



Australian Government

Department of Home Affairs

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# **Department of Home Affairs' submission on draft directions as to certain procedures to be followed in Information Commissioner Reviews**

Response to OAIC on draft guidelines

30 June 2023

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# Feedback Submission

## Departmental FOI context

The Department of Home Affairs (the Department) appreciates the opportunity to comment on the Australian Information Commissioner's draft Direction on certain procedures to be followed in IC reviews, including the extension of time to provide this submission.

The Department's FOI caseload is characterised by large volumes of applications, for example this financial year to end of May over 2.7 million pages have been released. As the Commissioner is aware, over the past financial years, the Department has made business improvements to best manage this large volume of requests including ongoing efforts to reduce the backlog of overdue requests.

This financial year (to end of May 2023) the Department has received 588 IC reviews and finalised 627 reviews. The vast majority (approximately 76 per cent) of the reviews were for requests deemed refused under section 15AC of the Act as the statutory timeframe had lapsed. The applicant subsequently withdrew their review once a revised decisions was made.

The other smaller cohort of reviews received are substantive reviews where the applicant is contesting the decision made by the Department's delegated decision makers.

The Department welcomes clear guidelines from the OAIC to support agencies in line with the goals of the FOI Act and support members of the public to navigate the FOI process.

However, these draft guidelines create some concern in terms of proposed value add, operational feasibility, costs to the taxpayer and staff safety. This is particularly true for the proposed requirements for engagement with applicants. These concerns and recommendations are detailed in this submission.

## Submissions on each draft provision

The Department's feedback is specific to certain procedures outlined in the table (below) which it identifies as potentially having significant impact on its workforce, resources and process. Noting, not all procedures listed in this table have we provided commentary, as we accept these procedures as normal to our current business processes.

Also, these comments are in the context of the current legislative framework in the FOI Act noting the Department has provided a series of recommendations of legislative changes in a submission to the Senate Inquiry in to federal FOI laws which include recommendations regarding IC review process.

### Direction as to certain procedures to be followed in IC reviews

1. About this Direction	Home Affairs comments
<p>1.1 This Direction is given by the Australian Information Commissioner under s 55(2)(e)(i) of the Freedom of Information Act 1982 (the FOI Act) in relation to Information Commissioner (IC) reviews generally.</p>	<p>The Department recommends that the commencement date of the Direction be negotiated with agencies so there is appropriate time to implement the changes in how it manages</p>

**Direction as to certain procedures to be followed in IC reviews**

**1.2** The purpose of this Direction is to set out the particular procedures that agencies and ministers are required to follow during IC reviews, including procedures relating to:

- deemed access refusal decisions
- a requirement to engage, or make reasonable attempts to engage, with IC review applicants during the IC review for the purpose of genuinely attempting to resolve or narrow the matters at issue in the IC review
- the production of documents and submissions.

**1.3** This Direction does not apply to the extent it is inconsistent with a provision of the FOI Act, another enactment or a specific direction made in a particular IC review.

**1.4** This Direction is not a legislative instrument.

**1.5** This Direction has effect from 1 July 2023.

these Directions. Departmental implementation of these guidelines as written would require:

- Additional staffing resources.
- staff consultation processes including health and safety assessments in line with WHS Act and the Department’s work determination provisions.
- system changes including ICT development cost and timeframes.
- staff training including updates to Departmental procedural instructions.

**2. General principles**

**2.1** IC review procedures are found in Part VII of the FOI Act. The IC review process is intended to be an informal, non-adversarial and timely means of external merits review of decisions by agencies and ministers in relation to FOI requests. Part 10 of the Guidelines issued by the Australian Information Commissioner under s 93A of the FOI Act, to which ministers and agencies must have regard in performing a function or exercising a power under the FOI Act, sets out in detail the process and underlying principles of IC review.

The Department supports these principles.

**2.2** Before commencing an IC review, the Information Commissioner will notify the relevant agency or minister that an applicant has applied for IC review of the agency or minister’s decision (s 54Z notice of IC review).

The Department recommends that when OAIC issues its s54Z notice, it provides the Department with information about the elements of the decision the applicant disputes (particularly where a substantive decision has been made on a previously deemed refusal decision) and any elements the IC may want specifically covered in our submission. This would aid decision makers to understand the concerns with the substantive decision and better target the drafting of timely submissions.

