

21/05 2:55 pm

Also, something else I noticed. They seek access to "copies of all documentation containing my 'X' handle, or my name". For many of them, we don't know who the individual is. So would also need to seek clarification on that point.



Not too critical here because the chances of us holding documents (that aren't media alerts) are low, but also worth remembering that in accordance with the FOI Guidelines, if an applicant has sought access to their own personal information, we need to be satisfied of the applicant's identity before giving applicant access to documents. The protections under ss 90-92 of the FOI Act for officers disclosing documents in good faith may not apply if we have been negligent in failing to make appropriate enquiries.



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A lot of the replies are coming up with their legal names - would we say this is enough?

12/06 12:28 pm

FOI Guidelines FYI:

"An applicant's identity can nevertheless be relevant in deciding if requested documents are exempt. Where a person has submitted an FOI request for their own personal information or documents relating to their business affairs, an agency or minister's office should be satisfied of the applicant's identity before giving the applicant access to the documents, particularly where the applicant purports to seek access to their own personal or business information. The protections under ss 90–92 of the FOI Act for officers disclosing documents in good faith may not apply if an agency or minister's office has been negligent in failing to make appropriate enquiries (see [3.219]-[3.220]).

If a need arises to establish an FOI applicant's identity, an agency should seek only the minimum amount of personal information required (consistent with APP 3 in the Privacy Act). The minimum amount of personal information required will vary depending on the nature of the documents sought by the applicant and whether the documents contain sensitive material. An applicant's identity should not be provided to any third party without prior consultation and agreement by the applicant. This also applies if there is a request consultation process under ss 26A, 27 or 27A or if another agency is consulted. Nevertheless, knowing an applicant's identity may help a third party decide more easily whether to object to disclosure and to frame any specific objections, and this issue can be raised with an applicant in consultation."

Some draft standard wording:

"Dear applicant

You may wish to provide a redacted copy of a government-issued identity document with your full name, such as a driver's licence, passport, or Medicare card. It is not necessary to provide other information such as your date of birth, address, photograph, signature etc."