



Melanie Steiger

By email: foi+request-10759-f51d65bb@righttoknow.org.au

9 November 2023

Dear Melanie

**ACCESS TO DOCUMENTS UNDER THE FREEDOM OF INFORMATION ACT 1982
REF: FOI/2023/004**

I refer to your email dated 16 October 2023, seeking access to the following documents under the *Freedom of Information Act 1982* (Cth) (FOI Act):

- New South Wales statistics for involuntary hospitalisation for men, and women, between 2020 to 2023.

Decision

I am an officer authorised under subsection 23(1) of the FOI Act to make decisions in relation to requests under the FOI Act, and have been authorised to make this decision.

In relation to your request, I refuse to give access to the documents in accordance with section 24A of the FOI Act, on the basis that:

- (a) all reasonable steps have been taken to find the documents; and
- (b) I am satisfied that the documents do not exist.

I have also considered whether the Australian Institute of Health and Welfare (the Institute) could produce a written document containing the information in a discrete form under paragraph 17(1)(a) of the FOI Act. Although the Institute does hold some relevant data on involuntary treatment in mental health care, I am satisfied that the Institute could not produce a document that would fall within the scope of your request.



Application for internal review of decision

Section 54 of the Act gives you the right to apply for an internal review of my decision. An application for an internal review of my decision must be made in writing within 30 days of receipt of this letter.

No particular form is required, but it is advisable to set out in the application the grounds on which you consider that the decision should be reviewed. An application for review should be addressed to Freedom of Information at the following address:

Email: foi@aihw.gov.au

Post: Freedom of Information
General Counsel
Australian Institute of Health and Welfare
GPO Box 570, Canberra ACT 2601

Review by the Australian Information Commission

Alternatively, under s.54L of the Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

Online: <https://www.oaic.gov.au/freedom-of-information/your-freedom-of-information-rights/freedom-of-information-reviews/information-commissioner-review>

Email: foidr@oaic.gov.au

Post: Director of FOI Dispute Resolution
GPO Box 5218, Sydney NSW 2001

Phone: 1300 363 992

Additional information

I am providing you the following additional information outside of the FOI Act.

The Institute publishes data on involuntary treatment in mental health care on its website here: <https://www.aihw.gov.au/mental-health/topic-areas/involuntary-treatment>.

Yours sincerely,

C. Sorensen

Clare Sorensen
Acting General Counsel
Australian Institute of Health and Welfare