**Direction as to certain procedures to be followed in IC reviews**

- |            |   |            |
|------------|---|------------|
| <b>2.3</b> | Section 55(2)(a) of the FOI Act authorises the Information Commissioner to conduct an IC review in whatever way the Information Commissioner considers appropriate. Section 55(2)(d) of the FOI Act allows the Information Commissioner to obtain any information from any person and to make any inquiries that the Information Commissioner considers appropriate.  | No comment |
| <b>2.4</b> | In general, IC reviews will be conducted on the papers unless there are unusual circumstances to warrant a hearing. Therefore, complete and timely production of documents at issue, submissions and any other information that has been requested is important.  | No comment |
| <b>2.5</b> | Under s 55DA of the FOI Act, agencies and ministers must use their best endeavours to assist the Information Commissioner in the conduct of IC reviews. Under s 55D(1) of the FOI Act, agencies and ministers have the onus of establishing that a decision refusing access is justified or that the Information Commissioner should give a decision that is adverse to the IC review applicant in an IC review of an access refusal decision. The Information Commissioner will make a decision in an IC review on the basis of the evidence before them. Failure to properly satisfy the onus in s 55D(1) by providing the Information Commissioner with complete and appropriate evidence for an access refusal decision will increase the likelihood of a decision being made that is adverse to an agency or minister. | No comment |
| <b>2.6</b> | Section 55Z of the FOI Act provides immunity to a person from civil proceedings and penalties if the person gives information, produces a document or answers a question in good faith for the purposes of an IC review.  | No comment |

Direction as to certain procedures to be followed in IC reviews

3. General procedures in relation to IC review deemed refusal decisions

*Preliminary inquiries*

3.1	Where an application for IC review is made in relation to an FOI request that is deemed to have been refused under s 15AC(3), 51DA(2) or 54D(2) of the FOI Act, the Information Commissioner will undertake preliminary inquiries under s 54V of the FOI Act. In undertaking preliminary inquiries, the Information Commissioner will require the agency or minister to confirm that the relevant FOI request is deemed to have been refused.	No comment.
3.2	Agencies and ministers will have one week to respond to the Information Commissioner's preliminary inquiries.	Accepted, noting the Department would prefer 7 working days noting weekends and public holidays can often impact ability to meet the 1 week deadline.

*Commencement of review*

3.3	If the agency or minister confirms that the relevant FOI request is deemed to have been refused, or fails to respond to the Information Commissioner's preliminary inquiries, a notice under s 54Z will be issued notifying of the commencement of an IC review. This notice will be accompanied by a direction under s 55(2)(e) of the FOI Act, requiring the agency or minister to either:	
a.	make a revised decision under s 55G if the decision the agency or minister intends to make will result in the giving of access to the requested documents in full and to provide the relevant decision to the applicant and to the Information Commissioner or	Accepted

Direction as to certain procedures to be followed in IC reviews

b. make a revised decision under s 55G if the decision the agency or minister intends to make will result in the giving of access to some of the requested documents, and to provide the relevant decision and non-exempt documents to the applicant, and to provide all relevant processing documents and the documents remaining at issue to the Information Commissioner or

The Department would like some clarity on what constitutes 'relevant processing documents'. Does this extend to all consultation documents and un-redacted exempt documents?

If so this procedure will add significant strain on our officers who would need to send one email to the applicant (decision letter) with attachments and then duplicate this process in a separate email to the IC.

This in turn creates increased administration including record keeping, correspondence and potential consultations with business areas and third parties. Privacy considerations need to be thought through here.

We also note that as processing documents are not in scope it follows that providing these documents will change the scope of the request and potentially add further practical refusal reasons.

c. make submissions in support of the access refusal if the agency or minister intends refusing access to the requested documents and to send those submissions to both the Information Commissioner and the applicant. The agency or minister must also provide all relevant processing documents and exempt documents to the Information Commissioner under s 55T of the FOI Act.

Generally, we consider the implications of sending documents/submissions to FOI applicants would lead to further interactions with applicants who disagree with our submissions. By this stage the Department has already had significant interactions upfront with the applicant via its web form, information on its website and in the initial stages of the process.

