



Our reference: FOIREQ19/00116

Mr Roger Sparrow

By email: [foi+request-5455-0fb67cb6@righttoknow.org.au](mailto:foi+request-5455-0fb67cb6@righttoknow.org.au)

## Your Freedom of information request – FOIREQ19/00116

Dear Mr Sparrow,

I refer to your request for documents under the *Freedom of Information Act 1982* (Cth) (the FOI Act) received by the Office of the Australian Information Commissioner (the OAIC) on 1 June 2019.

I am an authorised officer under s 23(1) of the FOI Act to make decisions in relation to freedom of information (FOI) requests.

On 1 June 2019, you requested access to:

... any documents that relate to any representative complaints made or expected under section 36 of the Privacy Act 1988 (Cth), including documents relating to:

1. any past, pending or expected representative complaints (whether the complaint was investigated by the Office of the Australian Information Commissioner or not);
2. any documents relating to possible representative actions in relation to Facebook, Inc (in relation to Cambridge Analytica, as investigated by the OAIC (per statement of 5 April 2018)); and
3. any documents relating to possible representative actions in relation to Avid Life Media, Inc (in relation to the Ashley Madison data breach, investigated by the OAIC (per statement of 25 August 2015), to the extent that those documents are not already available on the OAIC's website.

From 1 November 2010 to today's date.

On 14 June 2019, Ms Amanda Nowland wrote to you to advise you that she believed that a practical refusal reason, under s 24AA of the FOI Act existed, as the work involved in processing your request in its current form will substantially and unreasonably divert the resources of the OAIC from its other operations due to its size and broad scope. Ms Nowland explained that a failure to comply with this requirement is a 'practical refusal' reason under s 24AA(1)(a)(i) of the FOI Act.

You were given an opportunity to consult Ms Nowland to revise your request to remove the practical refusal reason and asked you to state whether you wanted to revise your request, withdraw your request or whether you did not want to revise your request.

You were required to respond by the end of the consultation period, which was 27 June 2019.

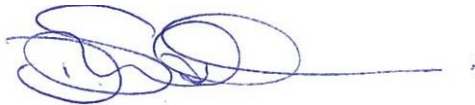
### **Request consultation process**

A request is taken to be withdrawn under s 24AB(7) of the FOI Act if the applicant does not consult the contact person during the consultation period in accordance with the notice or:

- withdraw their request
- make a revised request, or
- tell us that you do not wish to revise your request.

Because no response was received by the end of the consultation period, this matter has been treated as withdrawn.

Yours sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Delaney Smith  
Legal Services Officer  
Legal Services

3 July 2019

## Heading 1

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## Heading 2

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## Heading 3

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## Heading 4

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## Heading 5

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<sup>1</sup> Footnotes

<sup>2</sup> Footnotes