



Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

Our reference: FOI 23-257

Dr Will Tregoning

By Email: will@unharm.org and foi+request-10289-b3f9c3ec@righttoknow.org.au

Dear Dr Tregoning,

Decision on your Freedom of Information Request

I refer to your request of 09 May 2023, to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department), seeking access to documents under the *Freedom of Information Act 1982* (FOI Act).

1 Your request

You requested access to:

Regarding the National Road Safety Data Hub - the hub contains a chart called 'Proportion of road deaths with drugs in their system.'

Can you please supply the underlying data that is included in this chart, in tables, including details of the jurisdiction/s where that data was collected, the year of collection, and how the reported variable is defined by that jurisdiction?

2 Authority to make decision

I am authorised by the Secretary to make decisions in relation to Freedom of Information requests under section 23(1) of the FOI Act.

3 Decision

You have requested access to data that is held in computer systems ordinarily available to the Department. Pursuant to section 17 of the FOI Act, the Department has used its computer systems to produce one written discrete document that contains the information you are seeking to access.

I have decided to grant access in full to one document.

4 Material taken into consideration

In making my decision, I had regard to the following:

- the terms of your request
- the content of the document captured by your request
- the provisions of the FOI Act
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from departmental officers with responsibility for the subject matter contained in the documents captured by your request
- submissions from third parties consulted about documents which contain information concerning them

5 Legislative provisions

The FOI Act, including the provisions referred to in my decision, are available on the Federal Register of Legislation website: www.legislation.gov.au/Series/C2004A02562.

6 Your review rights

Your review rights in relation to this decision are set out at **ATTACHMENT A**.

7 Publication of material released under the FOI Act

Where I have decided to release documents to you, the Department may also publish the released material on its Disclosure Log. The Department will not publish personal or business affairs information where it would be unreasonable to do so.

For your reference the Department's Disclosure Log can be found here: www.infrastructure.gov.au/about-us/freedom-information/freedom-information-disclosure-log.

Further information

If you require further information regarding this decision, please contact the Department's FOI Section at FOI@infrastructure.gov.au.

Yours sincerely



Shona Rosengren
Assistant Secretary

Bureau of Infrastructure & Transport Research Economics (BITRE) and Bureau of Communications, Arts & Regional Research (BCARR)
Communication, Research, Strategy and Parliamentary Division

Date: 30 June 2023

YOUR REVIEW RIGHTS

If you are dissatisfied with my decision, you may apply for a review of it.

Internal review

You can request an internal review within 30 days of receiving this decision. An internal review will be conducted by a different departmental officer from the original decision-maker.

No particular form is required to apply for review although it will assist the Department if you are able to set out the grounds on which you believe that the original decision should be changed.

Applications for internal review can be sent to FOI@infrastructure.gov.au

If you choose to seek an internal review, you will also have a right to apply for Information Commissioner review (IC review) of the internal review decision once it has been provided to you if you remain dissatisfied with the decision.

Information Commissioner review or complaint

You have the right to seek a review by the Information Commissioner of this decision.

An application for IC review must be made in writing to the Office of the Australian Information Commissioner (OAIC) within 60 days of the decision.

If you are not satisfied with the way we have handled your FOI request, you can lodge a complaint with the OAIC. However, the OAIC suggests that complaints are made to the agency in the first instance.

While there is no particular form required to make a complaint to the OAIC, the complaint should be in writing and set out the reasons for why you are dissatisfied with the way your request was processed. It should also identify the Department of Infrastructure, Transport, Regional Development, Communications and the Arts as the agency about which you are complaining.

You can make an IC review application or make an FOI complaint in one of the following ways:

- online at www.oaic.gov.au/freedom-of-information/reviews-and-complaints/
- via email to foidr@oaic.gov.au
- by mail to GPO Box 5218 Sydney NSW 2001, or
- by fax to 02 9284 9666.

More information about the Information Commissioner reviews and complaints is available on the OAIC website here: www.oaic.gov.au/freedom-of-information/foi-review-process.