To do away with some of the administrative burden it makes sense to fix this through changes to the legislative process, as opposed to changes to the procedures. As provided in our submission to the FOI inquiry, we would like to see an amendment to s 54L(2) to enable agencies to undertake internal review of all substantive access refusal decisions prior to IC review rights being activated.

We would also be reluctant to send submissions to applicants as many access refusal decisions entail requests that are too voluminous and have practical refusal reasons.

If we were to provide all documents including large files, then several emails would need to be sent. This burdensome process would add to the unreasonable diversion of resources.

Direction as to certain procedures to be followed in IC reviews

Also, this would place a significant burden on our resources and administrative processes and likely require investment in systems solutions to offset the impacts.

Changes to the legislation to enable internal review would enable agencies to identify and quickly remedy any errors in FOI decision-making, implement a positive feedback loop to support training and development of staff, reduce the administrative burden currently associated with processing IC reviews, and provide agencies with greater ability to manage internal resources and caseloads.

3.4 Agencies and ministers will have 3 weeks to respond to the Information Commissioner's written direction.

The Department recommends consideration of using workdays rather than calendar days for all timeframes to avoid the time lost in weekends and public holidays.

4. General procedures in relation to review of other access refusal and access grant decisions

*Commencement of review*

4.1 The Information Commissioner will issue a notice under s 54Z of the FOI Act to advise the respondent agency or minister of the commencement of the IC review (s 54Z notice).

No comment

*Requirement to engage with the applicant*



Direction as to certain procedures to be followed in IC reviews

4.2 The s 54Z notice will also require the agency or minister to engage, or make reasonable attempts to engage with, the IC review applicant during the IC review, for the purpose of genuinely attempting to resolve or narrow the issues in dispute in the IC review.

The Department questions the value of the proposed obligation to engage all applicants for all reviews noting it would impact on timeliness.

Where direct contact would assist to resolve a review, the Department already engages with review applicants at the initial stages of the process. The Department recommends the IC requests the applicant provide the issues at dispute in their review submission to the IC so submissions can target these issues allowing for more timely provision.

It is unclear how mandatory engagement would benefit the reviews process especially where:

- no substantive decision has been made.
- there are exemption claims that the applicant disputes and which cannot be resolved.
- where there is risk the exempt information could be inadvertently disclosed in conversation such as s33 exemptions.
- the applicant is unwilling/unable to revise the scope to resolve practical refusal issues.
- the Department consider all searches have been conducted.

If the applicant has not taken the opportunity to request internal review, it follows the applicant may not want to engage with the Department any further and so are seeking independent review.

The Department also considers the psychosocial and physical risks that would be placed on our staff when discussing outcomes with disgruntled clients, is unacceptable, particularly where the value of this process in resolving reviews are unclear.

As we consider it unconstructive to engage with 'all' review applicants, particularly where there is no value to be added, we recommend that this provision be changed to allow for agencies to assess which applicants it is valuable to engage with where there is no risk to our staff.

Direction as to certain procedures to be followed in IC reviews

- 4.3 Engagement with IC review applicants will comprise a telephone or video conference between the applicant and the agency or minister. The agency or minister will be responsible for contacting the applicant and making the necessary arrangements for the engagement process. The OAIC will not be involved in making such arrangements or in attending the telephone or video conference.
- The Department would require additional funding to implement this process across our review's caseload including systems supports to manage appointments, updates to software and additional staffing resources.
- Again the proposed value of this process for all review applicants is unclear and don't appear to offset the administrative burden.
- The Department recommends this part of the draft guidelines be removed or adjusted to allow for agencies to engage in this process where beneficial.

**Response to s 54Z notice**

- 4.4 The agency or minister will generally have 8 weeks to respond to the Information Commissioner's s 54Z notice. The 8 week timeframe takes into account the time needed to contact and make arrangements with the applicant for the engagement process, and to reach agreement, where relevant. It is not expected that agencies or ministers will require any additional time. The Information Commissioner will consider any request for an extension of time on a case-by-case basis. However it is expected that it will only be in extenuating circumstances that any further extension to time will be granted.
- The proposed 8 weeks for response to a 54Z is accepted. Currently, OAIC provide 3 weeks, in which often requires the Department to request an extension of time (EOT), particularly for bulk notice requests.
- Therefore, 8 weeks provided would often remove the additional administration of the EOT process.
- The Department would likely still need to engage in the EOT process for some of our reviews so it is requested further guidance be provided regarding what constitutes 'extenuating circumstances' for EOT requests in these guidelines.
- 4.5 Respondent agencies and ministers must provide the Information Commissioner with evidence of the action they have taken to address the issues identified in the IC review application, or actions taken to contact the applicant.
- See comments in 4.2 and 4.3
- Adding to the review submission process/documentation will impact timeliness and again it is unclear the benefits of this new measure.
- The Department recommends this part of the draft guidelines be removed.

