

14 October 2019

Ms Imogen Stephenson
Via email: foi+request-5601-77d80891@righttoknow.org.au

David Brumby
FOI Coordinator
University Records
The Australian National University
Canberra ACT 2601

foi@anu.edu.au

CRICOS Provider No. 00120C

Dear Ms Stephenson

Freedom of Information Request No 201900048

I refer to your correspondence received on 29 August 2019 seeking access to documents held by The Australian National University under the *Freedom of Information Act 1991*.

I have taken your request to be for access to copies of the following documents:

- 1. The total number of sexual assault/harassment/misconduct complaints that occurred in ANU during 2018*
- 2. The number of sexual assault/harassment/misconduct complaints alleging a staff member as responsible in 2018*
- 3. The number of sexual assault/harassment/misconduct complaints alleging a student as responsible in 2018*
- 4. The number and nature of any disciplinary actions taken by ANU in relation to complaints and/or incidents of alleged sexual assault/harassment/misconduct in 2018*
- 5. Information on any strategies implemented in the last year by ANU to tackle the problem of sexual harassment and sexual violence in the university community*

I, David Brumby, being an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests. I am writing to tell you that I believe that your request does not adequately identify the desired documents you are requesting access to under section 24AA(1)(b)) of the FOI Act.

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process' as set out under section 24AB of the FOI Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

In your email request of 29 August 2019, I took your request for access to copies of the following documents:

- 1. The total number of sexual assault/harassment/misconduct complaints that occurred in ANU during 2018*
- 2. The number of sexual assault/harassment/misconduct complaints alleging a staff member as responsible in 2018*
- 3. The number of sexual assault/harassment/misconduct complaints alleging a student as responsible in 2018*

4. *The number and nature of any disciplinary actions taken by ANU in relation to complaints and/or incidents of alleged sexual assault/harassment/misconduct in 2018*
5. *Information on any strategies implemented in the last year by ANU to tackle the problem of sexual harassment and sexual violence in the university community*

On 13 September 2019, the University contacted you by email seeking clarification regarding the scope of your request outlined as follows:

- Are you seeking access under the Commonwealth Freedom of Information Act 1982?
- Are you seeking access to statistical data or detailed documents? Please clarify.
- Are you seeking access to any individual reports that may exist?
- Are you seeking access to documents containing strategies regarding sexual assault and sexual violence at the University? Please clarify.

On 1 October 2019, the University sent you an email reminder, again asking for clarification regarding the scope of your request.

I note that you have not responded to the email messages sent to you on 13 September 2019 and 1 October 2019.

I have decided that a practical refusal reason exists because previous consultation with you under section 15(3) has failed to clarify the scope of the request and provide such information as is reasonably necessary to enable a responsible officer to identify the document(s) requested, as is required by section 15(2)(b) of the FOI Act.

Request consultation process

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean providing more details concerning the documents you wish to access. For example, by providing more specific information so that our agency will be able to pinpoint the documents you are seeking access to.

Before the end of the consultation period, you must do one of the following, in writing:

- Withdraw your request,
- Make a revised request, or
- Tell us that you do not wish to revise your request.

The consultation period runs for 14 days and starts on the day after you receive this notice.

During this period, you are welcome to seek assistance from me. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, we will recommence processing it. (Please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30-day time limit for processing your request.)

If you do not do one of the three things listed above during the consultation period, your request will be taken to have been withdrawn.

Should you have any questions regarding this notice please feel free to contact.

Yours sincerely

A handwritten signature in cursive script that reads "David Brumby".

David Brumby
FOI Coordinator