

29 December 2023

Bob

By email: [foi+request-10971-502eff16@righttoknow.org.au](mailto:foi+request-10971-502eff16@righttoknow.org.au)

Dear Bob

## DECISION – REF. NO ABC FOI 202324-047

I refer to your email sent Thursday 14 December 2023 seeking access under the *Freedom of Information Act 1982* (the **FOI Act**) to:

1. Document/s that provide viewership numbers of 'The Drum' from 1 January 2023 to 1 December 2023 (monthly figures are sufficient).
2. Document/s that outline the date that the final decision was made by ABC News director Justin Stevens, to cancel 'The Drum'.

A decision on your request is due by Monday **15 January 2024**.

### Authorisation

I am authorised by the Managing Director of the ABC to make decisions about FOI requests under s 23 of the FOI Act.

### Decision

I have identified one document that answers the scope of your request - **Document 1**, as described in **Schedule 1**, attached.

### Material taken into account

In making my decision I have considered:

- the scope of your request
- the content of the document/s requested
- the FOI Act
- the guidelines issued by the Office of the Australian Information Commissioner under section 93A of the FOI Act (**the Guidelines**)

### Locating and identifying documents

The search for documents included approaching the ABC's Audiences' team and the News team.

I consider all reasonable steps were taken to identify and locate relevant documents that answer your request. I am satisfied that the searches conducted were thorough and all reasonable steps have been taken to locate the documents relevant to your request.

### Reasons for decision

Regarding point 1, I have decided it is in the public interest to release **Document 1**. At the time of your request, the ABC did not hold a document<sup>1</sup> containing this information, however it has created one for you.

Regarding point 2, the ABC interprets your request as seeking the date the decision was made which was 11 December 2023.

### Review rights

Your review rights are set out in **Annexure A**.

Yours sincerely



**Ali Edwards**  
Head of Rights Management & FOI Decision Maker  
[foi.abc@abc.net.au](mailto:foi.abc@abc.net.au)

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### Schedule 1 – Document Schedule – FOI 202324-047

No.	Date	Description	Page/s	Access grant decision	Exemption section/s
01	December 2023	Document 1	5	Full	-

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<sup>1</sup>s 17 of the FOI Act

## **Annexure A – Your Review Rights**

If you are dissatisfied with this decision you can apply for Internal Review by the ABC, or Information Commissioner (IC) Review. You do not have to apply for Internal Review before seeking IC Review.

### **APPLICATION FOR INTERNAL REVIEW**

You have the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request. If you apply for an internal review, the Managing Director will appoint an officer of the Corporation (not the person who made the initial decision) to conduct a review and make a fresh decision.

You must apply in writing for an internal review of the decision within 30 days of receipt of this letter. No particular form is required, although it would help if you set out the reasons for review in your application.

Application for a review of the original decision should be emailed to ABC: [foi.abc@abc.net.au](mailto:foi.abc@abc.net.au)

or addressed to:       FOI coordinator  
                              ABC Legal  
                              Level 13, 700 Harris Street  
                              ULTIMO NSW 2007

### **APPLICATION FOR INFORMATION COMMISSIONER (IC) REVIEW**

Alternatively, you have the right to apply for a review by the Information Commissioner of the decision refusing to grant access to documents in accordance with your request. Your application must:

- be in writing;
- be made within 60 days of receipt of this letter;
- give details of how notices may be sent to you (for instance, by providing an email address); and
- include a copy of the decision for which a review sought.

The Information Commissioner has a discretion not to undertake a review (see Division 5, FOI Act). Please refer to the OAIC website FOI review process page for further information and/or to access the online form for applying for IC review:

<https://www.oaic.gov.au/freedom-of-information/foi-review-process>

Alternatively, application for IC Review can be emailed to: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or

addressed to:       Director of FOI Dispute Resolution  
                              GPO Box 5218  
                              Sydney NSW 2001

### **COMPLAINTS TO THE INFORMATION COMMISSIONER**

You may complain to the Information Commissioner about any action taken by the ABC in the performance of functions, or exercise of powers, under the FOI Act. The Information Commissioner may make inquiries for the purpose of determining whether or not to investigate a complaint.

Complaints can be made in writing to: OAIC - GPO Box 5218 Sydney NSW 2001