Direction as to certain procedures to be followed in IC reviews

<p>4.6 The evidence to be provided to the Information Commissioner will include:</p> <ul style="list-style-type: none"><li>• evidence that the agency or minister has taken genuine and reasonable steps to contact the IC review applicant, including any written correspondence issued to the applicant and any file notes of telephone calls made to the applicant</li><li>• evidence of communications and any correspondence with the IC review applicant that demonstrates the attempts made by the parties to resolve the issues in dispute, including any proposals made by the agency or minister to resolve the IC review informally, and any response from the applicant</li><li>• evidence of the outcome of the engagement between the agency or minister and the IC review applicant, including any evidence the applicant has notified the agency or minister in writing that their IC review application is withdrawn as a result of the agency or minister's contact with the applicant.</li></ul>	<p>See comments in 4.2 and 4.3.</p> <p>Adding to the review submission process/documentation will impact timeliness and again it unclear the benefits of this new engagement measure.</p> <p>The Department recommends this part of the draft guidelines be removed.</p>
<p>4.7 In the event that not all issues in dispute in the IC review are resolved through the engagement process with the IC review applicant, respondent agencies and ministers should consider whether to make a revised decision under s 55G of the FOI Act.</p>	<p>The Department recommends the engagement process of the draft guidelines be removed but guidelines to consider making a revised decision are acceptable.</p>
<p>4.8 If the respondent agency or minister decides not to make a revised decision under s 55G giving full access in accordance with the applicant's FOI request, agencies and ministers are required to provide the Information Commissioner with the FOI request processing documents and marked up copies of the exempt documents at issue in the IC review (if applicable)</p>	<p>No comment.</p>

5. General procedure for production and inspection of documents

*Production of documents*

**Direction as to certain procedures to be followed in IC reviews**

<b>5.1</b>	<p>The Information Commissioner has various powers to require the production of information and documents under the FOI Act. These powers are outlined in Annexure 1 to this Direction. In addition to the Information Commissioner's information gathering powers under Division 8 of the FOI Act, the Information Commissioner is able to obtain any information from any person, and to make any inquiries, that are considered to be appropriate under s 55(2)(d) of the FOI Act. Therefore, when the Information Commissioner commences an IC review by issuing a notice of IC review, the Information Commissioner will also request relevant information and documents to progress the IC review.</p>	No comment
<b>5.2</b>	<p>Document production requirements may vary from case to case depending on the issues being considered (application of exemptions, searches, charges or practical refusal). In relation to IC reviews involving the application of exemptions under the FOI Act, the Information Commissioner will require the agency or minister to provide a marked up and unredacted copy of the documents at issue in electronic format and the documents setting out any relevant consultations (for example, under sections 26A, 27 or 27A of the FOI Act).</p>	No comment
<b>5.3</b>	<p>In providing the Information Commissioner with a marked up copy of relevant documents, agencies and ministers must ensure that all redactions pursuant to an exemption, or deletions on the basis of relevance pursuant to s 22(1)(a)(ii) of the FOI Act, are clearly marked with reference to the relevant provision of the FOI Act that the redactions or deletions are made under. A schedule of marked up documents must also be included.</p>	No comment
<b>5.4</b>	<p>In IC reviews where an agency or minister claims that documents cannot be found or do not exist, the Information Commissioner will require the agency or minister to provide evidence of the searches that have been undertaken to find relevant documents.</p>	No comment

