair hearing—should be afforded to a person who is the subject of a decision.<sup>41</sup> The applicant considers these factors apply to favour disclosure of the Information in Issue and, more specifically, submitted:<sup>42</sup>

*The grievance decisions themselves do not exhaust the question of procedural fairness. Procedural fairness is not limited to receiving an outcome letter. It also concerns whether a person has had a meaningful opportunity to understand and respond to credible, relevant and significant adverse material bearing upon them. To the extent the withheld information includes statements or accounts that informed the Department's understanding of the [incident the subject of the grievance] or contributed to adverse conclusions, impressions or narratives concerning me, access to that material, or at least to its substance, would advance procedural fairness.*

27. Here, the applicant was the complainant, not the subject of the grievance. The applicant provided information to the Department in support of their grievance and there is no evidence before me which suggests that such information was not taken into account in the Department's investigation. The applicant was also notified of their review rights as part of the Department's grievance processes (and exercised their right to seek internal review of the initial grievance decision). In these circumstances, I am not satisfied that procedural fairness dictates that the applicant, as complainant, should be provided with the Information in Issue. While the applicant has submitted that the workplace incident has had significant reputational and professional consequences,<sup>43</sup> there is no evidence before me which indicates that disclosing the Information in Issue would, given its nature, advance the applicant's fair treatment in their future dealings with the Department (or any other agency) in any meaningful way. On this basis, while these factors may apply to some of the Information in Issue, I afford them only low weight.

<sup>37</sup> *Marshall and Department of Police* (Unreported, Queensland Information Commissioner, 25 February 2011) at [15]-[20]; *Brodsky and Gympie Regional Council* [2014] QICmr 17 (2 May 2014) at [32].

<sup>38</sup> Schedule 4, part 2, item 10 of the RTI Act.

<sup>39</sup> Schedule 4, part 2, item 16 of the RTI Act.

<sup>40</sup> In *F60XCX and Department of Natural Resources and Mines* [2017] QICmr 19 (9 June 2017) at [101], it was also confirmed that this public interest factor does not require a decision-maker to ensure that an applicant is provided with sufficient information to enable that applicant to be subjectively satisfied that they have received fair treatment.

<sup>41</sup> *Kioa v West* (1985) 159 CLR 550 (*Kioa*) at 584 per Mason J. Accordingly, the person who is the subject of a decision must be provided with an opportunity to deal with adverse information that is credible, relevant and significant to the decision (*Kioa* at 629 per Brennan J citing *Bushell v Environment Secretary* [1981] A.C., at p. 97. (Lord Diplock)).

<sup>42</sup> Applicant's email dated 22 March 2026.

<sup>43</sup> Applicant's email dated 22 March 2026.

28. A public interest factor favouring disclosure will arise where disclosing information could reasonably be expected to contribute to the administration of justice for a person.<sup>44</sup> In determining whether this public interest factor applies, I must consider whether the applicant has suffered loss, damage, or some kind of wrong, in respect of which a remedy is, or may be, available under the law; the applicant has a reasonable basis for seeking to pursue the remedy; and disclosing the information held by an agency would assist the applicant to pursue the remedy, or evaluate whether a remedy is available or worth pursuing.<sup>45</sup>
29. The applicant has explained that they seek access the Information in Issue to 'assess and, where appropriate, pursue or obtain advice in relation to available complaint, review and legal avenues arising from the handling of the incident and its consequences'.<sup>46</sup> The applicant further submitted that, without this access, they are placed in the position of having to assess the availability and utility of those avenues 'without being able to properly test the factual material gathered and relied upon by the Department'.<sup>47</sup> However, the applicant's submissions do not identify any particular remedy which they are pursuing or evaluating. Nor has the applicant explained how they require all of the Information in Issue to pursue or evaluate any such remedy.
30. The applicant received notification of the Department's grievance decisions which, as I have noted in paragraph 21 above, outlined the reasons for those decisions and identified the nature of the information considered in reaching those decisions. The Department's internal review decision also identified the appeal, complaint and review options that were available to the applicant. In these circumstances, and noting the nature of the Information in Issue, I do not consider this public interest factor applies to favour disclosure.
31. I have carefully considered all the factors listed in schedule 4, part 2 of the RTI Act and the applicant's submissions. Having done so, and given the nature of the Information in Issue, I cannot identify any other public interest considerations favouring disclosure.<sup>48</sup>

