



Dear Asher Wolf

Thank you for your email of Friday 14 December 2018 which requested a copy of all Australian Institute of Health and Welfare ('AIHW') reports and data mentioning *Ehlers-Danlos Syndrome* from 1998 to 2018.

Decision

Having considered your request, I am satisfied that the scope of your request creates a practical reason for refusing your request.

A 'practical refusal reason' exists for the purposes of sub-paragraph 24AA(1)(a)(i) of the *Freedom of Information Act 1982* if, in the case of an agency, the work involved in processing the request would substantially and unreasonably divert the resources of the agency from its other operations. In my view, the wording of your request would require the AIHW to undertake an unreasonable diversion of resources to identify and collate 'all' the potential 'reports and data' that the AIHW produced over a 20 year period (between 1998 to 2018) that mentions *Ehlers-Danlos Syndrome* in any way.

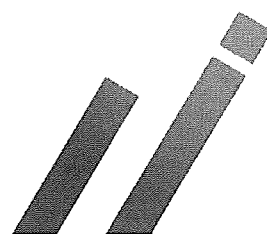
I also note that the Office of the Australian Information Commissioner ('the OAIC') has stated that the FOI Act is not intended to cover documents that are otherwise accessible to the public under other arrangements, whether at no cost or for a fee or charge (in other words, documents which are already in the public domain), please refer to the following link for further information:

<https://www.oaic.gov.au/freedom-of-information/rights-and-responsibilities#whats-covered-by-foi>

In view of this, I further note that there are historic AIHW Reports that are already in the public domain and available on line, which make mention of *Ehlers-Danlos Syndrome* within the 20 year period you have specified. Consider, for example, the AIHW's *Maternal Deaths in Australia 2003–2005* publication, dated May 2008, which is publically available through the following link:

<https://www.aihw.gov.au/getmedia/7eee0f5e-ecec-48d6-a291-c9c13ad0184d/mdia03-05.pdf.aspx?inline=true>

Nevertheless, in the interests of assisting you with your request, I am available to consult with you, as part of a 'request consultation process', in relation to the wording of your request and discuss with you how it could potentially be revised so as to remove the practical reason for refusal that I have noted above and enable the AIHW to assist you with progressing your request. (I also note that the AIHW has already attempted to contact you by email, on Friday 11 January 2019, asking you to contact us so we can discuss your request further with you.)



Your review rights

If you are dissatisfied with my decision under section 54 of the FOI Act you may apply in writing for an internal review. I encourage you to seek internal review as a first step as it may provide a faster resolution of your concerns.

Please note that if you intend to apply for an internal review of my decision, an internal review application must be made within 30 days of the date of this letter.

Information Commissioner Review

Under section 54L of the FOI Act, you may also 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://forms.business.gov.au/aba/oaic/foi-review-/>

Email: enquiries@oaic.gov.au

Post: GPO Box 2999, Canberra ACT 2601

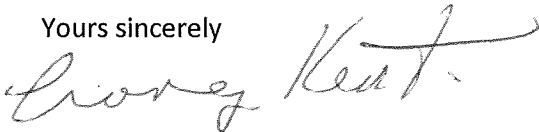
In person: Level 3, 175 Pitt Street, Sydney NSW

More information about Information Commissioner Review is available on the Office of the Australian Information Commissioner website. Please go to the following link for further details:

www.oaic.gov.au/freedom-of-information/foi-reviews

If you would like any further information in relation to your FOI request, or would like to liaise with me as part of a 'request consultation process' my contact details are below.

Yours sincerely



Gary Kent
FOI Decision Maker (pursuant to Section 23 of the FOI Act)
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Wednesday 23 January 2019