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<b>5.5</b>	In IC reviews involving a charge or a practical refusal reason, the Information Commissioner may require the agency or minister to provide a sufficiently representative sample of documents considered to be within the scope of the request.	No comment
<b>5.6</b>	Agencies and ministers must provide their response within the timeframe set out in the notice, unless an extension of time has been sought and granted. However as noted at [4.4], the Information Commissioner considers that it will only be in extenuating circumstances that any further extension to time will be granted. If an agency or minister requires an extension of time to respond to a notice of IC review, the agency or minister must make a request in writing to the Information Commissioner with supporting evidence of the need for the extension prior to the due date.	It would be helpful to know what the OAIC will qualify as extenuating circumstances which will enable us to understand what evidence is to be provided.
<b>5.7</b>	Where an agency or minister fails to provide information and documents within the initial or extended timeframe, or requests another extension, the Information Commissioner may proceed to require the provision of information and the production of documents pursuant to s 55R of the FOI Act (discussed at Annexure 1 to this Direction).	No comment

***Inspection of documents***

<b>5.8</b>	Inspection of the documents at issue by the Information Commissioner in response to a request for production will only be considered in very limited situations where the agency or minister can demonstrate that the circumstances warrant inspection rather than the direct production of copies of the marked up documents.	No comment
<b>5.9</b>	What constitutes these very limited circumstances is not prescriptive and will be determined on a case-by-case basis. The onus is on the requesting agency or minister to justify that circumstances exist that warrant inspection.	No comment

**Direction as to certain procedures to be followed in IC reviews**

**5.10** If an agency or minister is of the view that there are circumstances that justify inspection, the Information Commissioner will require the agency or minister to provide a written request for inspection together with supporting reasons prior to the due date in the s 54Z notice of IC review. No comment

**5.11** The Information Commissioner considers that inspection will not be warranted where the documents at issue are subject to conditional exemptions. The Information Commissioner considers that inspection may be appropriate in some circumstances where the documents at issue are subject to a national security, Cabinet or Parliamentary Budget Office exemption claim (ss 33, 34 and 45A of the FOI Act). However, the requesting agency or minister must satisfy the Information Commissioner that the circumstances warrant inspection. No comment

**5.12** If the Information Commissioner agrees to an agency's or minister's request for inspection, the agency or minister will be required to undertake all necessary arrangements to facilitate the inspection. Unless otherwise agreed, this will occur at the Information Commissioner's office. No comment

**6. General procedures in relation to submissions made during an IC review**

***General principles***

**6.1** All parties to an IC review will be given a reasonable opportunity to present their case through written submissions. No comment

**6.2** Written submissions will be sought from parties following the completion of the initial triage and early resolution process and once the matter has been assigned to a review adviser for substantive review/case management. No comment

**Direction as to certain procedures to be followed in IC reviews**

**6.3** In seeking submissions from agencies and ministers in support of the IC reviewable decision, the OAIC will require the agency or minister to send their submissions to the applicant at the same time as they are sent to the Information Commissioner. The applicant will then have the opportunity to make submissions in response. The applicant will be required to send their submissions to the agency or minister at the same time as they are sent to the Information Commissioner.

The Department considers it may be impractical to send submissions to the applicant and it potentially increases our risk of breaching privacy.

Currently, submissions are sent to the OAIC which they send through to the applicant and we consider it is more appropriate for the OAIC to circulate submissions to the applicant as they are the party responsible for conducting the review.

This would also avoid client confusion regarding who to contact about the status of their review resulting in the IC missing out on client responses impacting sound procedural fairness and decision making.

The Department recommends the IC guides agencies to delineate submissions in to documents for the applicant to make it easier for the IC to share those separately to any material that is not to be provided to the applicant, such as the documents within scope or any confidential submissions.

**6.4** Subject to [6.6], the Information Commissioner will not accept any further submissions from either party to the IC review.

The Department supports considerations of approaches that will reduce the need for multiple submissions for reviews to improve timeliness for all parties.

**6.5** The Information Commissioner will generally provide each of the parties with 4 weeks to make their submissions.

Currently, there is ongoing back and forth between the Department and the IC to pin point the issues in dispute to be made in submissions.

For these proposed provisions to be feasible, the initial request for submissions would need to detail the issues at dispute from the client and the IC, so the decisions makers target their responses in consultation with relevant internal business areas and/or third parties.

**6.6** The Information Commissioner will contact the parties after receipt of submissions if procedural fairness requirements are identified or where a preliminary view can be provided to an agency that may result in an agency or minister making a revised decision under s 55G of the FOI Act.

Avoiding the need for multiple clarifications on the specific elements of the original decisions that are in dispute, would allow for more timely submissions that target the key issues.

There also needs to be ability to go beyond the 4 week period proposed here where circumstances prevent a submission meeting this deadline.