### **Factors favouring nondisclosure**

32. The RTI Act recognises that disclosing an individual's personal information to someone else can reasonably be expected to cause a public interest harm<sup>49</sup> and that disclosing information which could reasonably be expected to prejudice the protection of an individual's right to privacy gives rise to a public interest factor favouring nondisclosure.<sup>50</sup>

<sup>44</sup> Schedule 4, part 2, item 17 of the RTI Act.

<sup>45</sup> *Willsford and Brisbane City Council* (1996) 3 QAR 368 at [17] and confirmed in *10S3KF and Department of Community Safety* (Unreported, Queensland Information Commissioner, 16 December 2011) at [16]-[17]. In *Deemal-Hall v Office of the Director of Public Prosecutions* [2024] QCATA 131 (**Deemal**), Judicial Member DJ McGill SC confirmed, at [12], that this public interest factor 'refers to the ordinary processes for the administration of justice for a person'. As the External Review Application makes reference to the denial of 'potentially exculpatory or contextual documents' in the context of separate processes that have been pursued by the applicant, I also note that the access right under the RTI Act was not intended to operate as an adjunct to other disclosure processes or replicate those other disclosure processes (refer to *Phyland and Department of Police* (Unreported, Queensland Information Commissioner, 31 August 2011) at [24], cited with approval in *Endeavour Foundation and Department of Communities, Child Safety and Disability Services; 32SGRU (Third Party)* [2017] QICmr 37 (31 August 2017) at [28]).

<sup>46</sup> Applicant's email dated 22 March 2026.

<sup>47</sup> Applicant's email dated 22 March 2026.

<sup>48</sup> I cannot see how disclosing the Information in Issue could, for example, contribute to positive and informed debate on important issues or matters of serious interest or ensure effective oversight of expenditure of public funds (schedule 4, part 2, items 2 and 4 of the RTI Act). In the event that further relevant factors exist in favour of disclosure, I am satisfied that there is no evidence before me to suggest that any would carry sufficient weight to outweigh the weight that I have afforded to the public interest factors that favour the nondisclosure of the Information in Issue.

<sup>49</sup> Schedule 4, part 4, section 6 of the RTI Act. If information meets the definition of personal information in section 12 of the IP Act, this public interest factor applies (*Deemal* at [27]).

<sup>50</sup> Schedule 4, part 3, item 3 of the RTI Act. The concept of 'privacy' is not defined in the IP Act or the RTI Act. It can, however, essentially be viewed as the right of an individual to preserve their 'personal sphere' free from interference from others (paraphrasing the Australian Law Reform Commission's definition of the concept in *For your information: Australian Privacy Law and Practice* Australian Law Reform Commission Report No. 108 released 12 August 2008, at paragraph 1.56).

33. I am satisfied that the Information in Issue comprises the personal information of individuals other than the applicant. This information, which is about or was provided by other individuals, appears in the context of a workplace grievance investigation. Having carefully reviewed this information, I consider its disclosure under the RTI Act (where there can be no restriction on its use, dissemination or publication) could be expected to lead to a significant level of harm. I am also satisfied that disclosing this information would significantly intrude into the privacy of these other individuals. For these reasons, I afford significant weight to these factors relating to personal information and privacy.
34. As I have noted above, the Information in Issue includes some of the applicant's personal information and, where such information appears, it is intertwined with the personal information of other individuals. In this regard, the applicant submitted that *'the privacy interests identified by OIC can be protected by less restrictive means than total refusal'*.<sup>51</sup> That is, the applicant considers the Information in Issue can be de-identified or partially released (via redaction of information such as *'names and identifying details of third parties'*). However, having carefully reviewed the Information in Issue, I consider it is not reasonably possible to separate the applicant's personal information from the personal information of other individuals. In the circumstances of this matter (in particular, noting the nature of the investigated grievance and the specific terms of the access application), I also do not consider it is possible to de-identify any of the Information in Issue. Accordingly, I am satisfied that the redactions suggested by the applicant would be insufficient to negate, or reduce, the harm and prejudice that I consider would arise from disclosure of the Information in Issue.
35. Public interest factors will also arise to favour nondisclosure in circumstances where disclosing information could reasonably be expected to prejudice an agency's management function<sup>52</sup> or its ability to obtain confidential information.<sup>53</sup> There is a strong public interest in protecting the ability of agencies to obtain information which is relevant to the investigation of complaints (including the opinions and observations of concerned individuals).<sup>54</sup> Routinely disclosing information which has been provided to a workplace investigation would, in my view, tend to discourage individuals from coming forward with relevant information or participating openly in future investigations, particularly where the information has been provided on a confidential basis. This, in turn, could reasonably be expected to adversely impact an agency's ability to conduct workplace investigations and manage its staff.
36. The grievance allegations are quite personal in nature. I note that the Department's *'Individual employee grievance procedure'*<sup>55</sup> confirms an expectation that employees will engage in the grievance management and resolution process *'in good faith, respecting the confidentiality of the process and its outcomes'*. In these circumstances, while it is reasonable to expect that staff would have supplied information to the workplace investigation on the understanding that it would be used for that investigation (and in any subsequent disciplinary processes), I consider they would not have contemplated disclosure of such information under the RTI Act (where there can be no restriction on its use, dissemination or republication). In these circumstances, I consider that disclosing the Information in Issue would have a significant and negative impact on the Department's ability to manage its staff in relation to the investigation of workplace complaints involving allegations of a personal nature. I also consider disclosure of the

<sup>51</sup> Applicant's email dated 22 March 2026.

<sup>52</sup> Schedule 4, part 3, item 19 and schedule 4, part 4, section 3(c) of the RTI Act.

<sup>53</sup> Schedule 4, part 3, item 16 and schedule 4, part 4, section 8 of the RTI Act.

<sup>54</sup> *Stella v Griffith University* [2025] QCATA 20 (18 March 2025).

<sup>55</sup> As I have noted, this was referenced in the Department's decisions and a copy formed part of the information disclosed to the applicant in response to the access application.

Information in Issue, outside the investigation process and under the RTI Act, could reasonably be expected to discourage staff from providing relevant information, or participating openly, in future workplace investigations, thereby substantially prejudicing the future flow of information to investigators. For these reasons, I afford these factors significant weight in favour of nondisclosure.

***Balancing the public interest***

37. I have identified and considered above the public interest factors which may be relevant to the Information in Issue.
38. For the applicant's personal information within the Information in Issue, I have afforded significant weight to the public interest factor which favours disclosure of an applicant's personal information (noting that where this personal information of the applicant appears, it is intertwined with the personal information of other individuals). I have also identified further public interest factors relating to government accountability and transparency, fairness and the general administration of justice which favour disclosure. For the reasons addressed above, I afford moderate and low weight to these factors.
39. On the other hand, I have identified a number of factors which favour nondisclosure of the Information in Issue. For the reasons addressed above, I afford significant weight to these nondisclosure factors, which relate to personal information and privacy, an agency's management function and an agency's ability to obtain confidential information.
40. On balance, I am satisfied that the public interest factors favouring nondisclosure of the Information in Issue outweigh the factors favouring disclosure. Accordingly, I find that disclosure of the Information in Issue would, on balance, be contrary to the public interest and access may be refused on that basis.<sup>56</sup>
41. The above are the reasons for my decision set out at paragraph 1.

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<sup>56</sup> Under sections 47(3)(b) and 49 of the RTI Act.