***Request to make submissions in confidence***

**Direction as to certain procedures to be followed in IC reviews**

<b>6.7</b>	If an agency or minister wishes to make a submission in confidence, a request for the submission to be treated in confidence must be made before providing the submission. Any request for confidentiality must be accompanied by reasons to support such a claim, including whether the submission would reveal the contents of the documents at issue.	No comment
<b>6.8</b>	Where the Information Commissioner accepts a submission in confidence, agencies and ministers must provide a version of the submission that can be shared with the applicant	No comment
<b>6.9</b>	If the Information Commissioner forms the view that the submission does not disclose exempt matter, or is otherwise not inherently confidential, the Information Commissioner will advise the agency or minister of this view and invite the agency or minister to withdraw the claim for confidentiality with respect to the submission. If the agency or minister does not wish to withdraw the claim for confidentiality they may elect to withdraw the submission because it will not be considered by the Information Commissioner to make a decision under s 55K of the FOI Act on the issues in the IC review.	The Department is of the view that it only provides submissions where it considers the material significant to the decision.

***Consideration of submissions***

<b>6.10</b>	The Information Commissioner will generally proceed with the IC review on the basis of the evidence provided in response to the s 54Z notice, and submissions.	Accepted
<b>6.11</b>	Where the Information Commissioner makes a decision on IC review pursuant to s 55K of the FOI Act, the Information Commissioner will quote or summarise an agency's or minister's non-confidential submissions in the published decision. If a confidential submission is relied on by the Information Commissioner in making a decision on the IC review, this will be noted in the decision without revealing the confidential material	Accepted



**Direction as to certain procedures to be followed in IC reviews**

<b>6.12</b>	In providing submissions, agencies and ministers should be mindful of their obligation to assist the Information Commissioner pursuant to s 55DA of the FOI Act and their onus under s 55D of the FOI Act. As it may be appropriate for an IC review to proceed to a decision under s 55K of the FOI Act on the basis of a response to a notice of IC review, it is in agency's and ministers' interests to put forward all relevant contentions and supporting reasons in response to the notice of review	No comment
<b>6.13</b>	Agencies and ministers should be aware that if they do not make submissions when an opportunity to do so has been provided, the review may proceed to a decision under s 55K of the FOI Act without any further opportunity to make submissions.	It is the Department's preference to be provided the opportunity to address the IC's concerns prior to a decision being made.

**7. Non-compliance with this Direction**

<b>7.1</b>	Because the model litigant obligation under the Legal Services Directions 2017 extends to Commonwealth entities involved in merits review proceedings, failure to adhere to the requirements of this Direction may amount to non-compliance with the model litigant obligation.	No comment
<b>7.2</b>	The Information Commissioner may report non-compliance with this Direction in the Office of the Australian Information Commissioner's Annual Report.	No comment
<b>7.3</b>	The Information Commissioner may also report non-compliance with this Direction to the Office of Legal Services Coordination in the Attorney-General's Department.	No comment
<b>7.4</b>	The Information Commissioner may also consider investigating the non-compliance under Part VIIB of the FOI Act.	No comment

## Conclusion

As provided in our submission to the FOI inquiry, the Department will continue to advocate legislative reform to the FOI Act. The Department considers the proposed changes to the Information Commissioner guidelines would be better improved through legislative changes to sections 54L(2) and 54E to enable FOI applicants' easier access to internal review on deemed refused and substantive decisions.

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For deemed refusal cases, the Department would prefer to review its decisions via the internal review process to provide a more efficient and effective administration of the Act while strengthening our decisions and timeliness to applicants. Enabling agencies to manage 15AC refused reviews would take significant pressure off OAIC in terms of IC volumes and would enable agencies to manage FOI caseloads while prioritising compelling and compassionate requests for rapid response. This change would enable the OAIC to carry out its primary function in dispute resolution without the heavy administrative burden and lengthy timeframe in which we all acknowledge affects the value of information to diminish over time.

The Department recommends elements of these draft guidelines be removed or rethought particularly where the benefits to agencies and the review applicants are unclear and the costs, safety and feasibility of implementation are of concern.

The Department welcomes further consultation on these proposed guidelines and any other future changes. It is noted the IC intends to run a workshop in July 2023 on these guidelines which Departmental representative plan to attend.